

AGENDA ITEM NO. 11



IMPLEMENTATION EXECUTIVE

Minutes of the meeting held on 9 July 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
Mrs Bridget Wayman

Kennet District Council

Mr Lionel Grundy – Leader
Mr Philip Brown – Deputy Leader

North Wiltshire District Council

Mr Dick Tonge - Leader
Mrs Allison Bucknell – Deputy Leader

West Wiltshire District Council

Mr Tony Phillips – Deputy Leader
Mr Rod Eaton

Salisbury District Council

Mr Steven Fear – Deputy Leader

Also in attendance: Mr P Clegg, Mr P Evans, Mrs S Evans, M Hewitt, Mr A Molland, Mr J Osborn, Mr F Westmoreland

60. Apologies

Apologies were received Mr Sample.

61. Minutes

The minutes of the meeting held on 17 June 2008 were confirmed and signed as a correct record.

62. Leader's Announcements

The Leader informed Members of a draft programme for the visit of John Healey, Local Government Minister on 21 July.

63. Members' Interests

No interests were declared.

64. Public Participation

None.

65. Towards One Council – Progress Report

The Implementation Executive considered the report of the Programme Director which outlined the main activity that had occurred since the last meeting.

In response to members' questions it was noted that a report on the Day One Plan including a revised list of activities would be brought to the meeting of the IE on 27 August.

A discussion paper was circulated prior to the meeting which set out options for the early accountability and responsibility of the new Corporate Leadership team in respect of Unitary services.

The Leader asked for this to be brought back to the next meeting of the IE to allow further discussions. Similarly the Leader highlighted that some new Corporate and Service Directors would not have IE members working with them and with this in mind a matrix was circulated suggesting areas in which all IE members could take responsibility. This was a draft which could also be discussed further at the next meeting.

Resolved:

To note the Progress Report

66. Financial Update

The Implementation Executive considered the report of the Chief Financial Officer which identified the key finance activity which needed to take place by January 2009.

An additional report of the Chief Financial Officer was circulated prior to the meeting concerning the role and scope of the IE Budget Working Group.

It was noted that the first meeting of the group would be on 14 July at 5.00pm.

Resolved:

To note the Financial Update

67. Development Control

The IE considered a report from the Joint Overview and Scrutiny Transition Board (JOSTB) Development Control Task Group which was considered by the JOSTB at their meeting on 4 July.

The Chairman of JOSTB introduced his Board's recommendations as set out below and highlighted where these differed from the Task Group – these are shown in bold:

- (a) To thank the Chairman and the members of the task group for the work they have done on this topic and the officers of WWDC (Paul Mountford and Marie Lindsay) in supporting the task group and compiling the report.
- (b) To recognise the tight timescale given to the review especially in light of the challenging policy development role requested by the Leader of the IE.
- (c) To endorse the report and recommendations in paragraph 66 for submission to the IE on 9 July and in particular to highlight:
 - (i) the high level of engagement by elected members of the five councils at the two seminars;
 - (ii) the need for consistency across the planning services delivered from each of the area hubs;
 - (iii) the direct relationship between the level of delegation, number of committees and service performance;
 - (iv) the need for further work to be done to establish a clear delegation agreement setting out the criteria for the type of applications to be considered by the Strategic Planning Committee and area committees, and most importantly how the committees relate to each other operationally **including that area committees are able to refer applications to the Strategic Planning Committee for decision as necessary.**

- (v) the importance to develop a process which ensures that single member call-in is done on planning grounds and that in the event of a dispute a form of arbitration is available through the chairman of the relevant committee;
 - (vi) JOSTB's support for the proposal to invest in respect of full online access to applications in West Wiltshire during 2008/09 in preparation for the new council;
 - (vii) the need for the IE to establish suitable arrangements for determining applications during the interim period between the abolition of the district councils and the appointment of members by the new council;
 - (viii) a **representative** selection of members should sit on the strategic planning and local area planning committees; and,
 - (ix) **that flexibility should be allowed for each committee to determine its own start time.**
- (d) To approve ongoing non-executive member engagement with Development Control and therefore authorise the Task Group to continue at the appropriate time with revised terms of reference to scrutinise the implementation of the report's recommendations, initially focusing on those activities in preparation for 1 April. This to be done in consultation with the newly appointed Corporate Director for Economic Development, Planning and Housing and the Service Director for Development.
- (e) To highlight the importance to local communities of good planning services which should be seen as a priority for the new council and, in doing so, to strive to maximise the efficiencies of combining current arrangements.

Members of the IE welcomed the report and recognised that it provided a framework and basis on which further detailed work could now be undertaken. During the debate, several issues around committee membership, the relationship between the strategic and the area committees, call-in procedures, design panels, involvement of parish and town councils, timing of meetings and member training were raised and members recognised the importance of further work being done in specific areas.

The Leader in summarising the debate agreed that further work was needed on key elements of the Task Group proposals. These would need to be considered by the IE but JOSTB or the Task Group might also like to consider that work.

The Leader moved and it was

Resolved: To thank the Development Control Task Group for its detailed report and to request a further report from officers on the following issues:-

1. Membership arrangements for the proposed area planning committees;
2. the relationship between the proposed Strategic Planning Committee and the area committees;
3. Call-in procedures and in particular the involvement of town and parish councils. Also the establishment of a level of representation that could trigger a call in;
4. more information in relation to the role of Local design panels;

(NB: Mr Fear moved an amendment to the Leader's motion to give further consideration to increasing the number of area planning committees to maintain current levels of community engagement. The amendment was not seconded and therefore fell. On the Leader's motion being agreed Mr Fear asked for his dissent to be recorded on the grounds that in his view the proposal represented a centralisation of power rather than devolution.)

Reason for Proposal:

Following a request from the IE to undertake a policy development role for Development Control services carried out by the new authority, the Task Group had produced its final report. In respect of the Development Control services provided in Wiltshire, the report identifies

- current service provision, standards and performance;
- preferred service delivery arrangements, i.e. desired service provision, standards and performance for Wiltshire Council;
- any anticipated issues or problems associated with the transition to Wiltshire Council.

68. Towards One Council – Elections in 2009

The IE considered a report of the Head of Democratic and Members' Services.

(a) Date of Parish and Town Council Elections

An updated Appendix 3 was circulated at the meeting which included additional responses from town and parish councils received after 30 June 2008. 94 representations had been received as of that date and the overwhelming number still favoured deferral of elections until 2013.

In response to members' questions further work was requested on the costs of funding town and parish council by-elections.

(b) Date of Unitary and European Elections

Members recognised the arguments for and against unitary and European elections being held on the same day. On balance the argument just favoured

the combination of the elections in June. It was pointed out that for Salisbury this could mean all three elections on one day, ie parish, unitary and European, and it was agreed that this should be the case.

Resolved:

(a) To recommend to the DCLG that following consultation with Town and Parish Councils, elections to those Councils should remain deferred until 2013.

(b) To recommend to the new Council that it should fund the costs of Parish and Town Council elections where they fall together with those of the Unitary council.

(c) To agree the response to the consultation on combining the dates for unitary and European Parliamentary elections as set out in Appendix 4 to the report, and to agree to inform DCLG that on balance, there would be no objection if the DCLG decided to defer the unitary elections until June 2009 to coincide with the European Parliamentary elections but that those practical difficulties identified within the appendix should be addressed clearly and quickly.

(d) To hold the parish elections within Salisbury on the same day as unitary and European elections.

Reason for Proposal:

To influence the decision of the Secretary of State regarding the timing and sequencing of elections within Wiltshire.

69. Outline Work Programme

The Implementation Executive noted the Outline Work Programme and the revised September meeting date.

Members requested a report on the economic situation of the Trowbridge Waterside development for a future meeting of the IE.

70. Minutes of the Implementation Appointments Sub-Committee

Minutes of the meeting of the Implementation Appointments Sub-Committee held on 30 June 2008 were received.

Members noted that the Staffing Regulations had now been issued and consequently the IE confirmed those appointments to posts of Corporate Director and Service Director that had already been made.

71. 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 No. 72 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 4 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.

72. Severance Arrangements

The Implementation Executive considered a confidential report on the outcome of the consultation with Trade Unions.

Resolved:

(a) To agree that the choice open to those aged 50 years and over as set out in paragraph 17.2 and 17.3 of the March report be amended so that capping be at the level of the Discretionary Compensation Regulations with the multiplier of four rather than at the level of the lower cost to the employer of the two options.

(b) To agree that the review will remain to be conducted in 2011 and at that stage Trade Unions will be consulted on the outcome of that review.

(NB Mr Fear asked that his dissent from the above decision be recorded.)

The meeting closed at 6.05pm.