



IMPLEMENTATION EXECUTIVE

Minutes of the meeting held on 19 March 2008

In Attendance

Wiltshire County Council

Mrs Jane Scott – Leader – in the Chair
Mr John Thomson – Deputy Leader
Mr Mark Baker
Mrs NS Bryant
Miss Fleur de Rhe Philipe
Mrs Mary Douglas
Mr John Noeken
Mr Toby Sturgis
Mrs Bridget Wayman

Kennet District Council

Mr Lionel Grundy – Leader

North Wiltshire District Council

Mr Dick Tonge Leader

Salisbury District Council

Mr Paul Sample – Leader

West Wiltshire District Council

Mr Tony Philips – Deputy Leader
Mr Rod Eaton

Also in attendance: Mr Paul Clegg, Mr A Molland, Mr Jeff Osborn and Mrs P Rugg.

1. Apologies

Apologies were received from Mrs Bucknell, Mr Fear and Mr Willmott.

2. Notes of Last Meeting

The notes of the last meeting held on 13 February 2008 were confirmed and signed as a correct record.

In agreeing these notes the Implementation Executive formally agreed to endorse the delegation contained in Note 5(a) to the Director of the One Council Programme to manage the budget for Transition Costs.

The Leader also reported that in response to the recommendation from the last meeting of the Implementation Executive, the County Council at its meeting on 18 March had not agreed to appoint an Independent Remuneration Panel to consider paying allowances to members of the IE.

The Solicitor to the Council agreed to circulate a note to members on the legality of District Councils paying an allowance to their members for serving on a committee of another authority.

3. Membership

The Head of Democratic Services reported that the following nominations for membership of the Implementation Executive had been formally received:-

Mr Grundy and Mr Willmott – Kennet District Council
Mr Eaton and Mr Phillips – West Wiltshire District Council
Mr John Thomson, Mr Mark Baker, Mrs NS Bryant, Miss Fleur de Rhe Philipe, Mrs Mary Douglas, Mr John Noeken, Mr Toby Sturgis and Mrs Bridget Wayman – Wiltshire County Council.

(NB. Mrs J Scott is automatically a member and the Leader of the Implementation Executive by virtue of the Wiltshire (Structural Change) Order 2008.)

4. Leader's Announcements

(a) IDeA- The Role of Unitary Members The Leader reported the IDeA had offered to undertake some free work with the 5 Councils on the roles of the new Unitary Member. This work would be led by North Wiltshire District Council in conjunction with the other 4 councils.

(b) Summary of Discussions The Leader reported that a brief summary of discussions at meetings of the Implementation Executive would be circulated to all members of the five councils.

5. Members' Interests

A briefing note was circulated at the meeting to assist Members appointed to the Implementation Executive in complying with their obligations under the relevant Code of Conduct.

It was agreed that District Council members could supply a copy of their District Council Register of Interests with a covering letter to reflect any additional interests outside of their District Council area.

6. Procedure Rules

The Procedure Rules as agreed at the meeting of the Implementation Executive on 16 January 2008, were circulated for confirmation.

In relation to paragraph 12.2 members felt that it would be more democratic if a certain number of members were also able to require an extraordinary meeting. As a quorum was set at five the figure to require an extraordinary meeting should also be five.

Clarity was also requested relating to the references to the Wiltshire Council and whether this should be the County Council.

Resolved:

To confirm the procedure rules subject to an amendment enabling 5 members of the Implementation Executive to require an extraordinary meeting and for there to be more clarity relating to the references to the Wiltshire Council.

7. Transitional Functions of the Wiltshire Council and Establishment of the Implementation Executive

The Implementation Executive considered the report of the Solicitor to the Council and Monitoring Officer which outlined the current legal position following the implementation of the Wiltshire (Structural Change) Order 2008 on 26 February 2008 and in particular the responsibilities of the Implementation Executive.

Resolved:

To note the current position with regard to the Implementation Order.

8. Control of Disposals, Contracts and Reserves

The Implementation Executive considered the report of the Solicitor to the Council and Monitoring Officer which outlined the current position regarding the control of disposal, contracts and reserves by District Councils following the Direction made under Section 24 of the Local Government and Public Involvement in Health Act 2007 by the Secretary of State.

District Councils had been asked to propose the terms in which they would like any general consent order to be framed and a response dated 13 March from West Wiltshire District Council was circulated at the meeting.

It was agreed that until such time as the officers of the five Councils endorsed or amended the West Wiltshire proposal, the operation of any delegation would be informed by that proposal.

Resolved:

(a) To delegate to the County Council's Chief Executive power to make both general and specific consents under the direction made under Section 24 of the Local Government and Public Involvement in Health Act 2007 issued on 29 February 2008 and coming into force on 4 March 2008.

(b) To receive a consolidated report at each meeting on the general and specific consents exercised in the preceding period.

Reason for proposal

To put into place arrangements to ensure appropriate consent can be given in a timely manner to District Councils to protect resources without adverse impact upon the provision of day to day services.

9. Towards One Council – Progress Report

A report on progress and action since the last meeting was presented and comments were invited.

In particular the Workstream Leader for Community Leadership and Governance outlined the development phase of the work on community area boards.

Resolved:

(a) To note the overall progress report and in particular the project updates for the Community Leadership and Governance Workstream.

(b) To agree, subject to resources, the locations for testing out new community governance arrangements within a Development Phase during 2008/9:-

Calne, Chippenham, Corsham, Malmesbury, Wootton Bassett,
Salisbury City, Amesbury, Tisbury, Tidworth, Pewsey, Trowbridge,
Warminster.

(c) To note the proposals for engaging with frontline services from the Council and from other public agencies

(d) To note the proposals for monitoring and evaluation of the Development Phase.

10. Revenue Budget Baseline

The Implementation Executive received the report of the Chief Financial Officer which presented a consolidated position for the revenue budget for 2007-8 of all five councils and the process for updating the budget for 2008/09.

Resolved:

To note the initial consolidated revenue budget and the approach to updating it.

11. Boundary Review – Draft Proposals

The Implementation Executive considered a report which updated members on the progress of the boundary review.

Resolved:

To support the Council's request for a review of the electoral arrangements for the new Council based on:-

- (a) a minimum of 98 councillors;
- (b) single member divisions;
- (c) having the flexibility to mix rural and urban areas but keeping this to a minimum;
- (d) retaining the current boundary for the city of Salisbury;
- (e) trying to ensure that if parishes need to be re-warded then the subsequent wards are of equal status;and
- (f) emphasising that community identity is just as vital as electoral equality.

12. Outline Work Programme

The outline work programme for April to November 2008 was presented for information.

Various amendments were made to the programme including the suggestion that each item should include a short explanation of the key issue and the lead officer's contact details.

It was noted that the meeting on 22 May would be held in Devizes to ensure that members could attend the seminar that evening to be held at the Corn Exchange.

13. Organisation and Structure of the New Council

The Implementation Executive considered a report from the County Council's Chief Executive which was the first of two reports on this issue. In the light of comments on the report a further report would be brought to the next meeting on a specific departmental structure.

Members commented on the report and in particular on the summary paragraph.

Resolved:

To agree that the Chief Executive will now work with the Joint Implementation Team to reflect the comments of the Implementation Executive in a further report to the next meeting.

14. Exclusion of the Public

Resolved: To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minutes Nod. 15 and 16 below because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

15. Appointment of Chief Executive

The Implementation Executive considered a confidential report on the options available in terms of process and timescale for the appointment of the Chief Executive and were asked to comment on the options so that this could be fed into the decision of the County Council.

Resolved:

To agree that the County Council should be informed that both the recruitment arrangements and the selection of the Chief Executive should be left to the new authority.

16. Severance Arrangements

The Implementation Executive considered a confidential report which sought support for the harmonisation of severance arrangements between the five councils.

The Implementation Executive were informed that it would be for each individual Council to agree its arrangements up to 31 March 2009 and that the County Council's scheme would continue into the new Council post April 2009.

Resolved:

To recommend to each authority the adoption of the proposals contained in paragraphs 17 and 20 of the report as soon as practicable in order to harmonise the severance arrangements.

The meeting close at 6.45 pm.