

## Minutes

Alamein Suite  
City Hall, Salisbury  
4.00 pm: 24 September 2003

### Part 1: Procedural Matters

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

**105. 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).

Councillors Hewitt (119), Mills (119 & 120) and Brady (120) were also in attendance and with the consent of the Chairman addressed the meeting in respect of those matters respectively recorded.

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

There were none.

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

**107. Minutes:**

Subject to the recommendation set out under minute 90 being amended by the substitution of the following for the corresponding paragraph:

**In respect of the Cabinet - The Leader (or in his/her absence the Deputy Leader) and the relevant Portfolio Holder (or in his/her absence the Deputy Portfolio Holder) and in any other circumstance any two of the above four office holders...**

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

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

**108. Public Questions and Statements:**

Councillor J B Hooper and Mr K Gross asked questions of the Cabinet. A transcript of the question and answer session can be found attached as Annex A to these minutes

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

**109. Call-in:**

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

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

**110. Forward Plan:**

The Leader presented his Forward Plan for the period 1 November 2003 – 29 February 2004 (previously circulated) which would be published on 13 October to become operational from 1 November 2003.

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

**Agreed:** that the Leader's previously circulated proposed Forward Plan be adopted for publication.

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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)**

#### 111. Treasury Management Practices:

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:** that the revised Treasury Management Practices be adopted.

#### 112. Regulation of Investigatory Powers Act 2000 – Adoption of Policy:

The Leader of the Cabinet introduced the previously circulated report of the Legal Services Manager together with the accompanying Policy.

**Cllr Wren**  
**(S Tovey)**

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

1. that the 'Corporate Policy on The Regulation of Investigatory Powers Act 2000' be adopted with effect from 1<sup>st</sup> November 2003; and
2. that the Council's Constitution be amended as follows:
  - a. the following be added to Clause 1 (Powers delegated to the Chief Executive) of Annex B to the Officer Scheme of Delegation;

*1.16 to appoint officers to be authorised for the purposes of Part II of the Regulation of Investigatory Powers Act 2000*
  - b. the following be added to Clause 2 (Powers delegated to the Chief Executive and Policy Directors) of Annex B to the Officer Scheme of Delegation;

*2.6 to approve collectively as the Management Team any changes necessary from time to time to the procedures pursuant to Part II of the Regulation of Investigatory Powers Act 2000.*

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### Part 3: Cabinet Decisions

*All decisions set out in this section of the minutes will be implemented on or after 7 October 2003  
(unless called in for consideration by the relevant Overview and Scrutiny Panel)*

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

#### 113. City Centre Management:

Mr I Newman, City Centre Management (CCM), gave a presentation to the Cabinet after which the Cabinet Member for Planning & Economic Development introduced the previously circulated report of the Head of Marketing, Economic Development & Tourism. The members thanked Mr Newman for his presentation and commended the CCM Partnership for the excellent work it was doing to promote Salisbury.

**Agreed:**

- (1) that the change in status of the CCM partnership to a Company Limited by Guarantee be approved;
- (2) that the Council's continued support for the Salisbury City Centre Management Partnership/Salisbury City Centre Management Company Limited be reaffirmed;
- (3) that the Head of Marketing, Economic Development & Tourism and the Board of the Salisbury City Centre Management Company Limited, in conjunction with the Head of Financial Services, be requested to agree a 3 year service level agreement between the Company and the Council effective from 1<sup>st</sup> April 2004; and
- (4) that up to three elected members or officers from Salisbury District Council attend meetings of the Board of Directors of the City Centre Management Company as observers only and that this requirement be included in the service level agreement.

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

#### 114. Early Retirement Policy:

The Cabinet Member for Resources introduced the previously circulated report of the Employee Relations Manager and drew attention to the views of the Joint Consultative Forum supporting the policy (circulated at the meeting).

**Agreed:** that the Early Retirement Policy be adopted subject to the inclusion of more objective criteria for the assessment of applications.

**Cllr Mrs Warrander**  
**(K Gard)**

**115. Child Protection Policy:**

The Cabinet Member for Resources noted that the Joint Consultative Forum meeting held on 22 September 2003 had raised no comments on the proposed Child Protection Policy previously approved by the Cabinet.

**Agreed:** that the Child Protection Policy be now implemented.

*Cllr Mrs Warrander  
(A McConkey)*

**116. Adoption Leave:**

The Cabinet Member for Resources introduced the report of the Head of Personnel, Payroll and Training along with the recommendation arising from the Joint Consultative Forum meeting held on 22 September 2003 supporting the proposals relating to Adoption Leave.

**Agreed:** that the Adoption Leave Policy be adopted.

*Cllr Mrs Warrander  
(A McConkey)*

**117. Integrated Change Programme/Performance Management:**

The Leader of the Cabinet introduced the previously circulated report of the Head of Democratic Services.

**Agreed:**

- (1) that the nine previously circulated project initiation documents (PID) be approved and that together with the two agreed at the last meeting this be adopted as the Council's Integrated Change Programme as set out in chapter five of the Corporate Plan 2003/4;
- (2) that the proposed approach to be adopted by the Officer Working Group as set out at section 2 of the report regarding the development of the PID process and the refinement of the Performance Management System be approved; and
- (3) that the first two months performance be noted pending the next full quarterly monitoring report which will give a more meaningful insight into the developing process.

*Cllr Wren  
(S Agland)*

**118. Council's Copying Requirements:**

The Deputy Cabinet Member for Resources introduced the previously circulated report of the Procurement Steering Group.

**Agreed:** that the provisions of the Council's financial regulations relating to contracts be waived in order that:

- (1) a partnership arrangement with Canon as the Council's preferred supplier of photocopiers be agreed;
- (2) the quotation from Canon set out in paragraph 4.3 (a) of the report be accepted;
- (3) the Council accepts and takes advantage of the arrangements set out in paragraph 4.2; and
- (4) the concept of networking the digital photocopiers be pursued with a view to reducing the number of printers throughout the Council.

*Cllr Culver  
(T Beer)*

#### **119. Management Options – Review of Leisure Services:**

The Cabinet Member for Community and Housing introduced the previously circulated report of the Principal Leisure and Community Officer. The Cabinet also noted Wiltshire County Council's Cabinet Report of 25<sup>th</sup> September and the resolution arising under minute 57 of the Southern Area Committee of 28 August relating to this matter (circulated following the dispatch of the Agenda).

*Cllr Cole-Morgan  
(R Townsend)*

#### **Agreed:**

- (1) that in view of the imponderables, it is not possible to identify a precise level of re-investment (to be made available to the Trust), although it is considered that this should be around 60% - further consideration to be given to this issue in January 2004 when matters are clearer;
- (2) that a detailed risk assessment be included in the report to be considered in January;
- (3) that a Company Limited by Guarantee be selected as the preferred management structure;
- (4) that officers be instructed to work with UNISON to reach agreement in principle on a pre-transfer agreement covering issues raised by UNISON that could form part of the formal agreement between the Council and a Not for Profit Distributing Organisation;
- (5) that officers be instructed to work with the Principal Sports Development Officer and the Consultants to produce a report that outlines the role of Sports Development in the new structure for consideration by the Cabinet in November;
- (6) that the revised timetable as suggested in paragraphs 4.1 and 4.2 of the report be approved;
- (7) that a supplementary estimate of up to £40,000 be approved to enable officers to work with consultants to complete an interim report for consideration in January 2004 that addresses the issues in paragraph 4 of the report.
- (8) that the alternative management proposal put forward by Leisure Connection be declined;
- (9) that officers now negotiate with Leisure Connection to extend their contract for an additional period of one year; and
- (10) that negotiations be continued with Wiltshire County Council.

**120. Indemnities for Councillors:**

The Cabinet Member for Resources introduced the previously circulated report of the Resources Overview & Scrutiny Panel approved at its meeting on 16 September 2003.

*Cllr Mrs Warrander  
(S Tovey)*

**Agreed:**

- (1) that subject to the inclusion of (3) below, the response of the Resources Overview & Scrutiny Panel to the Office of the Deputy Prime Minister be approved;
- (2) that Councillors Mills and Brady be thanked for the excellent work they have undertaken in this matter; and
- (3) that the Local Government Association be asked to consider initiating a National Indemnity Scheme on behalf of Members and Officers.

**121. Tree Management Growth Bid:**

The Cabinet Member for Environment & Transport introduced the previously circulated report of the Parks Manager.

*Cllr D Brown  
(R Williams)*

**Agreed:** that a non-recurring growth bid be submitted in the sum of £38,500 to finance the items at (1) and (2) below during 2004/05 and that subject to the outcome of that bid;

- (1) the IT Department and Parks Section investigate the technologies available and their compatibilities to current SDC systems with a view to purchasing a palm top data capture unit; and
- (2) a condition survey of the SDC tree stock is undertaken during 2004/05.

**122. Hackney Carriage Fares:**

The Cabinet Member for Environment & Transport introduced the previously circulated report of the Hackney Carriage & Private Hire Licensing & Enforcement Officer.

*Cllr Brown  
(J Webb)*

**Agreed:** that approval be given to the proposed increases to the taxi tariff as set out in paragraph 3 of the original report.

**123. Public Offices Review – Proposed Procurement:**

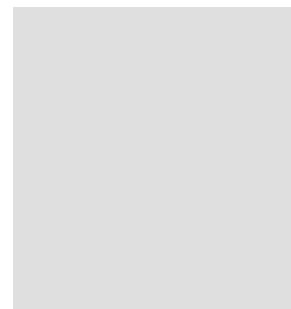
The Cabinet Member for Resources introduced the previously circulated report of the Policy Director, David Neudegg.

*Cllr Mrs Warrander  
(D Neudegg)*

**Agreed:**

- (1) that the contents of the report be noted and the procurement route recommended be approved;
- (2) that officers be authorised to arrange a competitive interview process for the appointment of Architects through the Royal Institute of British Architects (RIBA);

- (3) that the decision to appoint Architects be delegated to the Appointments Panel;
- (4) that the officers be authorised to enter into an agreement with the appointed Architects with appropriate formal review dates; and
- (5) that the officers be requested to report back on the options for the procurement of the building and management phase of the project.



**124. Air Quality Management – Updating and Screening Assessment (USA) 2003:**

The Cabinet Member for Environment & Transport introduced the previously circulated report of the Environmental Health Officer.

*Cllr Brown  
(G Tomsett)*

**Agreed:** that the USA 2003 report be adopted and its conclusions be noted.

**125. Air Quality Management – Air Quality Action Plan:**

The Cabinet Member for Environment & Transport introduced the previously circulated report of the Environmental Health Officer.

*Cllr Brown  
(G Tomsett)*

**Agreed:** that the Air Quality Action Plan be adopted.

**126. Exempt Information:**

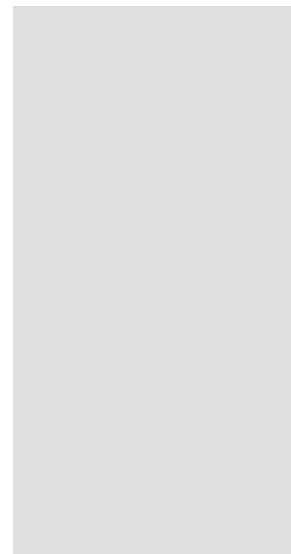
In view of the confidential or sensitive nature of the matters to be considered, it was:

**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 1 namely: 'Information relating to a particular employee, former employee or applicant to become an employee of or a particular office-holder, former office-holder or applicant to become an office-holder under the authority'

***Summary of Exempt Matters***

Agenda Item 24 and Urgent Item - Staffing Issues



*There were 6 members of the public present.  
The meeting finished at 7.20 pm*

**Salisbury District Council  
Cabinet Meeting 24 September 2003**



**Public Question Time**

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**The following is a transcript of the question and answer session that took place at the start of the meeting.**

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**Councillor J B Hooper.**

**Question:** Last week a Member of this Council made a Statement to the Standards Committee on the matter of his defence against accusation by a member of the public, that he acted improperly in his role as a councillor. The Council's Standards Committee and the National Board have cleared him.

Because of shortcomings in the Council's procedures he took legal advice to defend himself. Should not this Council now reimburse his legal costs? Failure to do so would imply that this Council will not help elected members serving in local government for the public good. Any of us could be put into this position.

**Answer:** Councillor Wren, The Leader of the Cabinet informed Councillor Hooper that he was aware of this issue and indeed this was to be considered more fully later on the agenda. He drew attention to the Chief Executive's discretionary powers to offer assistance in such cases.

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**Mr K Gross**

**Question 1:** I understand that you now employ 22 parking attendants (traffic wardens) whereas ten years ago it was only six. As there has been no increase in the number of streets/roads around Salisbury, can you please explain this increase in numbers?

**Answer:** Councillor Brown Cabinet Member for Environment & Transport replied as follows:

*"Firstly, ten years ago the Council was not responsible for on-street parking enforcement. It was at that time a Police function and they employed the necessary number of traffic wardens for the task.*

*In April 2001, the Council took over the role from the Police (under decriminalisation) and we became responsible for on-street parking enforcement District-wide. This required our ambassadors, whilst continuing to carry out their main car park work and "ambassadorial" duties, to also cover the on-street parking enforcement (not only within the City but in the main towns and villages such as Mere, Tisbury and Amesbury as well).*

*The team was therefore expanded by ten to cope with this additional workload, and it should be noted that none of their salaries falls on the Council taxpayer as they are all paid out of parking revenue."*

**Question 2:** There are nine parking spaces available on the coach station car park on the basis of a maximum 30 minutes waiting. Are these spaces intended only for people who are



dropping off and picking up passengers from coaches or are they intended for the general public i.e. those who go shopping at Tesco's etc?

**Answer:** Councillor Brown Cabinet Member for Environment & Transport replied as follows:

*"The nine parking spaces by the coach station are designed primarily for people dropping off/collecting coach passengers. However, the spaces are also available for other users if they can meet and adhere to the time restriction."*

**Question 3a:** Councillor Noeken, in a letter to the Salisbury Journal some two months ago, stated that the Council had a great regard for the work carried out by Parish Councils. Can you therefore please explain why Laverstock Parish Council is being kept in the dark so far as two important developments are being carried out in the Parish? I refer firstly to the Duck Lane development, which the Parish Council opposed, but which was subsequently approved at District Council level. We are now getting bombarded with questions at Parish Council meetings, but we are unable to furnish any information because we do not have it. We are disappointed because we send parishioners away without answers to questions and it leads to frustration on both sides. Can you please arrange a meeting between the planning section and the parish council or at least let us know the up-dated situation on the development.

**Answer:** Councillor Noeken Cabinet Member for Planning & Economic Development replied as follows:

*"The Parish Council is not being kept in the dark. We have established what we consider to be a good and positive relationship with Andrew Hall who is the Clerk and we have spent some time explaining the process with him. The Officers have also attended a meeting with the Governors of St. Andrews at which Mr. Hall and the Chairman of the Parish Council were also present. We have also offered suggestions as to how the Parish Council can be fully involved in the preparation of the development brief including them setting up a specific working group of their own. We have made it clear that we would be willing to talk to the Parish Council and that we want to work closely with them. The Officers spoke to the Parish Council last week in respect of a meeting they were having with Linden's agents and we will be sending the Parish Council a note of the meeting - however clearly it will not be appropriate for the PC to attend every meeting we have on the development brief."*

*"Maybe the basic point is that nothing has so far progressed on the site so we have nothing to tell the Parish Council. It would be more helpful if the Parish Council could let us have a list of questions being asked by the public so that we could furnish them with the appropriate information."*

**Question 3b:** The second situation is in connection with the proposed graveyard next to the Church. This was announced in the Salisbury Journal some six months ago and immediately casts doubts in the residents' minds as to what is going to happen to their property; yet again we have no information to supply to them. Any update here will be appreciated.

**Answer:** Councillor Noeken Cabinet Member for Planning & Economic Development replied as follows:

*"The provision (or otherwise) of cemeteries is a Parish function. Within the City this function is administered by the City Area Committee (Community) who manage all functions usually undertaken by a Parish and who are also responsible for setting a City"*

*precept. This is therefore not an issue that the Cabinet is responsible for however in order to be as helpful as possible, I can inform you as follows.*

*The search for a new cemetery goes on. The site at Laverstock is still under consideration but is still unfortunately delayed, longer than anticipated, due to the ecological surveys, which the Environmental Agency has requested.*

*We still anticipate the situation being concluded shortly resulting in a planning application.*

**Question 4:** I am sure that you will have seen in the national newspapers a threat to increase Council Tax by £20 per month next year. As you will know I queried the Council Tax last year yet we still had a large increase from 1 April 2003. What is the problem? Is it a case of central government reducing subsidies to Councils (a way of increasing taxes on the side) or is it Councils which are just over-spending?

(Mr Gross also drew attention to a recent item that had appeared in the Times newspaper. The Leader of the Cabinet asked Mr Gross to send in a copy of the article and he would arrange for copies to be sent to the Cabinet members)

**Answer:** Councillor Mrs Warrander, Cabinet Member for Resources replied as follows:

*"Local authorities set council taxes which reflect the contribution made by Central Government each year. Salisbury District Council collects taxes on behalf of the County Council, the Police Authority and Parishes; and has no jurisdiction whatsoever over the levels of Council Tax that these other organizations levy. Last year, Salisbury District Council set an increase of 4.5% - which was both one of the lowest in Wiltshire and one of the lowest in the country. This was achieved despite the impact of Central Government imposed costs, for example an increase in National Insurance. Indeed, Salisbury District Council's portion of the Council Tax payer's bill (at Band D) is only 9.3% of the total.*

*The Government continues to impose additional burdens, through legislation on local authorities, for example the Landfill Tax and consequently the Council is faced with above inflation Council Tax increases again next April. Despite continued efforts by the Council, the scope for further efficiency savings is limited. In addition, there is a significant geographical variation in the amount of money which the Government distributes to local authority costs across the country; with the South and East receiving proportionally less than Northern areas.*

*In summary, the Government is reducing its subsidies and although Salisbury District Council runs a tight ship, it has relatively little influence over the bill, which it sends out. "*