

# Minutes

**Meeting of** : The Cabinet  
**Meeting held in** : The Alamein Suite, City Hall, Salisbury  
**Date** : Wednesday 28 January 2009  
**Commencing at** : 7.00 pm

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**Present:**

Councillor P W L Sample (Leader), Councillors S R Fear (Deputy Leader), P M Clegg (Planning), D E Dalton (Community Initiatives), P D Edge (Economic Development and Tourism), H McKeowan (Transport), J C Robertson (Environment), A A P Thorpe (Resources) and I R Tomes (Housing).

**Apologies:** Councillor A C R Roberts (Finance)

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**311. Declarations of Interest:**

Councillor Dalton declared a personal and prejudicial interest in the matter set out under minute 316(3) because he rented a garage from the Council. He did not speak or vote, and left the meeting for the duration of the item.

Councillor Dalton declared a personal interest in the matter set out under minute 323 as he was employed by the Ministry of Defence.

Councillor Thorpe declared a personal and prejudicial interest in the matter set out under minute 323 as he was a member of a credit union. He did not speak or vote, and left the meeting for the duration of the item.

**312. Minutes of Last Meeting:**

**Resolved:** that the minutes of the meeting held on 3 December 2008 be approved as a correct record and signed by the Leader.

**313. Public and Councillor Question and Statement Time:**

There were none.

**314. Call in Matters:**

There were none.

**315. Forward Plan:**

The Leader presented his Forward Plan for the period 1 February 2009 – 31 March 2009.

**Resolved:** that the Leader's Forward Plan 1 February 2009 – 31 March 2009, be adopted for publication subject to:

- (a) Town Scheme Budget go to the Cabinet meeting of 25 February and become operational from 1 February 2009.



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## ***Recommendation to the Council***

*(The recommendations set out below will be considered by the Council on 09 February 2009)*

### **316. HRA Rents Setting for New Authorities:**

Councillor Tomes introduced the previously circulated report of the Head of Housing Management.

***Resolved:*** that

- (1) the HRA Budget for revised 2008/2009 (revised) and 2009/2010 (original) be approved;
- (2) the increase for dwelling rents in accordance with rent restructuring be approved;
- (3) the level of increase for garage rents at £2 per week be approved; and
- (4) the level of increase for service charges at a maximum of RPI and utility recharges as a maximum of utility inflation plus £1 per week be approved.

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## **Cabinet Decisions**

*All decisions set out in this section of the minutes will be implemented on or after 10 February 2009 (unless called in for consideration by the relevant Overview and Scrutiny Panel)*

### **317. Coroner's Office – Proposed Move to Devizes:**

Cabinet considered the previously circulated letter (see appendix) from David Masters, HM Coroner to Wiltshire County Council expressing concern at the proposed move of the coroner's office from Salisbury to Devizes. Mr Ian Newman, Chairman of City Centre Management, addressed Cabinet and reported on the meeting held the previous day with the Leader and Chief Executive of the county council at which the concerns of the business community in Salisbury had been expressed about both the proposal and the manner in which it had been dealt with. He reported that the coroner's court would remain in Salisbury and the decision about the office would be reviewed with the new coroner who would make the final decision about where the administrative headquarters was located. Members noted the strong arguments for retention of the office in Salisbury and the impact the proposal would have on the coroner's staff.

**Resolved:** that

- (1) the Cabinet's concern at the manner in which this matter had been dealt with be conveyed to the Chief Executive of Wiltshire County Council;
- (2) the staff in the coroner's office be advised of this Council's support in this matter.

### **318. Tenant Participation Arrangements:**

Councillor Tomes introduced the previously circulated report of the Head of Housing Management.

**Resolved:** that

- (1) the Strategy and Action Plan "Your Homes, Your Say" attached as Appendix A to the report be approved
- (2) the additional funding of approximately £50k from the Housing Revenue Account including the recruitment of a Tenant Community Development Worker be approved.

### **319. Town Scheme Budget:**

This item had been withdrawn and would be considered at the meeting on 25 February 2009 (see minute 315 above).

### **320. Licensing Policy Changes:**

Councillor Robertson introduced the previously circulated report of the Head of Environmental Services. The matter would also be considered by the Licensing Committee on 2 February 2009.

**Resolved:** that

- (1) the Implementation Executive be requested to retain guidance on terminal hours in the statement of licensing policy for the new Wiltshire Council as this had proved successful in South Wiltshire;
- (2) the Licensing Committee be advised of the Cabinet's views.

**321. Salisbury Arts Centre:**

Councillor Dalton introduced the previously circulated report of the City Area (Community) Committee and the recommendations. Mr Deryck Newland, Director of the Salisbury Arts Centre, spoke in support of the proposal.

**Resolved:** that

- (1) the lighting scheme financially be supported in principle at a cost of £27,600; and
- (2) the sum of £27,600 be funded out of existing budgets.

**322. Queen Elizabeth Gardens – Capital Cost:**

Councillor Dalton introduced the previously circulated report of the Interim Head of Democratic Services.

**Resolved:** that, at the request of the City Area (Community) Committee, £50,000 from existing budgets be allocated towards the capital cost of the refurbishment of Queen Elizabeth Gardens.

**323. Joint Direction of Travel Report:**

Cabinet considered the direction of travel report issued by the Audit Commission based on the annual assessment carried out in November/December 2008. The outcome was generally positive and in particular the Council's financial arrangements were commended in paragraph 93:

*“Relationships between Salisbury District Council and the County council have improved in the last six months and Salisbury District Council has a good approach to risk management for the transition. Transition risks appear in the corporate risk register and service heads are currently in the process of updating their service risk registers to include service specific transition risks. And the Council has produced a risk register around managing if service heads leave. No significant weaknesses exist in financial arrangements at Salisbury District Council that impact on the future one council. The Council continues to exercise tight control of its budget with no major variations in spending patterns. Reserves have generally been strengthened, apart from the use of capital receipts to fund capital spending which have been further used during 2007/08 in accordance with the existing investment policy.”*

Mr Ian Newman, Chairman of City Centre Management, expressed concerns on behalf of the business community that misleading information about the Council's financial standing was damaging to Salisbury's reputation and the livelihoods of those who worked there and asked that the Audit Commission's conclusions be widely publicised. The Leader thanked Mr Newman for his comments.

**Resolved:** that the report be noted.

**324. Salisbury District Current Economic Climate:**

Councillor Edge introduced the previously circulated joint report of the Project Director and Economic Development Manager.

**Resolved:** that

- (1) the Implementation Executive be recommended that Wiltshire Council, in its role as community leader:
  - (a) Continues to provide the support and help to local residents and businesses that is currently provided by Salisbury District Council;
  - (b) Works across the county with the WSEP and more locally with the South Wiltshire Economic Partnership (SWEP) to support the local business community;
  - (c) Develops a long-term economic strategy to ensure that the ongoing future prosperity and competitiveness of the Salisbury and south Wiltshire economy;
  - (d) Implements the SOLACE recommendations;
  - (e) Critically examines its capital programme to see how it can best be used to stimulate the local economy and protect jobs;

- (f) Investigates how it can help homeowners keep their homes and provide advice on housing generally;
- (g) Provides assistance to those local organisations, such as the Credit Union, which work to help individuals and families overcome financial difficulties;
- (h) Examines regeneration activities such as the Salisbury Vision and, where appropriate, works to bring forward projects for early delivery; and
- (i) Reviews the council's tourism marketing plan to target the domestic and European markets.

(2) the Leader & Deputy Leader write to the business community in the district advising them of the assistance available from the local authority.

**325. Unitary Update:**

The Acting Chief Executive gave an update on the transition to a unitary authority. At its meeting earlier in the day the Implementation Executive had considered:

- Housing Revenue Account
- City Council precept
- Capital programme
- Appointments process
- Appointments to city council posts
- Governance statement

**Resolved:** that the report be noted.

**326. Successes of the Council:**

Councillor Sample introduced the previously circulated list of successes and achievements of the Council over the last month.

**Resolved:** that successes and achievements be noted and a comprehensive report covering the life of the Council since 2007 be submitted to the March 2009 meeting.

**327. Update on Petersfinger Park and Ride:**

Cabinet considered the previously circulated briefing note on this matter.

**Resolved:** that the update position be noted.

**328. Salisbury Pilot Area Board – Participatory Budgeting:**

Councillor Dalton introduced the previously circulated report of the Head of Community Initiatives.

**Resolved:** that funding of £30k from existing budgets for community projects in Salisbury identified through the young people's participatory budgeting project be approved.

**329. Exempt Information:**

In view of the confidential and sensitive nature of the matter to be considered, the Cabinet excluded the press and public from the meeting during consideration of agenda item 16 on the grounds that it involved the likely disclosure of 'exempt information' as defined in Part 1 of Schedule 12A of the Local Government Act 1972, as amended by Local Government (Access to Information) Variation Order 2006 whether the public interest against disclosing the information outweighs the public interest in favour of disclosure as explained below:

**Paragraph 1 namely:** 'Information relating to any individual'

**Paragraph 2 namely:** 'Information which is likely to reveal the identity of an individual'

**Summary of Exempt Matter  
LGR Staffing Issues**

*The meeting concluded at 9.30 pm  
Number of public present 2*

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Your ref : SGG/PMN

19 December 2008

Dear Mr Gerrard,

*My Retirement*

Thank you for your letter of 16 December, which I have seen this morning. At our meeting last Friday afternoon, you asked me to put in writing the points which I made to you and Dorothy Anderson in connection with the proposed re-location of the Coroner's office to Devizes from Salisbury. I have not been able to deal with this before today as I have been conducting a three-day Jury Inquest at Trowbridge, which concluded yesterday evening.

Your letter indicates that the die is cast but as I did on Friday, I urge you to reconsider this decision so as to secure the smooth transition that will be so necessary for the Coroners Service on my leaving office, now at the end of March and I set out the matters, which I explained at our meeting.

There is universal concern in the Service at this proposal for relocation. You informed me that the rationale was based on the availability of Wiltshire-owned office accommodation for the future and I took it from our discussion that this was in reality the only reason for the change. There had been no consultation with me or those working in the Service on the implications of such a move, whether formal or informal, and you said that I could not be a consultee, to which I expressed surprise. After all we all want there to be the smooth transition to which Dorothy referred in her e-mail of 20 November and those who rely upon it, particularly the bereaved, are entitled to expect it. Consultation could have raised at a much earlier stage the very valid issues which I dealt with so that they could have been fully appreciated and taken into account.

Currently the existing arrangements at Salisbury are working well. There has been negotiated a very flexible position on the existing lease as you know – 6 months notice. The existing premises provide a suite of offices and an ever present and available Courtroom for regular Inquest openings and standard Salisbury division Inquests themselves – I reported to you that on the previous day I had held two Inquests there, one in particular involving medical evidence. My Deputy had sat there on the prior Monday; it is a Courtroom which is well used, as Dorothy knows from our involvement with the negotiations on the failed Wilton Road project. I do not know precisely what the proposed Courtroom arrangements are in Devizes but there needs to be the ready availability of such facilities.

On a move to Devizes there is a real risk that the existing staff will not continue in service. It is absolutely vital that there is continuity with skilled staff, who know what they are doing and can be relied upon. I am confident in saying that my successor, whoever he or she is, would be extremely anxious if that was not the case. When I was appointed, I retained the office in Salisbury for that very reason. I urge you not to underestimate this aspect. Without that continuity the Service could be in real danger of collapse. To the responsibilities of the office support staff now has to be added the increased burden of all that needs to be done in connection with the Military Inquests, and that work has to be done effectively and with urgency. Ann deals with this work. She has been with the Service for 20 years, Sandra for 8 years and Debbie engaged more recently. Knowledge and understanding of the intricacies of the Coronial system, its forms and requirements and the application of the discrete software are specialist skills and cannot be attained overnight. Ann and Sandra consistently receive well-deserved plaudits from a variety of service users, including myself, for all that they do. There is no rail link to Devizes (important for support office staff and those attending Inquests) and with an unrealistic public transport service, these staff would need to drive themselves, when all the

encouragement these days is to use public transport. Looking further ahead this may well have implications on expense claims from those required to attend Devizes-held Inquests. I believe the distance from Salisbury is 25 miles. This then is the first major consideration of any such move.

The second is that there are currently no deputies with experience in Devizes. It is important and very much part of the smooth efficiency of the Service that deputies are close at hand to sign the forms which need to be sent out daily to Registrars, Funeral Directors and other service users when the Coroner is not in the office and where they have been involved with the decisions on the death. This again works well in Salisbury as the two principal deputies have their offices in the city. Whilst I fully recognise that the appointment of Deputies is personal to the Coroner, subject to approval by the Chair of the Local Authority, a considerable amount of Government sponsored money has been invested in their Coronial education and training and were they no longer to act effectively as a deputy, this and their own personal time and commitment to date would have been wasted.

Thirdly, there are no Coroners officers based at Devizes - they are at Swindon, Melksham and of course, Salisbury. It is important again for the smooth running of the Service that an officer is available at comparatively short notice to attend openings of Inquests. A Salisbury based officer attends such openings when they are opened in Salisbury – the vast majority- for not just their own but for Swindon and Melksham division Inquests and as necessary the military Inquests. There is ready contact with the Salisbury officers, a valuable asset and one which would be detrimental to the efficiency of the Service if it were lost.

Fourthly, Devizes does not have a major Hospital – as you know the two major Hospitals within the jurisdiction are at Swindon and Salisbury; Salisbury Hospital has major burns and spinal units. There is a measurable benefit to the Service by the office being situated in Salisbury for direct communication between Coroners officers, Hospital staff and the Coroner, visits to the Mortuary and pathology departments and discussions with the pathologists and staff, availability of Medical Notes and attendance of Consultants and pathologists at Inquests. This also benefits the NHS Trust and reduces the impact of key personnel being absent from the Hospital for too long a period. These benefits would all be lost upon a move to Devizes.

Fifthly, my understanding is that the main Registrar's office was retained in Bedwin Street so as to be near to the Coroner's office; forms are sent or taken there for every natural death – Part A's and Part B's. The Coroner's jurisdiction has approximately 2300 deaths reported and up to 300 Inquests.

Lastly, and although I recognise that it does not have the same practical effect, nevertheless a move away from Salisbury would be breaking the 50 year tradition of the Coroner being based in Salisbury - myself for 16 years, John Elgar before me and his predecessor, Leo Lush. The Salisbury location has been retained for good reason.

Accordingly, on Friday I urged you and those who have the responsibility for making this decision, to consider carefully, and I sincerely hope, heed these points which I have now articulated in writing at your request in this letter. If the move is to go ahead willy-nilly, then I am sure that you will understand that for the reasons which I have explained, I have a legitimate fear for that smooth transition and for the efficiency of the Service at that time, and indeed for the impact on those bereaved whom it must help. The old adage comes to mind – "if it ain't broke, don't fix it"

Just dealing with points in your letter finally, I have noted that Dorothy Anderson and/or her Business Support manager intend to spend a day with us at Salisbury to understand how the Coronial service works and; it is a great pity that that was not done before the decision to relocate was made. You gave me authority to tell the three staff that you would be doing your best to come up with a solution which is in their interests and the Service's interests, and of course I will do so. I have noted the position on files and processing of payments, and indeed on the termination of the current lease. I am clearly going to have to spend a considerable amount of the intervening period before retirement on administrative responsibilities.

Yours sincerely

David Masters  
HM Coroner