

WEST WILTSHIRE DISTRICT COUNCIL

DRAFT MINUTES

Minutes of the: **WEST WILTSHIRE DISTRICT COUNCIL MEETING**

Held on: **WEDNESDAY 5 NOVEMBER 2003**

Held at: **COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE**

Present: Marion Clegg (Chairman), Batchelor, Blakemore, Bower, Brice, Brown, Bryant, Burnan OBE, Carbin, Clark, John Clegg, Conley, Cox, Cunliffe-Jones, Davis, Farkas, Fortescue, Hames, Hawker, James, Knight, Lewis, Manasseh, March, Mounde, Newbury, Oldrieve, Osborn, Payne, Phillips OBE, Repton, Rosier, Squires, Syme, Viles, Wells, Whatley-Gibbs, While and Wiltshire.

Also in attendance: Tony Frost – Chairman Standards Committee

Officers: Acting Chief Executive, Corporate Officer, Health Officer, Electoral Administrator and Member Support Officer (YR)

97 APOLOGIES

Apologies for absence were received from Councillors Baker, Barker, Blakemore, Mudge and Swabey and Cllr Whatley-Gibbs for lateness.

98 MINUTES

The minutes of the meeting held on the 10 September 2003 and the minutes of the special council meeting held on 30 October 2003 were approved as correct records and signed by the Chairman.

99 OPEN FORUM/QUESTIONS

The Chairman reported that there were no open forum presentations and that no formal questions had been received from either members of the public or members of the Council.

100 DECLARATIONS OF INTEREST

No declarations of interest were made.

101 ANNOUNCEMENTS FROM THE CHAIR

Jeffrey Ligo – Long Service Award

On behalf of Council, the Chairman presented Jeffrey Ligo, the former Chief Executive of this Authority with his long service award following 37 years in local government, 19 of

which as a Chief Executive. He joined this Council as Chief Executive in April 1997 and left the Council on 1st October 2003.

The Chairman paid tribute to the many changes made during Jeffrey's time as Chief Executive which included the introduction of a new management structure, the move to a Leader and Cabinet method of decision making, the housing stock transfer and leisure contract. Cllrs March, Brice on behalf of their respective groups and Cllr Syme thanked Jeffrey for all the hard work he had undertaken on behalf of the Council and referred to various initiatives undertaken by him, saying that he had made a great difference to the authority. Jeffrey made a suitable reply.

Best Kept Village Competition – District Heat

The Chairman reported the following outcome of the district heat of the Best Kept Village competition:

Bishoptrow – Small village category

Atworth – Medium village category

Steeple Ashton – Large village category

It was noted that the certificates to the winning villages had been presented to representatives of the winning villages at the Parish Forum meeting on 15 October 2003.

102 REVIEW OF MATERNITY SERVICES

The Chairman reminded Members that at the Seminar meeting of Council on 1 October 2003, they had expressed concern over the reported threatened closure or reduction in maternity services at Trowbridge Community Hospital. Council had at that meeting, requested that representatives of the West Wiltshire Primary Care Trust be invited to a meeting of this Council to explain the outcome of the review. A copy of the notes taken of the public meeting held on 8 October 2003 attended by a number of Members were presented for the Council's information.

Accordingly, Hillary Fairfield (HF) the Director of Services from the West Wiltshire Primary Care Trust (PCT) who now had responsibility for implementing the review, attended the meeting to give a presentation of the findings of the review and to answer Members' questions. HF had responsibility for implementing the review.

HF reminded Members that the West Wiltshire Primary Care Trust had a dual role in that it both commissioned the services for the population of West Wiltshire but also acted as a provider to other PCT's namely Banes, Mendip, Kenneth & North Wilts. She stressed that the PCT had not yet formulated any recommendations or made any decisions. It had completed the data gathering part of the exercise and once that information had been assessed, recommendations would be made to the PCT Board.

She assured Council that the PCT would take into account the views of the public, stakeholders, GP's and midwives. She reported that there would be a public meeting of the PCT on the 6 November at the Assembly Rooms in Melksham at 10am when the maternity

review would also be discussed. The meeting would be asked to note the progress of the review to date and to note the Professional Executive Committee of the Trust, which consisted of GP's, nurses and therapists. The main purpose of the review she said had been to establish if the right number of beds were being provided; if the right services were being provided in the right places and that the right services were being delivered.

In comparing the running costs of the various units within the review area, it was noted that Trowbridge was not the most expensive to run.

All PCT's who bought the services from the West Wiltshire PCT would be considering their options. They would be compiling their collective views into a report to the PCT Board. Consultation would be undertaken in cases of significant change.

On conclusion of the presentation, Members asked various questions to which Hilary Fairfield replied.

RESOLVED:

That this Council:

- i) sees no case for any reduction in services or facilities in the Trowbridge maternity unit.**
- ii) calls on the West Wiltshire Primary Care Trust to end the uncertainty over the Trowbridge hospital facility.**
- iii) sends a letter to this effect to the West Wiltshire Primary Care Trust.**
- iv) is concerned that if the maternity unit does close 120,000 people would be deprived of maternity services within the District's boundaries.**

Members thanked Hilary Fairfield for attending the meeting and bringing clarity to the situation.

Following a request, it was agreed that a copy of the slides presented as part of the presentation would be circulated to all Members for their information.

103 NEW VISION, PRINCIPLES AND CORPORATE PRIORITIES OF THE COUNCIL

The Chairman reminded Council that at its last meeting on 10 September 2003, it had been resolved to defer consideration of the Council's New Vision, Principles and Corporate Priorities of the Council for further consultation with Members and stakeholders.

Accordingly the Corporate Officer presented a report which invited the Council to consider its immediate priorities and the process for developing longer-term objectives and ambitions.

The report focused on the Council's suggested initial corporate priorities, the results from the consultation undertaken, the key messages from the consultation and the Council's future objectives. The priorities suggested, would it was said, provide direction for the Council in establishing the budget and service development priorities for 2004/05.

The following motion was proposed and seconded:

That Council approve the adoption of the initial priorities for the Council as set out in appendix B to the report presented and to note the proposals to develop longer-term objectives and priorities for the Council.

The following amendment was then proposed and seconded:

That the Council adopts the following as it's new vision statement:

Vision: Providing sustainable improvements to people's lives through the services that we provide and partnerships we participate in.

Principles: We will put people first. We will provide effective channels for communication and consultation both with and external to the Council.

Leadership: To provide vision and leadership in the community.
We will provide sustainable solutions to changes we face.

Build safe, active and healthy communities and improve the environment.

The Leader reported that the amendment as outlined above could be given further consideration by Cabinet in conjunction with the Corporate Team. In view of this, the amendment was withdrawn.

It was therefore

RESOLVED

That Council:

- (a) **Approve the adoption of initial priorities for the Council as set out in Appendix B of the report presented.**
- (b) **To note the proposals to develop longer term objectives and priorities for the Council.**

104 RECOMMENDATION FROM STANDARDS COMMITTEE

The Chairman of the Standards Committee presented the recommendations of the Standards Committee in relation to the following items:

- a) Members Allowances**

Council was advised that it must adopt a new scheme of allowances before 31 December 2003. Accordingly, a suggested scheme was presented for Members' consideration.

The scheme had been drawn up following the advice of an Independent Remuneration Panel which had made recommendations to the Standards Committee. The Standards Committee in considering the matter on 13 October made recommendations to Cabinet's meeting on 22 October. The full text of the recommendation from the Standards Committee was presented. Cabinet had agreed with these recommendations and recommended that they be submitted to Council for a full debate with a free vote.

The budget for 2003/04 was £137,260. The Independent Remuneration Panel had recommended an allowance scheme which it believed Councillors deserved but could not be accommodated within the existing budget with a total cost of £210,525. The cost of the scheme recommended by the Standards Committee was £154,150.

A proposal was moved and seconded to accept the recommendations of the Standards Committee, but to maintain the allowance to opposition group leaders at the current level of £100 per member (instead of the recommended £50) and that the increase as recommended by the Independent Remuneration Panel which was outside budget provision be dealt with during the budget process.

An amendment was then moved and seconded that given the Council's financial position, members' allowances be frozen at existing levels for the next 12 months. On being put to the vote the amendment was LOST.

A revised motion was then proposed to accept the recommendations of the Standards Committee, but to maintain the allowance for group leaders at the current level of £100 per member (instead of the recommended £50) and that the increase as recommended by the Independent Remuneration Panel be implemented from 1 April 2004.

On putting to the vote the revised motion, there appeared to be an equality of votes. In the circumstances, Members were invited to take the vote again to ensure that the votes had been counted accurately. However, a recorded vote was requested, the motion was CARRIED and the voting was recorded as follows:

For the Motion (20)

Cllrs Batchelor, Brice, Brown, Bryant, Carbin, Cox, Cunliffe-Jones, Farkas, Hames, Hawker, James, Newbury, Oldrieve, Osborn, Phillips, Repton, Rosier, Squires, Syme and Wells.

Against the Motion (15)

Cllrs Bower, Burnan, Clark, John Clegg, Marion Clegg, Conley, Davis, Fortescue, March, Mounde, Payne, Viles, Whatley-Gibbs, While and Wiltshire.

Abstentions (2)

Cllrs Knight and Manasseh.

The revised motion then became the substantive motion and before taking the vote, following comments by Members, the Corporate Officer clarified the situation and the proposition on the table and confirmation was given that this was understood.

On being put to the vote the revised motion was CARRIED and a recorded vote having been requested, the voting was recorded as follows:

For the Substantive Motion (19)

Cllrs Batchelor, Brice, Brown, Bryant, Carbin, Cox, Cunliffe-Jones, Farkas, Hames, James, Newbury, Oldrieve, Osborn, Phillips, Repton, Rosier, Squires, Syme and Wells.

Against the Substantive Motion (15)

Cllrs Bower, Burnan, Clark, John Clegg, Marion Clegg, Conley, Davis, Fortescue, March, Mounde, Payne, Viles, Whatley-Gibbs, While and Wiltshire.

Abstentions (3)

Cllrs Hawker, Knight and Manasseh

RESOLVED:

- i) After the Chairman of a Committee has been absent or unable to perform his / her duties as Chairman for 3 months or more the Vice-Chairman should receive the Chairman's special responsibility allowance (SRA) until he / she resumes the duties of Chairman.
- ii) If a Member holds more than one position for which a special responsibility allowance is payable then the Council should pay the highest SRA in full, 50% of the next highest SRA and none of any subsequent SRA's. The Council should pay the Group Leader and a National / Regional bodies SRA's in full irrespective of any other SRA paid to Member.
- iii) That Council should determine the SRA paid to the Chairmen of the Area Committees while it concluded its review of Area Committees.
- iv) That subject to the above changes, Council should adopt the scheme to fit within budget with effect from 1 January 2004.
- v) That the recommendations of the Independent Remuneration Panel outside the budget be adopted with effect from 1 April 2004.

NOTE

1. A copy of the allowances is attached as an appendix to these minutes.
2. For the avoidance of doubt, the opposition group leaders' allowance to remain at £100 per member.

b) Determining Complaints about Members

Council was reminded that it had at it's last meeting on 10 September, considered a draft procedure for handling complaints about Members as recommended by the Standards Committee. Council had asked the Standards Committee to reconsider the matter in light of

Members' concerns regarding confidentiality, wrongful accusations and costs. Accordingly a report giving further information and advice on these areas was presented for Council's consideration.

The recommendation from the Standards Committee now included a slightly revised working guideline for dealing with complaints, a revised set of complaint hearing rules and an amendment to the Constitution to incorporate these rules.

The Standards Committee had been conscious that the current procedure in the Constitution could be seen as adversarial and/or intimidating to Members and witnesses and did not accord with the guidance from the Standards Board for England. It had therefore tried to address Members' concerns by modifying the draft procedure and recommended that the draft procedure be adopted and kept under review so that it could be improved in the light of experience.

RESOLVED

- i) That the Working Guideline at Appendix 1 as presented be noted
- ii) That the Complaints, Hearing Rules as presented at Appendix 2 as presented be adopted.
- iii) The consequential amendment to the Constitution as presented at Appendix 3 be adopted.

c) Meetings of the Standard Committee – Frequency

In receiving a report prepared by the Chairman and Vice-Chairman of the Standards Committee on the role of the Committee, the Standards Committee had concluded that it should take a more pro-active role and had drawn up a work programme with tasks to be undertaken by the Committee. The Standards Committee was recommending that it should meet 6 times a year rather than 4 in order to implement it's work programme more effectively and expeditiously.

RESOLVED

- i) That the Standards Committee meet 6 times a year rather than 4.
- ii) That a programme of meetings be drawn up by the Legal Services Manager in consultation with the Chairman of the Standards Committee.

105 RECOMMENDATION FROM CABINET

Polling District Review

Cllr While as portfolio holder presented a report which sought approval for changes to polling districts following a request from West Wiltshire Housing Society. It was noted that Cabinet at its meeting on 22 October 2003 had considered the matter and recommended Council to amend the polling district as suggested in the report. It had been agreed with the Housing Society that in principle, the Council would no longer use their premises as polling stations. In most cases suitable alternatives had been found, however in two cases this involved the amending of polling districts in Bradford on Avon and Trowbridge.

Members were assured that once Council approves the boundary, the exact locations of the polling stations was a matter for the Returning Officer and could be the subject of further consideration.

RESOLVED

That the polling districts in Trowbridge College and Bradford on Avon wards and the publication of relevant maps be approved unless West Wiltshire Housing Society allows continued use of the venue(s)

106 HEALTH SCRUTINY

The Corporate Officer reminded Council that it had at its last meeting on 10 September 2003 approved the establishment of a Joint Health Overview Committee. This Committee would be exercising powers of scrutiny delegated to it by Wiltshire County Council. However, the County Council had not proposed to delegate the power to make referrals to the Secretary of State. Council had asked the Legal Services Manager to negotiate with the County Council to secure that power.

Unfortunately the County Council had maintained its stance and refused to delegate the power of referral or to accept a compromise suggested whereby the County Council would be able to add its own comments to any referral made by the Joint Committee. It was noted that the process would still give opportunities to require NHS Officers to attend and answer questions and the opportunity to persuade the County Council's Health Overview Committee to refer concerns to the Secretary of State. On balance therefore, it was suggested that it was better for this Council to be involved in the process even if the County Council would not delegate the power of referral.

RESOLVED

That Council:

- i) accept delegated functions offered to it by Wiltshire County Council.
- ii) ask the Leader to write to the Leader of Wiltshire County Council expressing concern that the function of referral to the Secretary of State would not be delegated.
- iii) review the arrangements in 12 months time to see if the Joint Health Overview Committee has been effective in driving improvements in health provision within the District.

- iv) writes to the Secretary of State to ascertain his comments on the issue of referral and ask whether in his opinion such referrals should be left to the County Council or if it was appropriate to delegate this power to District Councils.

107 NOTICES OF MOTION

The Chairman reported that the following motions had been presented to Council on 10 September and referred to Cabinet for consideration and report back to Council.

a) 04 - Voluntary Identification Scheme – Cllrs Chivers and Barker

“In an effort to improve community safety within the West Wiltshire area, this Council investigates the possibility of a voluntary identification scheme for all candidates taking part in elections within West Wiltshire during the election period”.

Cabinet had considered the above motion together with a report from the Electoral Administrator at its meeting held on the 24 September 2003 and had resolved as follows:

- i) That Cabinet does not approve the introduction of a Council based identification scheme.
- ii) That Cabinet notes the community safety implications and encourages political parties and independent candidates to seek the advice of the Community Safety Officer.

RESOLVED

That the above decisions of Cabinet be noted

b) 7 – West Wilts Matters – Cllrs Newbury and March

“With a view to achieving savings, Council agrees that ‘West Wilts Matters’ should include appropriate advertising and that its printing, publication and distribution should be put out to tender”.

The above motion and a report by the Corporate Communications Manager was considered by Cabinet at its meeting on 22 October when it was resolved:

- i) That the introduction at the earliest opportunity of advertising to ASA standard into West Wilts Matters be approved.
- ii) That West Wilts Matters be put out to tender to interested parties with editorial control being retained in house for publication at the earliest opportunity.
- iii) That the position be reviewed after the first year.
- iv) That the establishment of a Project Policy Group to assist with the development of a Corporate Development Strategy be approved.

RESOLVED

That the above decisions by Cabinet be noted.

108 PARTNERSHIP WORKING

A report was presented which gave a summary of the outcome of consultation carried out with Parish / Town Council regarding how best they could interact, work together and be supported by this Council. The consultation took the form of a questionnaire which asked them to comment on the outcomes from a joint community meeting held in June.

It was noted that Members had also been sent a very similar questionnaire to involve them in the consultation process. Whilst the report presented only gave the results of the consultation it did not make any attempt to interpret them or suggest a way forward. However, a meeting between appropriate officers and the Leader and Portfolio Holder would be taking place later in the month to progress the matter. It was hoped that the consultation results as well as other information could be used as a basis for deciding how to develop the structure within which the District Council worked and related with Parish / Town Councils.

RESOLVED

That the report be noted.

109 CABINET FORWARD WORK PLAN

In accordance with the Constitution, a copy of the latest Cabinet forward workplan for the period November 2003 to February 2004 was presented. It was noted that an updated version of the plan would be issued with the Cabinet agenda the following week in respect of the meeting to be held on 19 November 2003.

RESOLVED

That the Cabinet forward workplan be noted.

110 URGENT BUSINESS - REPORTING BACK

The Chair confirmed that there was no urgent business to report.

111 REPRESENTATIVES ON OUTSIDE BODIES

Cllr Bower circulated reports concerning his recent attendance of meetings of Great Western Enterprise, the Joint Strategic Transport Group, the Wiltshire Village Halls Association, Young Enterprise and the West Wiltshire Housing Society.

112. REPORTS FROM MEETINGS

Council received minutes of meetings for the last cycle of meetings and accepted questions on them.

RESOLVED

That the following minutes be received and noted:

Meeting	Date	Minute no's
Northern Area Committee	18/09/03	78 - 91
Planning Committee	11/09/03	25 - 33
Planning Committee	02/10/03	34 - 42
Planning Committee	23/10/03	43 - 51
Cabinet	24/09/03	138 - 152
Cabinet	22/10/03	153 - 173
Internal Overview Committee	29/10/03	To follow
External Overview Committee	17/09/03	43 - 49
Standards Committee	03/09/03	24 - 32
Standards Committee (Special)	13/10/03	33 - 40

Date of next meetings:

A special meeting of Council would be held on 19 November 2003 at 6.45pm prior to Cabinet to deal with the Chief Executive post.

The next ordinary meeting of Council which would be the Council Tax Setting meeting would be held on 25 February 2004 in the Council Chamber at the Council Offices, Bradley Road, Trowbridge, commencing at 7.00pm.

(7.00pm to 10.30pm)

These minutes were prepared by Yamina Rhouati, Member Support Officer who can be contacted on direct line (01225) 770322 or email yrhouati@westwiltshire.gov.uk.