

## Minutes

Alamein Suite  
City Hall, Salisbury  
4.00 pm: 3 September 2003

### Part 1: Procedural Matters

**ACTIONED BY**  
**Portfolio Holder**  
**(Contact Officer)**

**83. Present:**

Councillors K C Wren (Leader) J M Collier (Deputy Leader) J C Noeken & Mrs M M A Peach (Planning and Economic Development), D W Brown & E R Draper (Environment and Transport), J A Cole-Morgan & A G Peach (Community & Housing) and Mrs S A Warrander & D A Culver (Resources).

Councillor Hewitt was also in attendance and with the consent of the Chairman addressed the meeting in respect of the matter contained in minute 94 below.

**84. Code of Conduct - Members & Officers' Interests:**

There were none.

**Cllr Wren**  
**(S Agland)**

**85. Minutes:**

The minutes of the last meeting were approved and signed by the Chairman.

**Cllr Wren**  
**(S Agland)**

**86. Public Questions and Statements:**

Mr Bealing referred to agenda item 12 - A303 Stonehenge improvements and asked why there was no reference to the Parker Plan bearing in mind the Environment and Transport Overview and Scrutiny Panel considered it a potential issue for its review programme last July. Mr Bealing also asked why in view of the size of the tunnel no mention had been made of the implications for the emergency services.

In respect of his first point, Mr Bealing was informed that the Scrutiny Panel had subsequently decided at its August meeting, not to include the Parker Plan in its review Programme. As regards the second point this was a matter for the Highways Agency.

The Chairman advised that he had received the following written question from Councillor Hooper and whilst Councillor Hooper was not present at the meeting he would reply at the meeting and ensure that it was followed up by a written response.

"Why has there been a delay in publishing the 'Officer Code of Conduct' for inclusion as page 99 of the Members copy of the Council's Constitution?"

Reply

The long awaited National Code to be produced by the relevant Government Department has not materialised and having checked with the Local Government Association, no date has yet been given for its publication.

**Cllr Wren**  
**(S Agland)**

The District Council identified the modernisation of this policy as being of medium priority in its Personnel Service Unit's Policy and Procedures Project during the course of 2002. This prioritisation was reviewed towards the end of 2002 and upgraded to being 'high'. As a result, an early draft of a modernised code of conduct was produced in January this year and initial consultations with Senior Management, the Monitoring Officer and Internal Audit took place. It was recognised at this time that there would have to be further amendments to the policy once the National Code was published but it was felt that interim modernisation would still be of some use. This process was halted, however, as the resources required were diverted to other unforeseen and pressing staffing matters. Recently, however, additional resources have been made available and an updated draft Code has been produced which is about to go through the normal consultation process prior to consideration by members.

It may be worth noting that whilst not a substitute for a modernised Code spanning the variety of issues encompassed by this topic, there are currently in place a number of policies and procedures which, taken together, could be deemed to constitute the Council's Officer Code of Conduct. These are:

Alcohol and Drugs at work  
Anti Fraud  
Code of Guiding Principles for Conduct of Local Government Officers  
Disciplinary and Appeals Procedure  
Official Conduct and Register of Work Undertaken by Staff Outside their Council Employment  
Personal Behaviour at work

**87. Call-in:**

No decisions from the Cabinet's last meeting had been called-in.

*Cllr Wren  
(S Agland)*

**88. Forward Plan:**

The Leader presented his Forward Plan for the period 1 October 2003 – 31 January 2004 (previously circulated) which would be published on 15 September to become operational from 1 October 2003.

*Cllr Wren  
(S Agland)*

**Agreed:** that the Leader's previously circulated proposed Forward Plan be adopted for publication, subject to the Best Value Review of Elderly and Vulnerable People item being included in October having been put back from September due the Community and Housing Overview and Scrutiny Panel requiring more time to consider the matter.

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### Part 2: Recommendations to the Council

*(The recommendations set out below will be considered by the Council on 29th September 2003)*

**ACTIONED BY**  
**Cabinet Member**  
**(Contact Officer)**

#### 89. Statutory Determinations – Capital Finance 2002/03 and Treasury Management Performance 2002/03:

The Cabinet Member for Resources introduced the previously circulated report of the Head of Financial Services.

**Cllr Mrs Warrander**  
**(J Bulgin)**

#### **Recommended to Full Council on 29 September 2003**

(1) that the Statutory Determinations in respect of 2002/03 be as set out in paragraphs 1.1 – 1.5 of the report be approved.

(2) That the Treasury Management report as set out in 2.1 – 3.4 of the report be noted.

#### 90. Special Delegation Procedure

Arising from Minute 101 below, the Cabinet agreed to

**Leader**  
**(S Agland)**

#### **Recommended to Full Council on 29 September 2003**

That the Special delegation procedure set out in Part 6 of the Constitution (Paragraph 1.1) be amended (as highlighted in bold) in respect of the Cabinet so that it now reads

"In this Scheme of Delegation the term Special Delegation refers to the procedure whereby a decision is taken by a Delegated Officer following consultation with and agreement by -

in respect of the Cabinet - the Leader and Deputy Leader of the Cabinet **(or in the absence of the leader, the deputy leader and the relevant Portfolio holder, or in the absence of the deputy leader, the Leader and the relevant portfolio holder or in the absence of both the Leader and Deputy Leader, the relevant Portfolio holder and deputy Portfolio holder)**

in respect of Area Committees, at least two of, the Chairman and Vice Chairman and, where applicable the Minority Representative of an area committee as appropriate."

**91. Capital Strategy/Asset Management Plan 2003/04:**

The Cabinet Member for Resources introduced the previously circulated cover reports from the Head of the Financial Services and Head of Legal & Property Services concerning the following documents:

- (a) Capital Strategy (previously circulated).
- (b) Asset Management Plan (previously circulated).

Councillor Mrs Warrander emphasised that the Capital Strategy was very much a living document

**Recommended to Full Council on 29 September 2003**

- (1) That the previously circulated revised Capital Strategy be approved, subject (a) to paragraph 1.3 making clear that the future central pooling and reallocation of Capital receipts will only affect right to buy sales; (b) paragraph 14, - details of Asset Base 2002/03 including an explanatory note on how the valuation of Council dwellings is calculated, (c) the Capital Project Appraisal System attached as appendix A to the strategy, including a reference to the Risk Management/Assessment Process.
- (2) That the 2003/04 version of the Asset Management Plan as previously circulated be approved; subject in respect of appendix B (table concerning total annual management costs) the cost total for property services being amended to read £123,000 (not £72,627 as stated)
- (3) That the Performance Indicators shown in the Appendix B relating to the Asset Management Plan be noted.

*Cllr Mrs Warrander  
(J Bulgin)  
(G Creasey)*

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### Part 3: Cabinet Decisions

*All decisions set out in this section of the minutes will be implemented on or after 16 September 2003 (unless called in for consideration by the relevant Overview and Scrutiny Panel)*

**ACTIONED BY**  
**Portfolio Holder**  
**(Contact Officer)**

**92. Revenue & Capital Budget Monitoring First Quarter 2003/04:**

The Cabinet Member for Resources introduced the previously circulated Joint report of the Head of Financial Services and Chief Accountant. Councillor Mrs Warrander particularly highlighted the strain on the salaries budget due to the significant sums paid out in respect of overtime and weekend working. The Cabinet was pleased to note the performance of the City Hall and expressed its thanks to the Manager and his team for their contribution to this.

**Cllr Mrs Warrander**  
**(J Bulgin)**  
**(M Tiller)**

**Agreed:** that the Revenue and Capital Monitoring position for 2003/04 (month 3) be noted.

**93. Strategic Objectives for the Economic Development Service:**

The Cabinet Member for Planning & Economic Development introduced the report of the Head of Marketing, Economic Development & Tourism (previously circulated). The Cabinet noted that at this stage it was difficult to be precise about the resource implications of the various actions within the Strategic Action Plan

**Cllr Noeken**  
**(G Gould)**

**Agreed:** that

- (1) the proposed Economic Development Mission Statement and Strategic Objectives as outlined in Annex 11 of the report be approved, subject to it being made clear that the Strategic Objectives are at a-c and that those listed at d-k are SDC/South Wiltshire priorities
- (2) the provisional economic development rolling five year action plan as detailed in Annex 111 of the report be endorsed.

**94. Child Protection Policy:**

The Cabinet Member for Community & Housing introduced the previously circulated report and accompanying policy from of the Head of Community Initiatives. The Cabinet welcomed this policy, noted that some authorities had been criticised for not having adopted one and thanked the Head of Community Initiatives for producing it. In considering this Policy the Cabinet considered whether it could similarly be applied to Members

**Cllr Cole-Morgan**  
**(L Waller)**

**Agreed:** that

- (1) the proposed Child Protection Policy, including Vulnerable Adults, for Staff and Partner Organisations, be approved for implementation, however should any material changes to it be sought by the Joint

Consultative Forum when it meets on 22 September, these proposed changes be submitted to Cabinet for determination at its meeting on 24 September;

- (2) The arrangement detailed in the report for raising awareness and meeting responsibilities be approved; and
- (3) That consideration be given in due course as to whether Members should be included within the Policy especially in view of the situations their Ward work can sometimes place them in.

**95. A303 Stonehenge Improvements:**

The Cabinet Member for Environment & Transport introduced the previously circulated report of the Transportation Officer attached to which was the extract minute from the Northern Area Committee held on 14 August 2003. The Cabinet noted the conclusion set out in paragraph 6.1 and 6.2, and the comments submitted by the Northern Area Committee which had been addressed in the report. Councillor Brown spoke in detail on the various key elements of the Government's proposals, including the rights away along the present line of the A303. A recently published Highways Agency notice indicated that this right of way (known as the Stonehenge By-way) will be available to Emergency vehicles, agricultural vehicles, any vehicles requiring access to Stonehenge Cottages and Invalid Carriages - in this last category it includes disabled transport vehicles designed specifically to carry up to eight disabled or less able bodied persons driven by designated representatives of English Heritage or National Trust. This is contrary to the Stonehenge Plan as arrangements were to be made for disabled access from the East and North of the site and it appears to contradict the aim of removing roads and associated vehicles from the view of the Stones - this also necessitates clarification of the surface treatment to the By-way.

Councillor Brown concluded by thanking Graham Wright and his team for all the work they have put in to the report and the examination of the voluminous documentation associated with this project.

The Chairman stated that whilst the Council was only a consultee, it was important that it kept a close watching brief on each stage of the project to ensure it was satisfied with developments.

**Agreed:** that the Council submits a holding objection to the Secretary for Transport until it is satisfied that the issues raised in Section 5 of the report have been addressed to its satisfaction.

*Cllr Brown  
(G Wright)*

**96. Joint Consultative Forum:**

The Cabinet Member for Resources introduced the previously circulated minutes of the Forum meeting held on 21 July 2003, and referred to the recommendation arising under minute 11 concerning Stand-by and Call-out arrangements (report previously circulated)

**Agreed:** that the recommendation of the Joint Consultative Forum at minute 11 concerning Stand-by and Call-out arrangements be approved noting that the Forum does not consider the document to be for the purpose of introducing 24 hours 7 days a week working practices.

*Cllr Warrander  
(D Crook)*

**97. Outside Body Appointments:**

**Agreed:** that

- (1) Councillor Mrs Evans fill the third slot on the Market Traders Association as requested by Councillor Fear. **Note** the other two representatives are Councillors Dalton and Nettle and
- (2) Councillor Anderson replace Councillor Britton on the Agenda 21 Forum; and
- (3) That the Leader discuss with the Head of Democratic Services the substitute for the Agenda 21 Forum.

*Leader*

**98. Quarterly Performance Monitoring Report:**

The Cabinet Member for Resources introduced the previously circulated report of the Policy Director, David Neudegg and the Best Value Officer. The Cabinet Member for Resources was pleased to see the high performance for the percentage of invoices paid within 30 days and that the land charges performance was improving. The Cabinet Member for Community and Housing advised he had met the Bed and Breakfast Team from the Office of the Deputy Prime Minister and received a very positive response to the Council's actions in this area. The Cabinet was also pleased to note the improved quarterly performance in the proportion of working days lost to sickness absence and congratulated the Personnel and Training Unit accordingly.

**Agreed:**

- (1) that the actions taken by Officers in the previous period be noted; and
- (2) that future quarterly reports should identify in respect of all the key Best Value Performance indicators which are and which are not on target and generally information should be provided in all the boxes.

*Cllr Mrs Warrander  
(D Neudegg)*

**99. Peer Review – Action Plan Monitoring Report:**

The Leader invited Councillor Collier to introduce the previously circulated report of the Policy Director, Debbie Dixon. It was noted that the draft Scene Setting and self assessment document required as part of the CPA process had been produced in readiness for dispatch to the Peer Review Team this Friday.

**Agreed:** that progress against the Peer Review Action Plan be noted together with the programme for the Peer Review Team follow-up visit on 12 September 2003.

*Cllr Wren*

**100. Dates of Future Meetings:**

Following the Cabinet's decision last June to move to monthly meetings wherever possible, it was

**Agreed** that the following schedule of meeting dates from January 2004 to the end of the current Municipal Year be adopted:

1. 14 January (no change)
2. 4 February (no change - limited flexibility on date due to budget process)
3. 3 March
4. 7 April (no change)
5. 5 May

*Cllr Wren  
(S Agland)*

## Note

- (1) the dates chosen are intended to link in with the Full Council meetings wherever possible
- (2) as a result of the above decision the original meeting dates of 25 February, 17 March, 28 April and the 19 May will be cancelled

### 101. Special Delegation Procedure:

The Cabinet noted the decision dealt with under the above procedure relating to Health and Safety Works in the Bourne Hill Reception. It was noted that neither the Chairman or Vice-Chairman of the Resources Overview & Scrutiny Panel had called-in this decision.

*Cllrs Wren & Collier  
(S Milton)*

### 102. Urgent Business:

In view of the need for a decision to be taken before the next meeting, the Chairman allowed a matter relating to the replacement Salisbury District Local Plan to be considered under urgent exempt business.

*Leader*

### 103. Exempt Information:

In view of the confidential or sensitive nature of the matters to be considered, it was:

**Agreed:** that the Press and Public be excluded from the meeting during consideration of those matters defined as 'Exempt' under the Access to Information Act 1985 as specified below:

Paragraph 12 namely: 'Any instruction to Counsel and any opinion of Counsel and any advice received, information obtained or action taken in connection with any legal proceedings by or against the authority or the determination of any matter affecting the authority'

#### ***Summary of Exempt Matter***

*Urgent Item – Replacement Salisbury District Local Plan*

*There was 1 member of the public present.  
The meeting finished at 6.15pm*