

KENNET DISTRICT COUNCIL

MEETING OF THE COUNCIL

Minutes of the Meeting of the Council held in the Council Chamber, Browfort,
Bath Road, Devizes on Tuesday, 25th April, 2006 at 2.15 pm

PRESENT: Councillor P.W. Richardson - Chairman

Councillor B.G. Ashley	Councillor C.P.G. Hoddinott
Councillor K. Beard	Councillor C. P Humphries
Councillor J. Booth	Councillor D.T.B. Hunter
Councillor G. Brewer	Councillor J.J. Kunkler
Councillor P. Brown	Councillor S.J. Miles
Councillor D. Campbell	Councillor A. Molland
Councillor Mrs T. M. Carr	Councillor J.D. Ody
Councillor N. Carter	Councillor R.T. Parsons
Councillor W. B. Cavill	Councillor Mrs. N.G. Rawlins
Councillor P.L. Colling	Councillor Dr J.P.R. Reid
Councillor Mrs. J.K. Combe	Councillor A. Skittrall
Councillor A. Connolly	Councillor A.H. Still
Councillor A.P.J. Duck	Councillor C.R.W. Stone
Councillor P. Evans	Councillor Mrs. M.S.N. Taylor
Councillor Mrs. S.M. Findlay	Councillor B.J. Twigger
Councillor N. Fogg	Councillor P.N. Veasey
Councillor Mrs. J.M. Giles	Councillor D.J. Willmott
Councillor Mrs. E.M. Hannaford-Dobson	Councillor Mrs. P. Winchcombe
Councillor Mrs. A. Hayhoe	Councillor A. Wood

APOLOGIES FOR ABSENCE:

Councillor Mrs. K. Callow
Councillor L H Grundy
Councillor J.D. Percy-Caldwell

PART 1

Items considered whilst the public were entitled to be present

22. MINUTES

The minutes of the meeting of the Council held on 28th February, 2006, were approved as a correct record and signed by the Chairman.

23. DISCLOSURES OF INTEREST

There were none.

**24. ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL,
LEADER OF THE COUNCIL OR CHIEF EXECUTIVE**

The Chairman made the following announcements:

1. The Chairman thanked the officers and members of the Council for their support during the year of his office and stated that he had much enjoyed the experience.

2. Long Service Awards

The Chairman presented Long Service Awards to the following members of staff:-

Yvonne Reynolds - Admin & Facilities - 20 years service

Carole Manos - Marlborough Leisure Centre - 20 years service

Jane Bishop - Assistant Financial Accountant – 20 years service

3. Chairman's Charity

The Chairman welcomed the trustees of his nominated charity "Step Up" to the Council meeting.

The charity had been set up by a member of staff, Cath Hasted, and aimed to raise funds to provide lessons, equipment and transport to enable children living in safe houses (as a result of domestic violence) to take part in sports, music and arts.

The Chairman presented a cheque in the sum of £1,500 to the trustees and also mentioned that his knock out skittles event had raised a further £139 for Step Up.

Cath Hasted thanked the Chairman and Council for their support for the charity during the previous 12 months.

The Leader of the Council made the following announcements.

1. National Health Service Consultation Documents

The Leader of the Council drew Members attention to the two National Health Service Consultation documents enclosed with their post that week and urged them to give close attention to the consultation and the dates of various public meetings being held with respect to the changes proposed by the National Health Service.

2. Alternative Weekly Refuse Collection

The Leader of the Council reminded Members that after the Council meeting there would be a presentation by the recycling

staff on the introduction of the Alternative Weekly Refuse Collection Service.

There were no announcements by the Chief Executive.

25. QUESTIONS BY MEMBERS OF THE PUBLIC

There were none.

26. COMMUNITY DEVELOPMENT EXECUTIVE COMMITTEE - 7TH MARCH, 2006

The minutes of the meeting of the Community Development Executive Committee held on 7th March, 2006, were submitted by way of report. There were no matters arising.

27. PLANNING POLICY EXECUTIVE COMMITTEE - 2ND MARCH, 2006

The minutes of the meeting of the Planning Policy Executive Committee held on 2nd March, 2006, were submitted by way of report. There were no matters arising.

28. RESOURCES EXECUTIVE COMMITTEE - 21ST MARCH, 2006

The minutes of the meeting of the Resources Executive Committee held on 21st March, 2006, were submitted by way of report. Arising there from:-

1. Minute No.22 Indemnities for Members and Officers

On consideration of the recommendation contained in this minute it was

RESOLVED

THAT

- (1) The draft Indemnity Policy set out in Appendix A to the report to Full Council be adopted and that it be noted that the Standards Board had also recommended the adoption of the Policy.
- (2) Group Legal Protection Insurance be procured specifically for Members as set out in Appendix B to the report at a total cost of £1,330.

29. OVERVIEW AND SCRUTINY MANAGEMENT BOARD - 4TH APRIL, 2006

The minutes of the meeting of the Overview and Scrutiny Management

Board held on 4th April, 2006, were submitted by way of report. There were no matters arising.

30. REGULATORY COMMITTEE MEETINGS

The minutes of the meetings of the Regulatory Committee held on 16th February, 2006, 21st February, 2006 (site meeting), 9th March, 2006, 20th March, 2006 (site meeting) and 30th March, 2006, were submitted by way of report. Arising there from:

1. Minute No.28 Annual Report on Development Control

On consideration on the recommendation contained in this Minute it was

RESOLVED

THAT the Council amend the scheme of delegation to the Planning Services Manager in the following three areas:-

- (1) Household or planning listed building applications will only be referred to the Regulatory Committee when requested by the Ward Member (as set out in paragraph 11.04 of the report).
- (2) The Planning Services Manager be authorised to serve a temporary stop notice where it is judged expedient to do so to remedy a breach of planning control (as set out in paragraph 7.05 of the report)
- (3) The Planning Services Manager be authorised to carry out the functions of the Council in accordance with Part 4 of the Planning (Listed Buildings and Conservation Areas) Act 1990(the Enforcement functions) subject to the same limitations as already apply in the scheme of delegation to the enforcement of the 1990 Planning Act.

2. Minute No.19 Proposed Enforcement Action

In response to a question the Planning Services Manager indicated that the enforcement notice had yet to be served.

31. HUMAN RESOURCES COMMITTEE - 6TH APRIL, 2006

The minutes of the meeting of the Human Resources Committee held on 6th April, 2006, were submitted by way of report. There were no matters arising.

32. AMENDMENTS TO THE CONSTITUTION

The Council considered the report of the Solicitor to the Council on proposed amendments to the Constitution. The Council was reminded that it had a duty to consider necessary amendments to the Constitution at regular intervals and to update and amend the Constitution where necessary. In addition changes needed to be brought about by the new staff structure which included a third director, the new Director of Environment and Leisure Services. The Whistle Blowing Policy needed updating to bring it in line with the new model policy produced by CIPFA and to correct inconsistencies which had become apparent.

In response to a question with regard to the holding of Chairman and Vice-Chairmanships the Solicitor to the Council indicated that there was no conflict where sub committees were concerned even though the sub committee might be appointed each year and have the appearance of a permanent sub committee.

RESOLVED

THAT

- (1) The schemes of delegation for the Director of Community Services and the Director of Environment & Leisure Services attached at Appendix A to the report be adopted and that the scheme of delegation for the Leisure Services Manager and the Environment & Amenity Services Manager be deleted.
- (2) The preamble for the scheme of delegation to officers have the following extra paragraph inserted at Part 3 (3)8A “in respect of all functions delegated to officers, the delegation shall be deemed to extend to any officer responsible for those functions following restructuring or redesignations of posts, until such time as the scheme of delegation is updated.”
- (3) The words “enter into” be added to the delegation to the Solicitor to the Council dealing with the renewal and assignment of easements, leases and tenancies.
- (4) Licensing Committee be added to the list of bodies subject to limitations on chairmanships and vice chairmanships at Part 4(1)A para 1.04.
- (5) The sentence “for the avoidance of doubt, Members of the Council may not ask questions as members of the public” be added at Part 4 (1)A para 9.01.
- (6) The first two sentences of Part 4(1)A para 13.09 be deleted and replaced with “a Member may withdraw a motion which he/she has moved with the consent of the Chairman”.
- (7) That the second paragraph of Part 4(1)C1.02 be replaced with “in

cases of extreme emergency the Chief Executive (or in his absence a Director) or relevant Chief Officer may act after consulting the Leader of the Council (or in his absence the Deputy Leader of the Council)".

(8) The Licensing Committee be added to the list of committees in Article 7.

(9) The amended Terms of Reference for the Licensing Committee attached at Appendix B to the report be adopted and that any consequential amendments to the Terms of Reference for the Regulatory Committee and Regulatory Sub Committees be made by the Solicitor to the Council.

(10) The following item be added to the Terms of Reference for the Overview and Scrutiny Management Board:- "8.9 to appoint at its first meeting in each municipal year a politically balanced corporate finance scrutiny sub committee, that shall have specific responsibility for scrutinising a statement of accounts, risk management, audit, statement of internal control and budgetary control and monitoring".

(11) Adopt the Whistle Blowing Policy attached at Appendix C to the report.

33. COUNCIL WIDE WORKPLAN 2006/07

The Council considered the report of the Director of Resources on the Council Wide Work plan for 2006/07.

In response to a question from a member it was confirmed that this would not affect the already agreed work programme of the Overview and Scrutiny Management Board.

RESOLVED

THAT the Council Wide Work plan 2006/2007 be approved and adopted.

PART 2

Items considered whilst the public were excluded from the meeting

NONE

Chairman
9th May, 2006