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COUNTY COUNCIL

MINUTES OF THE MEETING OF THE COUNTY COUNCIL held at COUNTY HALL, TROWBRIDGE ON 15 JULY 2008

PRESENT: Brigadier Hall (Chairman), Mr ML Baker, Mrs NS Bryant, Mrs EA Chettleburgh, Mr TP Chivers, Mr E Clark, Mr PCB Coleman, Mr M Connolly, Mr BE Dalton, Mr A Davis, Mr PR Davis, Mr AN Deane, Mrs Dixon, Mrs SK Doubell, Mrs MJ Douglas, Mr P Fuller, Mrs MEM Groom, Mr M Hewson, Mr CP Humphries, Mr JP Johnson, Mr A Molland, Mr WR Moss, Mr CS Newbury, Mr JC Noeken, Mr JB Osborn, Mr SJ Oldrieve, Mr RT Rogers, Mrs JH Rooke, Mrs P Rugg, Mrs JA Scott, Mrs JH Seager, Mrs CA Soden, Mr TR Sturgis, Mrs J Swabey, Mrs MSN Taylor, Mr JP Thomson, Mr RS While, Mrs M White, Mr DJ Willmott, Mr CS Winchcombe and Mr KC Wren

Also in attendance: Mr K Shipman, Chairman of the Standards Committee

The meeting was preceded by a presentation on 'Funding a Low Carbon Future in Wiltshire' Solar Energy Solutions for Community Buildings

92. **Mr Nigel Anderson M.C, D.L**

The Chairman announced the recent death of Mr Nigel Anderson, a former Chairman of the County Council from 1980-1984. Mr Anderson had served on the Council from 1973 – 1984 and during that time had held the chairmanship of several committees. He had been an Alderman for the County and also served as High Sheriff of Wiltshire and had been a Deputy Lord Lieutenant of the County.

He was a very well respected member of the Council. A number of Members and Officers had attended his funeral on 6 June. The Chairman had written to family to extend the condolences of the Council.

93. **Apologies**

Apologies for absence were received from Mrs Wayman, Mrs Hannaford-Dobson, Mr Henning, Mr Batchelor, Mr West and Miss de Rhe Philipe.

It was noted that Mr West and Miss de Rhe Philipe were absent due to their attendance on behalf of the Council at an English Heritage presentation on the Visitors' Centre at Stonehenge

94. **Members' Interests**

Mr Sturgis declared a personal interest in the item referred to at minute no. 101 – Wiltshire and Swindon Minerals and Waste Development Framework. His interest was that his family had landholdings in the area although he pointed out that the Plans within the framework were not site specific.

Mr Newbury declared a personal interest in the presentation by Mr Thomson on transforming social care in Wiltshire as he had a relative who was in receipt of a home care package.

95. **Minutes of Previous Meeting**

The minutes of the Annual Meeting held on 13 May 2008 were presented.

Resolved:

That the minutes of the last meeting held on 13 May 2008 be approved as a correct record and signed by the Chairman.

96. **Announcements from the Chairman**

(a) **Military Parade – 27 June 2008**

The Chairman referred to the Military Parade which had been held on 27 June in Trowbridge to thank the armed forces in the County for their services in Iraq and Afghanistan. 400 soldiers from the 1st Mechanised Brigade paraded through Trowbridge and were warmly received by the people of Trowbridge and other parts of the County.

The Chairman thanked all those who had been involved in ensuring the success of the event, in particular, West Wiltshire District Council, Trowbridge Town Council, the Wiltshire Branch of the Royal British Legion and the Wiltshire Constabulary.

(b) **HM The Queen's Birthday Honours**

On behalf of Council, the Chairman congratulated all those in Wiltshire who had Received honours in the Queen's Birthday Honours in June 2008. Particular congratulations went to Roy Canham, former County Archaeologist who made MBE.

(c) **Wiltshire Life Education Centre Launch of New Mobile Unit**

The Chairman was pleased to announce that Wiltshire Life Education Centre celebrates their new mobile classroom. The Management Team led by Mr Rogers, in partnership with the Council, were arranging a celebratory event on 21 July to which all Members were invited where the new unit would be unveiled.

(d) The Wiltshire and Swindon History Centre

The Chairman announced that this Council and Swindon Borough Council had been presented with a Certificate of Merit by the Chippenham Civic Society for the high quality modern design of the Wiltshire and Swindon History Centre. The award was received at the Annual Conservation and Environment Awards and was received by Mrs Douglas on behalf of the Council.

An Open Day at the Centre would be held on 27 September 2008.

(e) Cabinet

The Chairman reminded Members that a meeting of Cabinet was scheduled to take place at 2pm or on the rising of this Council meeting, whichever was the later. The Leader would confirm the start time at the conclusion of this meeting.

97. **Petitions**

No petitions had been received.

98. **Public Participation**

No requests for public participation had been received during the deadline.

99. **Best Value Performance Plan**

The Leader of Council moved the recommendation of Cabinet dated 24 June 2008, that the Best Value Performance Plan be approved. It was noted that Cabinet had given delegated authority to the Chief Executive in consultation with the Leader to approve the Plan for publication purposes.

The report by the Assistant Director (Performance and Review) considered by Cabinet and the Best Value Performance Plan were circulated.

Resolved:

That the Best Value Performance Plan be approved.

100. **Amendments to the Approved Treasury Lending List**

The Leader of Council moved the recommendations of Cabinet dated 24 June 2008 as presented to agree increases in investment limits.

During the discussion, queries were raised from a Member on whether or not the Council invested with USA banks, restricted investments placed on an ethical basis and whether the Council invested in commodities such as gold.

The Leader referred Members to the Treasury Management report considered by Cabinet and adopted by Council as part of the budget process which would answer these queries.

Resolved:

To agree to:

- (i) increase the overall investment limits with immediate effect from £10 million to £15 million for:
 - UK incorporated banks with a long term credit rating of at least AA;
 - Overseas banks that have a long term credit rating of at least AA;
 - Multilateral development banks;
 - Local authorities and other public bodies; and
 - Money market funds.
- (ii) increase the investment limit with immediate effect from £6 million to £8 million for:
 - Other UK incorporated banks (that have a long term credit rating of less than AA but satisfy the credit rating conditions);
 - Other overseas banks (that have a long term credit rating of less than AA but satisfy the credit rating conditions); and
 - Building societies with long term credit rating of at least A.

101. **Wiltshire and Swindon Minerals and Waste Development Framework:
Publication of Submission Draft Minerals and Waste Development Control
Policies Development Plans**

The Cabinet Member for Planning and Waste moved the recommendation of Cabinet dated 24 June 2008.

By way of background information, the report of the Director of Environmental Services considered by Cabinet was presented.

Resolved:

That Council approves the Draft Minerals and Waste Development Control Policies Development Plans for the purpose of submission to the Secretary of State and the commencement of the independent examination under Section 20 of the 2004 Act.

102. **Cabinet Business**

The Chairman invited the Leader and her Cabinet to report on issues of particular significance to the Council.

Transforming Social Care in Wiltshire

Mr Thomson, Cabinet Member for Community Services gave a presentation on 'Transforming Social Care in Wiltshire' and answered Members' questions. A Member enquired about the current situation following the withdrawal of wardens from housing in Salisbury 4 years ago. Mr Thomson undertook to provide a written answer to all Members and confirmed that a report on the way forward with transforming social care would be presented to a future meeting of Cabinet.

Members thanked Mr Thomson for a very informative presentation.

Industrial Action 16 & 17 July 2008

Mr Baker, Cabinet Member for Staffing and Customer Care updated Members on the national industrial action scheduled for 16 and 17 July 2008. The industrial action by Unison was in support of the union's pay claim. It was not yet clear how many staff who would participate in the action; however, the Council was confident that the overwhelming majority of staff would work normally on those days.

Should there be any disruption to services, the Council would contact the people affected to notify them of the situation and make alternative arrangements where possible.

JAR Inspection

Mrs Bryant, Cabinet Member for Education and Youth Development updated Members on the recent JAR Inspection. The Inspection which had involved interviews with Members, officers and parents had now been concluded. A draft report on the findings of the Inspection would be available in due course with the final report due to be published in November 2008. Mrs Bryant thanked Members for their involvement and co-operation in the Inspection and Officers who worked hard to produce promptly all the documentation required by the Inspectors.

During the discussion of this update, some Members commented on the closure of Upavon Primary School in Pewsey and the resignation of Governors at Bemerton School in Salisbury.

103. **Members' Questions**

The Chairman reported receipt of the under mentioned questions, details of which had been circulated:

Mrs White in respect of the cost of CRB checks and questioned the necessity of the Council insisting on a new check being undertaken in respect of supply teachers

rather than accepting an up to date check. The Leader gave a response from which it was noted that CRB information was not portable and that she was raising concerns over the process for CRB checks with the relevant Minister via the local MP's and directly with the CRB. The Leader undertook to keep Members informed.

Mr Clark on whether or not this Council was investigating the possibility of introducing arrangements for the recycling of 'tetrapak' cardboard containers either through kerbside collections or 'bring sites'. Mr Sturgis, Cabinet Member for Planning and Waste gave a response from which it was noted that this Council and its contractor Hills Waste had recently negotiated the siting of 'tetrapak' collection bins at the Council's 10 household recycling centres. A press release on this initiative had been issued on 8 July, details of which were circulated at the meeting.

Mr Dalton on the resurfacing and associated street works along the Town Path in Salisbury. In the absence of the Cabinet Member for the Environment, Mr Sturgis, Cabinet Member for Planning and Waste gave a response to the points raised.

104. **Reports of Cabinet**

The Leader of the Council presented the minutes of Cabinet dated 20 May and 24 June 2008 which were received and noted.

105. **Questions: Cabinet**

The following questions were raised by Members:

Mr Connolly – Minute No. 66 – dated 20 May 2008 – Proposals to Increase Registration Service Fees

Mr Connolly was in favour of the revised proposals and asked Cabinet to avoid having a two tier pricing structure to avoid any pricing discrepancies.

Mr Connolly – Minute No. 74 (b) – dated 24 June 2008 – Capital Outturn 2007/08

Mr Connolly asked for an update on the funding of the Ludgershall library scheme. Mrs Douglas, Cabinet Member for Culture including Libraries and Heritage explained that a report on the funding of libraries would be presented to Cabinet on 23 September 2008 by which time it was hoped that Kennet District Council would have formed its view.

106. **Implementation Executive**

The Leader of the Council presented the minutes for the Implementation Executive dated 22 May, 2 June, 17 June and 9 July 2008 which were received and noted.

107. **Questions: Implementation Executive**

No questions were raised.

108. **Joint Overview and Scrutiny Transition Board**

Mr Molland, Chairman of the Joint Overview and Scrutiny Transition Board presented the minutes of the board dated 30 May and 4 July 2008 which were received and noted.

109. **Questions Joint Overview and Scrutiny Transition Board**

Mrs Doubell sought clarification over what was happening with the Community Area Boards Pilot Scheme. Mr Thomson, Cabinet Member for Community Services undertook to provide the necessary information to Mrs Doubell.

110. **Report of Overview and Scrutiny Management Committee**

Mr Osborn, Chairman of the Overview and Scrutiny Management Committee presented the minutes of the Committee dated 12 June 2008 which were received and noted.

111. **Questions: Overview and Scrutiny Management Committee**

Minute No. 101 – Work Programme

Mr Molland asked if Council could agree a change to the membership of the Budget Scrutiny Task Group and was advised that this was a matter for the Overview and Scrutiny Management Committee to resolve.

Minute No. 96 – Budget Scrutiny Task Group Final Report

The Leader explained that the budget for 2009/10 would be considered by the Implementation Executive and in light of this, invited the Overview and Scrutiny Management Committee to consider how it wished to scrutinise the budget.

Swindon Borough Council – Removal of Speed Cameras

Mr Hewson referred to Swindon Borough Council's decision to review its involvement with the Wiltshire and Swindon Safety Camera Partnership which may lead to the removal of speed cameras in the Borough. The Chairman of the Committee agreed that this was something that could be looked at by the Committee if necessary.

112. **Report of Health Overview and Scrutiny Committee**

The Chairman of the Health Overview and Scrutiny Committee presented the minutes of the Committee dated 15 May 2008 which were received and noted.

113. **Questions: Health Overview and Scrutiny Committee**

No questions were raised.

114. **Report of Children's Services Scrutiny Committee**

The Chairman of the Children's Services Committee presented the minutes of the Committee dated 22 May 2008 which were received and noted.

115. **Questions: Children's Services Scrutiny Committee**

No questions were raised.

116. **Report of Regulatory Committee**

The Chairman of the Regulatory Committee presented the minutes of the Committee dated 21 May 2008 which were received and noted.

117. **Questions: Regulatory Committee**

Mr Newbury enquired if the Westbury MBP planning application would be presented to the Regulatory Committee on 30 July 2008. Mr A Davis, Chairman of the Committee replied that he hoped this would be the case, but this was reliant on information being forthcoming from the applicant on time. He also explained that a site inspection would probably be arranged nearer the date of the meeting, details of which would be confirmed to Members.

118. **Report of Final Accounts and Audit Committee**

The Vice-Chairman of the Final Accounts and Audit Committee presented the minutes of the Committee dated 30 June 2008 which were received and noted.

119. **Questions: Final Accounts and Audit Committee**

A comment was made on the shortfall in audit days due to long term sickness and a query was made as to whether this should be considered as a risk to the long term business of the Council. The Vice-Chairman of the Committee confirmed that there had been a shortfall in audit days and that this point had been considered by the Committee.

120. **Report of Wiltshire Pension Fund Committee**

The Chairman of the Wiltshire Pension Fund Committee presented the minutes of the Committee dated 17 June 2008 which were received and noted.

121. **Questions: Wiltshire Pension Fund Committee**

The Chairman of the Committee responded to a question on the performance of the Fund for the period 2007/08.

122. **Report of Staffing Policy Committee**

The Chairman of the Staffing Policy Committee presented the minutes of the Committee dated 23 May and 9 July 2008 which were received and noted.

123. **Questions: Staffing Policy Committee**

No questions were raised.

124. **Report of the Standards Committee**

The Chairman of Council presented the minutes of the Standards Committee dated 18 June 2008 which were received and noted.

125. **Standards Committees Annual Report 2007/08**

With the Chairman's permission, Mr Shipman, Chairman of the Standards Committee, presented the Annual Report of the Committee for 2007/08 for Council's information which was received and noted.

Mr Shipman referred to the most significant items of business the Committee would be dealing with during 2008/09 which included the overseeing of a new Constitution for Wiltshire Council. He also referred to the new local assessment regime devolved from the Standards Board for England to local Authorities from May 2008 which would increase the Committee's workload significantly under the Unitary Council arrangement.

126 **Notice of Motion: Mrs MEM Groom – M4: Junction 16**

The Chairman referred Members to the agenda which included a notice of motion from Mrs Groom in respect of the judicial review against Swindon Borough Council's discharge of Condition 99.

The Chairman said that he took the view that given the way it was worded, it was a question and not a motion for Council to consider adopting and explained that he would therefore be treating it as a question.

The Chairman then invited Mrs Groom to ask her question. Mrs Groom asked if the judicial review papers could be circulated to Members and if this Council as an interested party would be giving a response. A reply from Miss de Rhe Philipe, Cabinet Member for the Environment, Transport and Economic Development was tabled at the meeting from which it was noted that the judicial review papers would as requested, be made available to Members.

It was further noted that the Director of Environmental Services, on the advice of the Solicitor to the Council, had determined that this Council should at this stage, maintain a watching brief only and not formally become involved in the proceedings. In Miss de Rhe Philipe's absence, Mr Sturgis confirmed that both officers would continue to monitor the progress of the proceedings.

127. **Boundary Committee – Draft Recommendations**

The Chairman referred to the draft recommendations of the Boundary Committee as presented. The Chairman explained that the Boundary Committee had made very

little change to this Council's submission and considered that this Council's proposals were of a high quality, reflecting the consultation process that had been undertaken by the Council in advance of the submission. The Chairman commented that this was a great testament to the hard work of Members and officers.

The Chairman invited Mrs Scott as Chairman of the Boundary Review Working Party to present the recommendations of the meeting of the Boundary Review Working Party held on 8 July 2008, notes from which were presented. Mrs Scott thanked Members for their hard work and cross party co-operation and also thanked officers, in particular John Quinton and his team for their hard work and dedication which resulted in a submission commended by the Boundary Committee for its high quality.

She asked Members to contact John Quinton over names of Divisions following consultation with the local parish and town councils by 11 August to ensure their inclusion in the final submission.

A number of Members commented on the excellent way in which the boundary review had been undertaken and added their thanks to John Quinton and also thanked the Leader for the open way in which the review had been undertaken

Following discussion, it was

Resolved:

- (a) To thank the Boundary Committee for the work they have done so far and to confirm that the Council remain committed to its submission based on a council size of 98, coterminosity with Community Areas and single-member divisions all of which had cross-party and multi-authority support.**
- (b) To welcome the draft recommendations as they will enable the new Council to deliver on its vision for community and local governance, for bringing decision making closer to communities and for better engagement with those communities and enable members of the new Council to represent their communities effectively.**
- (c) To accept the proposed change involving Erlestoke parish.**
- (d) To delegate to the Chief Executive the confirmation after discussion with local members the final names for divisions.**
- (e) To encourage local members in divisions of an electoral variance of more than 10% to make representations to the Boundary Committee during Stage Three in support of the proposed electoral arrangements.**
- (f) To delegate to the Chief Executive in consultation with Group Leaders, to resolve any mapping issues.**

128. **Wiltshire and Swindon Fire Authority**

The minutes of the Wiltshire and Swindon Fire Authority meeting held on 29 May 2008 were received and noted.

129. **Wiltshire Police Authority**

The minutes of the Wiltshire Police Authority meeting held on 12 June 2008 and the report of the Wiltshire Police Authority from Mrs Soden were received and noted.

The Chairman reported receipt of questions from Mrs Wayman and Mr Deane. A copy of the questions and responses from the Wiltshire Police Authority were circulated.

(Duration of meeting: 11.00am – 1.10pm)

The officer who has produced these minutes is Yamina Rhouati, Democratic and Members' Services, direct line 01225 718024,

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