



COUNTY COUNCIL

MINUTES OF THE MEETING OF THE COUNTY COUNCIL held at COUNTY HALL, TROWBRIDGE ON 11 NOVEMBER 2008

PRESENT: Brigadier Hall (Chairman), Mr ML Baker, Mr P Batchelor, 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, Miss MF de Rhe Philipe, Mrs HM Dixon, Mrs SK Doubell, Mrs MJ Douglas, Dr JM English, Mr P Fuller, Mrs MEM Groom, Mrs EM Hannaford-Dobson, Mr M Hewson, Mr CP Humphries, Mr JP Johnson, Mr A Molland, Mr WR Moss, Mr CS Newbury, Mr JC Noeken, Mr SJ Oldrieve, Mr JB Osborn, Mr RT Rogers, Mrs JH Rooke, Mrs JA Scott, Mrs JH Seager, Mrs CA Soden, Mr TR Sturgis, Mrs J Swabey, Mrs MSN Taylor, Mr JP Thomson, Mr AJ Trotman, Mrs B Wayman, Mr IC West, Mr RS While, Mrs M White, Mr DJ Willmott, Mr CS Winchcombe and Mr KC Wren

130. **Apologies**

Apologies for absence were received from Mrs Rugg and Mr Henning.

131. **Members' Interests**

No interests were declared.

132. **Minutes of Previous Meeting**

The minutes of the last meeting held on 15 July 2008 were presented.

Resolved:

That the minutes of the last meeting held on 15 July 2008 be approved as a correct record and signed by the Chairman.

133. **Announcements from the Chairman**

(a) **Representatives of the Police Authority**

The Chairman welcomed to the meeting Assistant Chief Constable Julie Clayton, Chief Superintendent Julian Kirby and Chairman of the Wiltshire

Police Authority Chris Hoare who would be delivering a presentation on Neighbourhood Policing later in the meeting.

(b) Sutton Benger Primary School

The Chairman welcomed pupils from Sutton Benger Primary School who would be observing part of the meeting.

(c) Arrangements to observe the two minute silence of Remembrance

The Chairman outlined arrangements to observe the two minute silence of Remembrance later in the meeting.

(d) Mr Percy Jefferies

The Chairman referred to the recent death of former Chairman of the County Council, Mr Jefferies. Mr Jefferies was first elected to the County Council in 1976 and served until 1997 and had been a well respected and excellent ambassador for Wiltshire. The Chairman reported that he had written to Mr Jefferies' family to extend the condolences of the Council.

(e) Mrs Mary Salisbury CBE, DL

The Chairman reported that Mrs Mary Salisbury had recently passed away. Mrs Salisbury was also a former Chairman of the County Council and had served on the Council from 1955 until 1961, 1965 until 1993 and from 1997 until 2001. Mrs Salisbury was a highly respected and popular Councillor who worked tirelessly for her electorate. She had been an outstanding ambassador for Wiltshire which had been recognised in her appointment as a Deputy Lieutenant for the County. The Chairman had written to Mrs Salisbury's family to extend the condolences of the Council.

The Council then stood for a moment of silence as a mark of respect and in recognition of the service and contribution to the Council and to Wiltshire generally given by Mr Jefferies and Mrs Salisbury.

(f) Military Parade – 27 June 2008

Further to the Military Parade which took place on 27 June 2008, the Chairman read out a letter of thanks he had received from General Sir Richard Dannatt.

(g) County Hall Carol Service

The Chairman reminded Members that the annual carol service would now be held on Monday 15 December 2008 in the Council Chamber at 1.00pm when the Celebrant would be the Archdeacon of Wiltshire, the Venerable John Wraw.

(h) Wiltshire Winners at National Justice Awards 2008

The Chairman was delighted to announce that Wiltshire's Domestic Violence Local Public Service Agreement Working Group won the partnership of the Year category at the National Justice Awards in London on 21 October 2008. The Chairman congratulated the officers concerned namely Hayley Mortimer, Pippa McVeigh, and Emma Harrold from Community Safety and John Stoddart from Children and Families.

(i) Wiltshire and Swindon History Centre

The Chairman reported that the Wiltshire and Swindon History Centre had been highly commended in a prestigious design competition, the Society of Chief Architects of Local Authorities Annual Civic Building of the Year Award.

(j) The Queen's Award for Voluntary Service

The Chairman reported that he had together with the Lord Lieutenant, hosted a reception at County Hall on 9 October 2008 for representatives of the eight voluntary organisations based in Wiltshire and Swindon which had been nominated this year for the Queen's award for Voluntary Service.

The Chairman took the opportunity to encourage Members who were aware of voluntary organisations which have a significant impact on the lives of people in Wiltshire to consider nominating them for an award. Nomination forms were available from the Chairman's office.

134. **Petition**

On behalf of residents of Cocklebury Road, Chippenham, Mr Coleman presented a petition with 327 signatories which called on the Council to resurface Cocklebury Road as a matter of urgency. Details of a statement in support of the petition had been circulated to Members.

The Cabinet Member for Environment, Transport and Economic Development reported that she appreciated that Cocklebury Road was the main access road into Monkton Park, and over part of its length it is the only access route. However, the budget for this year was fully committed, and it would not be possible to include an additional scheme at this stage in the programme.

Survey and condition information was currently being collected and collated to inform the selection of sites for treatment next year, and Cocklebury Road would be examined and considered for treatment. However, the budget for next year had not yet been agreed, and it was not possible to give any undertaking about what would be included in next year's programme.

In the meantime, the Council would continue to inspect the road regularly and any defects would be repaired in accordance with the County Council's Highway Inspection Manual. The Cabinet Member suggested that Mr Caswill who had co-ordinated the petition should meet with the Divisional Highway Manager on site so that he can bring any particular areas of concern to his attention.

135. **Public Participation**

The Chairman reported receipt of questions from Wilton Town Council as previously circulated to Members. On behalf of Wilton Town Council, the questions were presented by Mr Batchelder. Questions concerning the resurfacing of Shaftesbury Road, Wilton were responded to by the Cabinet Member for Environment, Transport and Economic Development and questions concerning the funding of One Council for Wiltshire were responded to by the Leader.

136. **Recommendations from Cabinet**

(a) **Key Performance and Corporate Plan Update – March 2008**

The Leader presented the recommendation from Cabinet dated 15 July 2008 for Council's consideration. At the Leader's request and to assist Members, the latest report on performance considered by Cabinet on 23 September 2008 was circulated to Members.

The appropriate Cabinet Member responded to Members' questions.

Resolved:

(i) That the following recommendations of Cabinet be adopted:

- **That the County Council adopts the recently approved Local Agreement for Wiltshire alongside the One Council for Wiltshire Programme as its Corporate Plan for 2008/9 and**
- **That a draft corporate plan be developed for consideration by the Implementation Executive, before being recommended to the new Council following elections in 2009.**

(ii) That briefing notes on 'Improving Affordable Housing' be made available to Mr Osborn.

(iii) That a written response be provided to Mr Dalton in respect of the number of claims made against the Council including the number of successful claims together with the costs involved as a result of the state of the roads involving pedestrians and damage to vehicles.

(iv) That Mrs White be informed of when the documents referred to in Action 4 – 'Improve access to services for people with dementia' would become available.

(b) **Wiltshire Youth Justice Plan 2008/09**

The Cabinet Member for Education and Youth Development presented the recommendation from Cabinet dated 23 September 2008 concerning the

adoption of the Wiltshire Youth Justice Plan for 2008/09 and responded to Members' questions. She was delighted to announce that the Youth Justice Board's validation of the Plan had given the Youth Offending Service an overall rating of 'Performs Well' commenting that the service was at the 'top end of the score banding' and that they had 'found Wiltshire to be an efficient and effective Youth Offending Service, performing well under considerable pressures due to the size and rural aspect of the area it covered with strong partnership working and relationships'.

Resolved:

That the Wiltshire Youth Justice Plan 2008/09 be adopted.

(c) Treasury Management Strategy Update

The Chairman explained that this recommendation from Cabinet had been made in response to the Icelandic banking situation which was also referred to in the notice of motion from Mr West to be considered later in the agenda. As the items were linked, the Chairman reported that he intended to deal with the cabinet recommendation and then invite Council to consider and debate the motion from Mr West immediately afterwards.

(i) Cabinet recommendation

At the Chairman's invitation, the Leader presented the recommendation of Cabinet dated 21 October 2008 which recommended the adoption of Option 3 as set out in the report of the Chief Financial Officer as an amendment to the 2008/09 Treasury Management Strategy, details of which were presented.

The Leader updated Council on efforts being made in conjunction with the Local Government Association to retrieve the £8m placed with Heritable Bank plc and responded to concerns over returns on council's investments in light of the recent lowering of the base rate to 3%.

Details of investments by category were circulated and the Leader undertook to provide Mr Clark as requested, a breakdown of how many institutions were involved under each category.

On being moved and seconded, it was

Resolved:

That Council adopt Option 3 as set out in the report of the Chief Financial Officer as an amendment to the 2008/09 Treasury Management Strategy.

(ii) Notice of Motion: Mr IC West – Credit Crunch and Financial Uncertainty

Mr West presented his motion, details of which were presented, which was

duly seconded. Amendments to the motion proposed by the Leader were circulated and Mr West confirmed that he would be happy to incorporate these amendments within his motion.

Resolved:

That the motion from Mr West as amended be adopted as follows:

“This Council notes the recent events in global financial markets and in particular the collapse and freezing of many banks, causing problems for a large number of local authorities Council notes that Wiltshire County Council like many other Councils, had followed Treasury advice and invested a small portion of its capital in ‘A-rated’ banks.

Wiltshire County Council has been fortunate in being one of the least exposed authorities in the region and the country in general but its investments have still been affected by the recent problems. Council welcomes the government’s commitment to support local authorities and its aim to recover as much money as possible from banks on behalf of public sector investors but recognizes that there is a limited prospect of the full investments made being returned.

This Council therefore calls on the Government to:

- 1. Work with local government to protect local and national tax payers and front-line services.**
- 2. Ensure that CLG (Communities and Local Government) and the Treasury are working together to advise and support local authorities who have investments that are at risk.**
- 3. Support the capitalisation of such losses as occur to ensure that in-year front-line service cuts do not become necessary due to the crisis.**
- 4. Liaise closely with the Government and the Local Government Association to ensure that Wiltshire County Council is able to benefit from the UK Government's freezing of Landsbanki's UK assets.**

This Council further:

- 1. agrees that the Council’s current treasury management strategy should be scrutinized by a scrutiny committee. That scrutiny exercise should include investment and cash flow.**
- 2. notes that although the Council cash flow is affected by the money held in the Heritable Bank, there is no danger to our ability to meet day to day liabilities and the council can meet its payment obligations**
- 3. notes that the Council is working with other Local Authority through the various professional networks to support the work ongoing to**

seek capitalisation powers, if they prove to be needed. The Council believes that working as a group with other Local Authorities will be more effective than making representations about Wiltshire County Council's case alone. The Council is still hopeful that the whole of the funds will be returned to the Council in due course.

137. **Cabinet Business**

The Chairman invited the Leader and her Cabinet to report on issues of particular significance to the Council not included on the agenda for this meeting.

Mr Noken, Cabinet Member for ICT, Procurement and Partnerships updated Council on progress with Wider Area Network arrangements.

138. **Members' Questions**

No formal questions had been submitted.

ADJOURNMENT

At this point in the meeting, the Chairman adjourned the meeting to allow a presentation by the Wiltshire Police Authority on neighbourhood policing. The presentation was given by Assistant Chief Constable Julie Clayton, Chief Superintendent Julian Kirby and Chairman of the Wiltshire Police Authority Chris Hoare and included responding to Members' questions.

MEETING RECONVENED

The meeting reconvened after lunch.

139. **Reports of Cabinet**

The Leader of the Council presented the minutes of Cabinet dated 15 July, 23 September and 21 October 2008 which were received and noted.

140. **Questions: Cabinet**

The following questions were raised by Members:

21 October 2008 – Minute No. 117 – Report of a Finding of Maladministration

Mr Dalton expressed concern that circulation of the confidential report referred to in the above minute had been restricted to Cabinet members. He sought an assurance that such a restriction would not be repeated in the future and along with another Member suggested that a protocol to cover this eventuality be introduced.

The Leader assured Members that she had taken advice from the Monitoring Officer who had confirmed that the Access to Information Procedure Rules as contained in Part 5 of the constitution had been observed and that the restriction in circulation

was made at the request of the Local Government Ombudsman due to the sensitivity of the case involved.

The Leader requested that a report on accessibility of information by Members be prepared for consideration at an appropriate forum, the views from which to be fed into work currently being undertaken to produce a constitution for the new council.

21 October 2008 – Minute No. 109 – Stonehenge World Heritage Site Management Plan

A number of Members expressed concern over the proposals for Stonehenge put forward by English Heritage in particular the highways aspect and closure of the A344 and the impact this would have on the A303. The Cabinet Member for Environment, Transport and Economic Development explained whilst appreciating Members' concerns, this Council was a consultee in this matter and that the decision rested with the Highways Agency.

141. **Implementation Executive**

The Leader of the Council presented the minutes for the Implementation Executive dated 27 August, 23 September, 6 October and 29 October 2008 which were received and noted.

142. **Questions: Implementation Executive**

29 October 2008 – Minute No. 115 – Parishing of Salisbury

Mrs Chettleburgh wished to record her appreciation of the work being undertaken on the parishing of Salisbury.

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

Mr Molland, Chairman of the Joint Overview and Scrutiny Transition Board presented the minutes of the Board dated 25 July, 5 August, 29 August, 26 September and 31 October 2008 which were received and noted.

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

No questions were raised.

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

Mr Osborn, Chairman of the Overview and Scrutiny Management Committee presented the minutes of the Committee dated 4 September 2008 which were received and noted.

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

4 September 2008 – Minute No. 105 (4) (vii) – Wiltshire Highways Consultancy and Works Contracts

In response to Mr Dalton's request for an update on the need for criteria governing the use of slurry seal, a written reply would be provided by the Cabinet Member for Environment, Transport and Economic Development.

147. **Reports of Health Overview and Scrutiny Committee**

The Chairman of the Health Overview and Scrutiny Committee presented the minutes of the Committee dated 17 July and 18 September 2008 which were received and noted.

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

No questions were raised.

149. **Reports of Children's Services Scrutiny Committee**

The Chairman of the Children's Services Committee presented the minutes of the Committee dated 24 July and 11 September 2008 which were received and noted.

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

No questions were raised.

151. **Reports of Regulatory Committee**

The Chairman of the Regulatory Committee presented the minutes of the Committee dated 30 July, 17 September and 15 October 2008 which were received and noted.

152. **Questions: Regulatory Committee**

No questions were received.

153. **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 September 2008 which were received and noted.

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

No questions were raised.

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

The Chairman of the Wiltshire Pension Fund Committee presented the minutes of the Committee dated 3 September 2008 which were received and noted.

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

The Chairman of the Wiltshire Pension Fund Committee updated Members on the state of the Wiltshire Pension Fund in light of the current financial climate. Council noted that the Fund had been adversely affected but not to the extent that it would be unable to meet its liabilities. The situation would continue to be monitored and the Council would maintain its focus on the long-term position.

157. **Report of the Officer Appointments Committee**

The Chairman of the Officer Appointments Committee presented the minutes of the Committee dated 25 September 2008 which were received and noted.

158. **Questions: Officer Appointments Committee**

No questions were raised.

159. **Report of the Standards Committee**

The Chairman of Council presented the minutes of the Standards Committee dated 24 September 2008 which were received and noted.

160. **Notice of Motion: Mr IC West – Credit Crunch and Financial Uncertainty**

This matter was dealt with earlier in the meeting, minute no. 136 (c) refers.

161. **Electoral Services**

The Leader presented a report which updated Members on progress with a number of electoral matters and sought authority for various statutory matters including the appointment of a Returning Officer and Electoral Registration Officer and confirmation of fees and charges.

It was noted that local authority elections would now be held on 4 June 2009 to coincide with the European Parliament elections.

In response to a Member's question over who would meet the cost of parish council elections, the Leader explained that the new Council would be asked to support the view that it should meet the cost of parish council elections when they coincided with elections to the Unitary Council. She suggested consideration of a further report on the charging policy for parish council by-elections and she appreciated that this needed to be resolved as soon as possible to allow parish councils to budget accordingly.

Resolved:

That Council:

- (a) **appoint the Chief Executive, Dr Keith Robinson as Returning Officer for local elections.**

- (h) **appoint the Chief Executive, Dr Keith Robinson as Electoral Registration Officer for the Council.**
- (c) **adopt the scale of fees and changes as detailed in Appendix A of the report presented from 1 April 2009.**
- (d) **note the proposed counting arrangements as outlined in the report presented.**

162. Change of Date of next Council Meeting

The Chairman reported that it was necessary to postpone the date of the next meeting of Council which would be the Council Tax setting meeting scheduled for 10 February 2009 to allow more time for the collection of financial data.

The Chairman proposed an alternative date of 24 February 2009 and it was noted that the Leader had agreed to postpone the Cabinet meeting scheduled that day until the afternoon to accommodate the Council meeting.

The Chairman suggested the cancellation of the State of Wiltshire Debate meeting scheduled for 17 March 2009 and that it be left to the new Council to determine when to hold such a meeting.

It was suggested that dates freed up with the postponement and cancellation of these meetings be used for other purposes eg Member Seminars where required.

Resolved:

- (a) **That the Council tax setting meeting be held on 24 February 2009.**
- (b) **That the State of Wiltshire Debate meeting scheduled for 17 March 2009 be cancelled.**

163. Wiltshire and Swindon Fire Authority

The minutes of the Wiltshire and Swindon Fire Authority meeting held on 16 September 2008 were received and noted.

164. Wiltshire Police Authority

The minutes of the Wiltshire Police Authority meeting held on 18 September 2008 and the report of the Wiltshire Police Authority from Mrs Soden were received and noted.

The Chairman reported receipt of questions from Mr Osborn and Mr Oldrieve. A copy of the questions and responses from the Wiltshire Police Authority were circulated.

A presentation on Neighbourhood Policing by Assistant Chief Constable Julie Clayton, Chief Superintendent Julian Kirby and Chairman of the Wiltshire Police Authority Chris Hoare was given earlier in the meeting.

Duration of meeting: 10.35 am – 3.10pm (adjournment from 1.25pm – 2.15pm)

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

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