Wiltshire Council
Where everybody matters

IMPLEMENTATION EXECUTIVE

Minutes of the Meeting Held on 16 March 2009

In Attendance

Wiltshire County Council

Mrs Jane Scott – Leader – in the Chair
Mr John Thomson – Deputy Leader
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
Mr Philip Brown – Deputy Leader

North Wiltshire District Council

Mr Dick Tonge – 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 M Connolly, Mr A Davis, Mr A Deane, Brigadier R Hall, Mr M Hewitt, Mr C Howard, Mr C Humphries, Mr J Johnson, Mr A Molland, Mr W Moss, Mrs P Rugg, Mr J Seed, Mr S Wheeler, Mr C Williams.

226. Apologies

Apologies were received from Mr Sample, Mrs Bucknell and Mr Baker.

227. Minutes

The minutes of the meeting held on 23 February 2009 were confirmed and signed as a correct record with the addition of an amendment reflecting that Mr Eaton and Mr

Phillips had requested that their dissent on the decision relating to council tax be recorded.

The minutes of the meeting held on 26 February 2009 were confirmed and signed as a correct record.

228. Leader's Announcements

The Leader announced that Item 7 on the Agenda would be moved to the end of the meeting as it was likely that part of the discussions would need to be conducted in Part II

229. Members' Interests

No interests were declared.

230. Public Participation

The following persons attended in respect of Minute No. 231 below: Mrs S Brew, Mr M Connolly, Mrs J Davis, Mr P Deck, Mr W Dowling, Mrs L Green, Dr M Hamer, Mr M Hewitt, Mr C Howard, Mr J Johnson, Mr P Lemon, Mr A Molland, Mr W Moss, Mr J Seed, Mr T Summers, Mr S Wheeler, Mr C Williams.

231. Area Boards Boundaries and Associated Matters

The Implementation Executive considered the report of the Service Director, Community Leadership & Support which sought early approval of the area boards' boundaries and associated matters.

The Deputy Leader used a powerpoint presentation to identify the key issues and to illustrate the different boundary options to be considered, and circulated a list of revised recommendations with a summary of late consultation responses.

Mr M Hewitt spoke on behalf of the Area Boards Task Group which supported the revised recommendation to adopt Option 4 in Appendix 1 of the report as the preferred boundary option.

Mr C Williams, Mr M Connolly and Mr C Howard spoke on behalf of the Tidworth Community Area and the Tidworth Pilot Area Board. They spoke about the strong relationship that the Tidworth area has with its partnership and suggested that there is little community affinity between Pewsey and Tidworth. They therefore urged the Implementation Executive to adopt Option 4.

Mr A Molland and Mr P Deck spoke on behalf of the Pewsey Pilot Area Board and the Pewsey Community Area Partnership respectively, and also recommended that Option 4 be adopted.

Brigadier R Hall, Mr S Wheeler and Dr M Hamer spoke on behalf of the Bedwyn area, the Burbage area and the Burbage Parish Council respectively. They informed the Implementation Executive that the large majority of the parishes in the area were in favour of joining the Pewsey area, and they therefore also supported Option 4. Mrs S Brew of Grafton Parish Council echoed these sentiments, adding that their public

consultation had revealed that the people of Grafton felt that they would be better served by a board that would focus on rural issues.

Finally Mr W Dowling of 43 Wessex Brigade expressed his organisations' support of Option 4.

Chairman of Shalbourne Parish Council Mrs Lesley Green delivered a statement in support of the Burbage and Bedwyns electoral division being retained in the Marlborough Community Area (Option 5).

Mrs Joan Davis of Marlborough and Villages Community Area Partnership (MAVCAP) and Marlborough Town Council delivered a statement on behalf of the Chairman of MAVCAP, Mr Richard Pitts. The statement outlined points in favour of adopting Option 5.

Mr C Humphries urged the Implementation Executive to adopt Option 5 as its preferred option. The reasons outlined included the implications for Marlborough of losing the Burbage and the Bedwyns parishes, and the affect the move would have on the community area partnership.

Mr Eaton asked that the Melksham Town Council (and the Parish Councils in the Melksham Community Area) be consulted directly over the matter of the relocation of the Summerham and Seend electoral division from Trowbridge to the Melksham Area Board.

Mr T Phillips pointed out that the Southwick division had been omitted from the list of electoral divisions contained under the Trowbridge Area Board. Mr Thomson promised to rectify this.

Mr Seed thanked the Implementation Executive for considering the late representations and referred in particular to the petition from the Seend area. He supported the proposed relocation of the Summerham and Seend electoral division to the Melksham Area Board. This, he felt, would provide a better balance between the rural and urban communities in that area.

Some members expressed concerns over the frequency of Area Board meetings. Mr Thomson agreed to look at this further.

Resolved:

1) **To select Option 4 as the preferred option for the Pewsey/Tidworth Area Board boundaries from the Options listed at Para.10 of the report.**

2) **To create a single Area Board to serve the Mere, Tisbury and Wilton community areas as set out in the map attached as Appendix 1a of the report.**

3) **To agree that, subject to the relocation of the Summerham and Seend electoral division from Trowbridge to the Melksham Area Board, the Area Boards and community area boundaries be confirmed as set out in the map attached as Appendix 1a of the report (as now amended in the light of the outcome of 1) and 2) above and the Schedule attached as Appendix 2**

of the report) and that these areas be only amended in future in the light of any subsequent periodic governance reviews that may be required.

4) **To agree that the names of the Area Boards be as set out in the Schedule attached as Appendix 2 of the report, except for the Mere, Tisbury and Wilton Area Board, which will change its name to the South West Wiltshire Area Board.**

5) **To not accept the request to divide the Wootton Bassett and Cricklade Community Area into two separate community partnership areas at this stage and to agree that the Community Area Partnership be encouraged to adopt the approach set out in paragraph 6 of the report.**

6) **To agree that for representational and administrative purposes, each parish and town council be provided with a seat on the Area Board to which their Electoral Division is attached but it is to be made clear that all Parish Councillors from any parish would be welcomed at the meeting.**

7) **To agree that the Area Boards Handbook and the Community Area Partnership Agreement be drafted to ensure that parish and town councils (and other local organisations and individuals) are free to attend and participate in meetings, activities and events of neighbouring Boards and Partnerships where they so wish.**

8) **To approve the Community Area Partnership Agreement (as set out in Appendix 3 of the report).**

9) **To send offer letters to each Community Area Partnership confirming their core funding together with the terms of the Community Area Partnership Agreement and notification of arrangement for drawing down this funding from 1st April 2009 (as attached at Appendix 4 of the report).**

10) **To agree that the Pilot Area Boards be discontinued before 28th April to respect the political embargo leading up to the council elections and in order that the Area Boards Development Team can concentrate on implementation arrangements.**

11) **To formally accept the proposed dates for Area Boards meetings, attached as Appendix 6 of the report subject to a final review by officers, and to include the dates in the diary of meetings for the Unitary Council.**

Reason for Proposal

The resolutions will establish the boundaries of the Wiltshire Area Boards and resolve associated administrative matters prior to the commencement of Wiltshire Council on 1 April 2009. It is important that early decisions are made on the boundary issues for two reasons: firstly, the need to formalise funding arrangements with the community area partnerships from 1st April and secondly, to expedite Wiltshire Constabulary's structural reorganisation.

232. The Transfer of Responsibility for the Planning and Funding for 16-19 Learning from the Learning and Skills Council to the Local Authority from 2010

The Implementation Executive considered the report of the Corporate Director, Children and Education which outlined how the directorate was responding to national and statutory changes related to the transfer of strategic responsibility for the commissioning of 16-19 Education and Training. The report proposed a model of governance for which the support of the Implementation Executive was sought.

Resolved:

1) **To approve the proposals relating to the development of the model for leadership and governance of 13-19 (especially 16-19) learning and training provision relating to Wiltshire and the sub-regional partnership with Swindon Borough Council.**
2) **To approve the proposals relating to the contribution of the Trust Board to the governance of the Sub-Regional Partnership Strategic Board**
3) **To approve the development of proposals for the commissioning of the 13-19 provision locally and within the sub-regional partnership with Swindon Borough Council.**

Reason for Proposal

From September 2010 the responsibility for the planning and funding of 16-19 learning and training provision will transfer from the LSC to the LA. As a consequence of these changes in statutory duties and responsibilities the LA has to develop proposals and submit these on a phased basis to GOSW for approval. The resolutions note the planning to date and provide the support of the Implementation Executive in line with the requirement of phase 2 submission. It is a requirement that in readiness to deliver this change the initial plans have political support.

233. Nominations for Licensing Committees in the Pre-Election Period

The Implementation Executive considered the report of the Head of Democratic Services which proposed that the Implementation Executive formally co-opt members who have confirmed that they are willing to serve on the licensing committee during the pre-election period from April to 4 June 2009.

The Head of Democratic Services asked the Implementation Executive to note that the proposed membership should be amended to reflect that the North Wiltshire District Council had substituted Mr Ian Henderson for Mr Peter Doyle, as Mr Doyle would be unavailable for the duration of the pre-election period.

Resolved:

To co-opt the following individual current district councillors to serve on the licensing committee in the pre-election period:

a) West Wiltshire District Council

Trevor Carbin, Geoffrey Carr, Brian Mudge

b) North Wiltshire District Council

Desna Allen, Ian Henderson, Helen Plenty

c) Kennet District Council

Tony Adamson, Janet Giles, Williams, Chris

d) Salisbury District Council

John Holt, Bill Moss, Ian Tomes

Reason for Proposal

Licensing committees will have to be constituted for the pre-election period from April to June 2009 to continue to deliver a licensing service.

234. River Biss Public Realm Design Guide (PRDG) SPD

The Implementation Executive considered the report of the Service Director, Economy and Enterprise which proposed that the Implementation Executive formally adopt the River Biss Public Realm Design Guide (PRDG) Supplementary Planning Document (SPD) as spatial planning policy for the West Wiltshire District area.

Resolved:

To adopt the River Biss Public Realm Design Guide Supplementary Planning Document as spatial planning policy for the West Wiltshire District area.

Reason for Proposal

West Wiltshire District Council has prepared a River Biss Public Realm Design Guide Supplementary Planning Document, which has passed through all its statutory stages. The District Council has resolved to adopt the document but it is necessary for it to be endorsed by the Implementation Executive before it can become planning policy for the District.

235. Salisbury District Council Housing Maintenance Contracts

The Implementation Executive considered the report of the Service Director, Housing which sought approval from the Implementation Executive for the extension of 21 existing SDC Housing Management contracts covering works to the council's housing stock, and for approval to enter into recently tendered work.

Mr Noeken moved the recommendations and asked the Implementation Executive to revise the wording of the first recommendation to reflect that this issue would be delegated to the Service Director, Housing.

Resolved:

1) To approve the proposal to extend the 21 individual contracts for a maximum period of one year as listed in Appendix 1 of the report by

delegation to the Service Director, Housing after consultation with the relevant portfolio holders.

2) **To approve the signing and sealing of the 5 contracts as listed in Appendix 2 of the report.**
3) **To note that a further report on future procurement strategies will be presented to the relevant Committee in due course.**

Reason for Proposal

Extending existing contracts is necessary in order to maintain an uninterrupted service to our tenants, comply with our legal duties as landlord and to retain our current contractors.

236. Parish of Salisbury

The Implementation Executive considered an oral report on the recommendations of the Appointment Panel with regard to the appointment of the interim manager of the Parish of the City of Salisbury. The endorsement of the Implementation Executive was sought for the appointment.

The Assistant Director, LGR Staffing Transition informed the Implementation Executive that the Appointment Panel met ten days ago and unanimously agreed to recommend Manjeet Gill as the Interim manager of the Parish. Ms Gill had asked that the position be recognised on the basis of a limited term, part-time and self-employed appointment.

Several members of the Implementation Executive expressed concern regarding the terms of the appointment and the Leader recommended that the public should be excluded because of the likelihood that exempt information would be disclosed.

The discussion was resumed in Part II (see Minute No. 241).

237. Update on Appointments Process

The Implementation Executive considered the report of the Assistant Director, LGR Staffing Transition which was circulated at the meeting. The report set out the Council's current position in relation to the progress of the Appointments process.

Some members expressed concern at the number of staff still included in the 'not known' category. The Assistant Director confirmed that all staff in this position will continue to be employed after 1 April, even if they have not yet been allocated a long term position in the new structure. The Assistant Director also pointed out that the majority of the staff contained in the 'not known' category are concentrated in a small number of service directorates.

Lastly, the Assistant Director referred to the discussions concerning the request from the local Trade Union Side for a new Time Off and Facilities agreement. The Assistant Director informed the group that they were now approaching a mutually acceptable position and asked the Implementation Executive to delegate authority to the officer in consultation with the three portfolio holders.

Resolved:

1) **To note the report.**
2) **To delegate authority to the Assistant Director, LGR Staffing Transition to finalise with the Trade Unions in consultation with the three portfolio holders, the new Time Off and Facilities agreement.**

238. Outline Work Programme

The Implementation Executive received the Outline Work Programme of future business.

The Leader asked that an item on Outside Bodies be added to the plan, and noted that an urgent paper on the current status of the Bourne Hill Office Programme will come to the 7 April meeting of the Implementation Executive.

239. Salisbury Vision

The Implementation Executive considered the report of the Service Director, Economy and Enterprise which set out the current status and the next steps for the key projects of the Salisbury Vision, together with a proposal for managing the Salisbury Vision forward though a public private partnership – described as a Special Purpose Vehicle.

Some members expressed concern that the membership of the Vision SPV Executive Board did not include any elected representatives (aside from the portfolio holder). The Leader suggested a letter be written to Salisbury Vision, reflecting the concerns of some members of the Implementation Executive over the membership of the SPV.

Some members questioned the budget position in relation to the market place and emphasised the importance of this being delivered within budget.

Concerns were also expressed regarding the accelerated project timetable. In particular, the Leader emphasised that time needed to be allowed for the different aspects of the project to 'dove tail' together.

Finally, the Leader commented on the importance of the Churchfields Project and the implications of the Transport Study for the development of Vision projects.

Resolved:

1) Salisbury Vision (SPV)

(a) To approve the establishment of a Vision SPV and its terms of reference.
(b) To write a letter to Salisbury Vision outlining the concerns of some members of the Implementation Executive over the membership of the Vision SPV Executive Board.
(c) To delegate authority to the Director, Economy and Enterprise to agree minor changes in (a).
(d) To delegate authority to the Director, Economy and Enterprise to establish, subject to terms of reference of the Vision SPV, officer groups

for the major projects, to work to the direction of the Vision Executive Board.

2) <u>Market Place</u>

(a) To endorse the selection of the Judging Panel, i.e. that the team led by Letts Wheeler Architects and Design A are the preferred team/design.
(b) To note that this does not commit to the delivery of Design A, but rather to the design 'pallette' and approach and that SDC/Wiltshire Council are under no obligation to enter into contract negotiations with the preferred team.
(c) To note the draft funding and delivery timetable. Additionally, to agree that the funding should come within the agreed budget.
(d) To not approve Salisbury District Council's Cabinet resolution for an accelerated project timetable.
(e) To delegate authority to the Director, Economy and Enterprise, in consultation with the relevant Implementation Executive Portfolio Holders, to enter into discussions with the preferred team with a view to finalising a delivery timetable, contract arrangements and budget; to be brought back to the Implementation Executive or Wiltshire Council Cabinet by July 2009.

3) <u>The Maltings and Central Car Park</u>

(a) To confirm the overall objective of the proposed redevelopment; namely a 'retail led mixed use' scheme as detailed in paragraph 36-37 and 51 of the report.
(b) To note the conclusions of the Alder King feasibility study and authorise officers to continue working on The Maltings and Central Car Park project.
(c) To note that any recommendations pertaining to procurement and other legal issues will be considered in Part II, along with recommendations (c) and (d) as contained within the officer's report.

4) <u>Churchfields</u>

To note the progress towards and the next steps required to deliver the Churchfields project.

5) <u>Transport Study</u>

To note the implications of the inter-relationship between the development of the traffic modelling work and the development of Vision projects.

<u>Reason for Proposal</u>

With the transition to Wiltshire Council on the 1 April 2009, it is imperative that the Vision Group has a mandate from the Implementation Executive to continue its work.

In agreeing the establishment of the Vision Special Purpose Vehicle, Implementation Executive Members will need to understand the progress, next steps and issues related to the overall Vision and individual major projects.

240. 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. 241 and 242 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.

241. Parish of Salisbury

N.B.: This discussion is continued from Minute No. 236

The Implementation Executive received a confidential briefing on the proposed terms and conditions of the appointment of the interim manager of the parish of the City of Salisbury as recommended by the Appointments Panel.

Resolved:

To request that the Chief Executive bring a report to a special meeting of the IE prior to 1 April 2009.

242. Salisbury Vision – Legal and Property Issues

N.B.: This discussion is continued from Minute No. 239

A confidential report on property issues associated with the Salisbury Vision was circulated at the meeting.

The Leader emphasised that it was important to move forward with this project and recommended that funding should be identified to pursue the legal issues. The Leader also stressed that this work should be prioritised to mitigate against potential delay.

Resolved:

1) **That the sum of £40,000 is allocated to undertake further investigations into third party and other legal aspects in relation to the Maltings.**
2) **That work to resolve the legal and funding issues is prioritised to mitigate any potential delay to the Vision.**
3) **That a further report is submitted to the Wiltshire Cabinet within the next four months.**

The meeting closed at 7.20 pm.