

Draft Minutes of the Council Meeting held on Tuesday 27 January 2009 at the Council Offices, Monkton Park, Chippenham

Present:

Chairman.....Councillor I.J. Henderson.

Councillors DB Allen, C Berry, C Boase, AM Bucknell, CJ Caswill, A Clements, PCB Coleman, C Crisp, PR Darby, PJ Doyle, GR Greenaway, H Greenman, MEM Groom, JL Hall, J Hartless, MP Hatton, R Henning, A Hill, PJ Hutton, T Jones, J Lay, RB MacGregor, E Marston, S Meadowcroft, RL Miles, S Parker, JA Phillips, N Phillips, A Pier, H. Plenty, CV Ramsey, C Reid, P Roberts, W Roberts, R Sanderson, JA Scott, J Scragg, ML Singlehurst, SJ Still, TR Sturgis, JPSS Thomson, RL Tonge, A Trotman, VA Vines, A Wannell and C Wannell.

Officers Present: P Jeremiah (Legal Services Manager), S McGregor (Assistant Chief Executive), E Orchard (Head of Human Resources) and M Todd (Senior Democratic Services Officer).

C52. Apologies for Absence

Apologies for absence were received from Councillors K Banks, J Doubell, S Doubell, S Meadows and J Whincup.

C53. Minutes

The minutes of the Council Meeting held on 2 December 2008 were considered.

Resolved that the minutes of the meeting held on 2 December 2008 be confirmed and signed as a correct record subject to the following amendment:

Minute no. C49, 3rd bullet point be amended to read "All officers **should** know who they would be reporting to by January and interviews for certain posts would be taking place early in the New Year."

C54. Declarations of Interest

There were no declarations of interest.

C55. Chairman's Announcements

(a) February Council Meeting

The Chairman explained that although the February Council meeting normally dealt with the setting of the budget, the meeting would still go ahead this year because it was likely that a motion would be put forward by Councillor Caswill for consideration.



The final North Wiltshire District Council meeting would take place on 24 March 2009. This would be followed by a reception in the Committee Rooms.

(b) Event at Bowood

The Chairman reminded members that the event to mark the end of North Wiltshire District Council would be held at Bowood on Friday 20 March 2009. Invitations would be sent out this week and early responses would be appreciated.

(c) Long Service Awards

The Chairman stated that 64 members of staff who had worked at North Wiltshire District Council for over 20 years would be presented with long service awards at the Neeld Hall, Chippenham on 17 February 2009. All Councillors were welcome to attend the event.

(d) Car Parking Passes

The Chairman informed members that although their car parking passes had reached their expiry date arrangements had been made to extend them until the end of March.

C56. Public Question Time/Receipt of Petitions

There were no public questions or petitions.

C57. Question Time

(a) Councillor J Thomson – Minute No. C46 - Question Time - Paragraph (e)

Councillor Thomson asked what effect the holding of the February Council meeting would have on the Council balances.

The Leader of the Council stated that there would be a cost implication due to officer time, printing of agendas, security and fuel costs.

(b) Councillor P Doyle – Minute No. C46– Question Time– Paragraph (e)

Councillor Doyle asked whether Councillor Caswill realised that he had already asked the question relating to reserves that he had submitted to this meeting under Council Procedure Rule 14.2. This had been put forward at the last Council meeting.

Councillor Caswill stated that it was perfectly reasonable to ask if the figures varied from month to month.

(c) Councillor C Ramsay – Minute No. E88 – Economic Impact on North Wiltshire

Councillor Ramsay asked whether there had been any feedback regarding the measures undertaken to reduce the impact of the economic downturn on local communities.

The Leader stated that the reception to the measures had been very good. Meetings had already been held with the Chambers of Commerce and some other organisations. The business start-up scheme had been over

subscribed and officers were looking into whether further start-ups could be supported.

(d) Councillor C Reid – Minute No. E88 – Economic Impact on North Wiltshire

Councillor Reid asked whether all planning applications which would lead to jobs being provided locally could be automatically referred to the Development Control Committee. It was important to assess the business impact of such applications.

The Leader of the Council informed Councillor Reid that she could call in an application under the current procedures. Councillor Thomson, Chair of the Development Control Committee, stated that he would raise this issue with the relevant Portfolio Holder at the County Council so that this could be considered as a policy within the new unitary authority.

(e) Councillor J Scragg – Minute No. FA31 – Risk Management/Strategic Risk Register

Councillor Scragg asked why the two new risks, failure to have an investment repaid and economic downturn had been added to the register so late. Why had these risks not been foreseen?

The Leader of the Council agreed to send a written response to Councillor Scragg.

C58 Report on Implementation Executive Meetings

An oral update was given from the Deputy Leader of the Council on the meetings of the Implementation Executive (IE) held on 10 December 2008 and 13 January 2009.

The following issues were reported:

- The IE was now very busy and was meeting more frequently.
- The budget would be considered at the next meeting on 28 January 2009.
- Staffing issues and day one work was also being discussed.
- The 100 day countdown had started and roadshows would soon take place in the market towns. Leaflets on a variety of topics relating to the new Council had also been produced.
- The first year savings had been identified as £8.5m which was higher than forecast.
- The budget settlement for Wiltshire would be 1.6% which was the lowest in the country. The main budget pressures for the new Council related to adult care services. Members were pleased to hear that £1.6 million would be allocated to sustainable transport projects.

C59. Questions on Notice from Councillors – Council Procedure Rule 14.2

The following questions were received from Councillors under Council Procedure Rule 14.2.

- (a) **By Cllr Sylvia Doubell:
To Councillor Christine Crisp, Portfolio Holder for Waste and Sustainability**

Between 1 April and 4 June of this year following the demise of the District Council:

- Who will be responsible for delivery of waste collection services in North Wiltshire?
- For providing the public with information on waste collections and for any associated decisions?
- Where will the public go with any requests or complaints?
- Who will be democratically accountable to the people of North Wiltshire for these services and decisions in this 'black hole' period?

Response

From 1 April 2009, whilst the day to day business will continue as now with all operational managers and staff as now. In respect of the actual responsibilities:

- **Wiltshire Council will be responsible for delivery of waste collection services - the Service Director responsible will be Mark Smith.**
- **Wiltshire Council will also be responsible for providing the public with information on waste collections and for any associated decisions - the Service Director responsible will be Mark Smith.**
- **Compliments, requests and complaints procedures are being discussed and agreed at present.**
- **The Implementation Executive is the democratically accountable body under the Local Government Reorganisation legislation during the transition period.**

**(b) By Cllr Chris Caswill:
To the Chair of the Development Control Committee**

- Can he inform the Council, and residents of the District, what arrangements are going to be made for Development Control meetings in the period between 1 April and June 5 this year?

Response

The Local Government (Structural Changes)(Transitional Arrangements) (No.2) Regulations 2008 provide for the appointment of temporary co-opted members to discharge the planning (and licensing) functions for the pre-election period – 1 April up until the fourth day after the elections. These members have to be existing members of District Council committees involved in the discharge of the service.

The Implementation Executive (IE) at its meeting on 13 November agreed to pursue this and all four district councils have been asked to nominate those existing members of Development Control committees who wish to continue to serve in the pre-election period and the IE will at its next meeting on 28 January 2009, formally appoint those members.

And specifically,

- Will all the meetings in that period continue to be held in these Monkton Park offices?
 - When will the dates be announced?
 - How will electronic access to applications be provided?
 - Who will be making the decisions and to whom will they be accountable?
 - What rights to speak will former ward councillors have at those meetings?

Response

- **The meetings will continue to be held wherever they are currently held, in our case in the Monkton Park offices.**
- **Draft dates for future meetings of all committees have been circulated to the IE for the next meeting. Wherever possible existing dates or the normal pattern of meetings have been used within this draft.**
- **Normal electronic access to applications via the planning portal will be maintained.**
- **This is dealt with in the answer to the main question.**
- **Where the former ward councillor is not on the committee that person will have the same rights as any member of the public to address the committee. However representations can also still be made via the local County Councillor who can address the committee.**

Councillor Caswill then asked the following supplementary questions:

- Will the Chair of the Development Control (DC) Committee do his best to ensure that those concerned are informed of the interim arrangements as soon as possible?
- What will the arrangements for members' allowances?
- When will the draft meeting dates be published?
- How will the portal for planning applications be routed?

Response

- **Councillor Thomson, Chair of the DC Committee, responded by stating that the IE would consider a report on the appointment of the members who would sit on a DC Committee between 1 April and 4 June 2009 at its meeting on 28 January.**
- **The IE would also discuss meeting dates and consider a draft calendar of meetings.**

- **An independent panel would consider the payment of allowances to members serving in the interim period.**
- **Planning applications would be available to view on the new Council website.**
- **A leaflet giving information on planning services within the new Council was also circulated to all members.**

**(c) By Cllr Chris Caswill
To the Leader of the Council**

- Has he looked at the County Council web site lately, and what is his opinion of its value as a source of information on the transition to the new Council?

Response

- **Yes, it is very satisfactory.**

Councillor Caswill then asked the following supplementary question:

- Was the Leader aware that it currently takes 8 clicks on the WCC website to get to any useful information regarding the transition to the new Council? The sections regarding “interactive events” relating to April and May are currently blank. Will the Leader give his assurance that the website will be improved?

Response

The Deputy Leader responded by stating that although the Wiltshire County Council website leaves a lot to be desired, it is being totally re-vamped. The new website for Wiltshire Council will be launched in advance of 1 April and should be an excellent site. It will be both easily readable and user friendly.

- What are the current best estimates of the capital and revenue balances which will be transferred to the new authority on 1st April 2009?

Response

- **The current forecast position is similar to that previously declared, Capital Reserves of £10M and a General Fund balance of £7.5M**
- What procedures are in place for making decisions to release funds from the revenue and capital balances for items not previously foreseen?

Response

- **There are reserves in place to cover any risks. The projected Capital and Revenue balances form part of the budget for the new council and will be transferred.**
- How many North Wiltshire District Council staff are currently in the new council 'pool', waiting for decisions on their future jobs? *And* how many staff have as yet had no decision at all on their future?

Response

- **None are in the new Council 'Pool' as the new Council has not formed yet. In the recent exercise 268 staff received ownership letters and 110 received "pending decisions."**

Councillor Caswill then asked the following supplementary question:

- There currently appear to be a large number of pending decisions relating to the future of North Wiltshire District Council staff, can the Leader give assurance that they will soon receive clarity regarding their roles?

Response

The Leader stated that Members were concerned that there had been slippage regarding staffing. Regular staff briefings had been held at North Wiltshire District Council and staff had been kept informed of the situation and timescales.

There were now 104 "don't knows" and new jobs were currently being evaluated which is taking some time to finalise. The ring-fencing and ownership decisions will then be made and then there will be an interview process. In the next two weeks Team Leaders should be appointed and then the staffing process would pick up pace.

(d) By Cllr Desna Allen

To the Leader

- 1) Will the North Wiltshire District Council website function after April 1st? If not, what provision is to be made for residents to access services and information?

Response

The North Wiltshire District Council website will be "turned off" at midnight on 31 March. From that point all customers who visit www.northwilts.gov.uk will be automatically redirected to the new Wiltshire Council website at www.wiltshire.gov.uk.

All of the current information available to residents of North Wiltshire will still be available on the new website. Information that is specific to the North Wiltshire area, for example Planning Applications, will be available to customers by either selecting the area they live in, in our case "Wiltshire North", or by using facilities such as postcode

identification. Generic information relating to services which have already been merged, such as Elections, will be displayed in new pages.

To the Deputy Leader

- 2) Who will make the decisions about the locations of Polling Stations in the new wards, for the June 2009 Elections and when will those decisions be announced?

Response

This is a responsibility of the new Council, but I am happy to report back the answer given by the Elections Manager, WCC.

“The location of polling stations, at law, is at the discretion of the Returning Officer. For the June elections the Returning Officer for the unitary elections, and Local Returning Officer for the European elections, is Keith Robinson, WCC Chief Executive.

Until all the registers have converted to the new County Divisions, the Returning Officer cannot say categorically where these stations will be, as there might be, for example two polling stations in a proposed new area, leaving none in another. The Order introducing the new County Divisions will not be made by the Electoral Commission until 22 February. We are therefore working on the published recommendations with a view to publishing the new Divisions as soon as possible after they become legal entities.”

Councillor Allen asked a supplementary question as to whom representations should be made regarding the location of polling stations.

Response

The Leader of the Council confirmed representations should be made to John Watling, Head of Electoral Services, WCC.

(e) By Cllr Patrick Coleman

To the Leader:

- Has North Wiltshire District Council joined other public sector organisations in signing-up to the Ten Day Payment Pledge to pay small firms within 10 days rather than 30 days?
- Will the Leader urge his colleagues on the Implementation Executive to implement the pledge at County Council and One Council level as soon as practicable?

Response

- **The Executive considered this as part of its Credit Crunch initiatives and given the economic climate sought improvements across the board to pay invoices swiftly. I am pleased to advise you that when a sample was tested on 2 December 2008 we were achieving a clearance rate of 68% in under ten days.**

- **I will raise this issue with colleagues in the County Council and Implementation Executive.**

Councillor Coleman then asked the following supplementary question:

- Could the current 68% be improved on?

Response

The Leader of the Council stated that he agreed that the swift payment of invoices was very important in the current economic climate and should be taken seriously. The new systems aimed to eliminate paperwork and should therefore be quicker.

Councillor Thomson stated that he would raise this matter with the Leader of the County Council to propose that it also adopts this policy.

C60. Notice of Motion – Council Procedure Rule 15

No Notices of Motion were received.

C61. Exclusion of Press and Public

Resolved that under Section 100A(4) of The Local Government Act, 1972, the press and public be excluded from the remainder of the meeting on the grounds that the following item of business involves the likely disclosure of exempt information as defined below and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information:

Agenda Item/Report Name	Paragraph of the Act / Schedule describing the exemption
Agenda Item 11 – Redundancy Report	Paragraphs 1 & 2 of the Act

C62. Redundancy Report

Consideration was given to report no. 11 considering the redundancy of the posts outlined in the report.

Members raised some questions relating to suitable alternative employment. It was confirmed that the same redundancy procedure applied across all five Councils in Wiltshire.

Resolved:

- (1) To approve the redundancy of Post Numbers 7004 and 6300 with effect from 31 March 2009.

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- (2) To agree that the capital costs of redundancy are taken from the unitary reserve.

The meeting started at 7.00 pm and finished at 7.55pm.

Two members of the public were present.