

Minutes

Alamein Suite
City Hall, Salisbury
4.00 pm: 26 November 2003

Part 1: *Procedural Matters*

ACTIONED BY
Cabinet Member
(Contact Officer)

155.

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 Bissington, Council Chairman was also in attendance and spoke on minute 179

With the permission of the Chairman, the following Councillors addressed the Cabinet as indicated

Councillor Cardy Minute 165, Councillor Mills minute 174, Councillor Paisey minute 165, Councillor Hewitt minutes 167 and 171, Councillor Moss minute 171 Brown-Hovelt minute 162

The Chief Financial Officer and the Monitoring Officer were also in attendance

156.

Code of Conduct - Members & Officers' Interests:

There were none.

Cllr Wren
(S Agland)

157.

Minutes:

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

Cllr Wren
(S Agland)

158.

Public/Councillor Questions and Statements:

Mrs Caroline Burnett asked in respect of agenda item 8, Redevelopment of Stratford Social Club -

1. is the Council going to support the building of a new club ?
2. If so what is the proposed date ?
3. If a new build is not taking place, will the Council offer the Club a longer lease for the club to spend money (on repairs etc) , which would not be wasted by the uncertain present short-term lease ?
4. Can all answers given please be put in writing

The Cabinet Member for Community and Housing advised that when the Cabinet considers agenda item 8 later in the meeting, it will only be discussing in principle proposals relating to the future of this community facility and that detailed issues will be dealt with at a later meeting on receipt of a further report and following

Cllr Wren
(S Agland)

consultation with stakeholders and planners.

Mr Bealing asked whether the expenditure proposed in relation to the Stonehenge item was lawful and from which budget would it be drawn (min 162 below). The Monitoring Officer confirmed that the proposed expenditure was lawful and the Chairman advised that the budget issue would be addressed during discussion of the issue later in the meeting

Mr Bealing also referred to the number of blocked drains within the City Centre and the resultant surface water this left on some roads after heavy rainfall. The Chairman agreed with Mr Bealing and advised that he would ask the Officers to forward his comments to the relevant agencies.

Councillor Brown-Hovelt had submitted the following question regarding Flooding and Development Control (Minute 171 below)

I welcome the report on flooding, however, I am surprised that we are not being more proactive with regards planning guidance on the issue of sealed foul water / sewage drains in areas susceptible to flooding, whether it be ground water or river flooding eg Pitton and Wilton respectively.

In a recent presentation to Wilton Town Council the local water authority claimed the main problem they had was leakage of ground water in to the system through non sealed private drains into their sealed system. They have no powers to force private drain owners to seal their systems. The cost to seal Wilton's private drains could be a seven figure sum!

I would like to propose that the District Planning Officers should now require all new developments and major redevelopments and changes and or repairs to sewage drains to have sealed drains, if they fall into areas susceptible to flooding and ground water seepage.

At present there is no requirement for such sealed drainage and since developers do not have to live with the consequences of providing cheap drains, we should ensure that they are not adding to problems our communities already face.

If, for some reason, we are unable to introduce this policy now; please can it be put into any new district planning guidance for the next district plan.

The Cabinet Member for Environment and Transport replied that

All newly constructed drains are sealed systems and have been subject to air or water testing under the provisions of the Building Regulations for 40 years. In modern construction, external gullies connected to the foul sewerage system down which floodwater can pass are rare. Flood risk and sustainable drainage is always considered as part of a planning application. In flood risk areas the inundation by floodwater of sewers is a material consideration to be taken into account, so external gullies would not be permitted in these areas.

In old existing drainage the ingress of surface / ground water through damaged or defective pipe work, open gullies or illegal connections is not uncommon. The Water Authorities have no powers to remedy such defects. District Councils have powers under the Building Act 1984 to require owners to repair drains which leak.

The power is normally only used where the leak is creating public health hazard or nuisance. There is provision for the Council to do the work and recover costs.

Councillor Brown-Hovelt submitted a question relating to the Stonehenge item which in essence was explained by the Cabinet Member for Planning and Economic Development as follows -

I am astonished that SDC tax payers should have to find almost a £1/4m to support the Government's proposals for Stonehenge. While I accept the need to forward plan for such eventualities as prudent, I am deeply uneasy about spending such sums on a plan that clearly has little hope of being accepted.

Surely it is the responsibility of the Highways Agency to provide consultants and experts to defend their proposals?

While the Cabinet has, in principle, agreed to support the project it still has major reservations; as I understand the situation. Is this why it is going to cost us £220,000?

I would like to know why SDC has to fund the proposals at agenda item 15.

Cllr Noeken response

1. We need to make representations at the Public Inquiry regarding the tunnelling of the A 303. The District Council has raised specific areas of concern which have been identified as the District Council's objection to the published scheme. A meeting with Consultants acting for the Highways agency was held on 25th November. In the main the Council's objections have been or are being dealt with. If issues cannot be resolved Proofs of Evidence will need to be submitted by the 20th January. Any appearance at the Inquiry will need to be funded. Funding by the council is the last resort and the Chief Executive has written to the DCMS outlining similar concerns to yourself and we have already explored avenues through the Member of Parliament and with the Minister. Obviously if we can resolve the outstanding issues appearance will be unnecessary and no costs will be incurred.
2. Turning to the Stonehenge Visitor Centre, the report is once again identifying a worst case scenario. We have a Management Plan that has been the subject of extensive consultation. The likelihood is that the application will not proceed to a Public Inquiry but the decision is not within the gift of the LPA as it is a decision by the S-O-S. My opinion is that this will only be undertaken if the S-O-S considers the National and International Significance of the proposal warrants the scrutiny of a Public Inquiry. The report is highlighting the scenario that it could be called in and we have worked on the assumption of a six week inquiry period. Again funding by the council is the last resort. We are now aware from the results of the meeting of 25th November that the worst case scenario is now less likely with less likelihood of a large cost in legal representation. The bulk of issues raised by this Council have been resolved and the Council is in active consultation to resolve those outstanding.

159. Call-in:

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

*Cllr Wren
(S Agland)*

160.

Forward Plan:

The Leader presented his Forward Plan for the period 1 January 2004 – 30 April 2004 (previously circulated) that would be published on 15 December to become operational from 1 January 2004.

Agreed: that the Leader's previously circulated proposed Forward Plan be adopted for publication, subject to the deletion of the Treasury Management Statement item in January as this is no longer a requirement, the inclusion of Car Park Charges in February and the inclusion of Prudential code Indicators in March.

*Cllr Wren
(S Agland)*

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Part 2: Recommendations to the Council

(The recommendations set out below will be considered by the Council on 8th December 2003)

ACTIONED BY
Cabinet Member
(Contact Officer)

161. Council Tax – Calculation of Tax Base:

The Cabinet Member for Resources introduced the previously circulated report from the Acting Head of Financial Services. It was noted that in future years this matter will no longer require Full Council determination.

Cllr Mrs Warrander
(A Osborne)

Recommended to Full Council on 8 December 2003: that

- (1) the report of the Acting Head of Financial Services for the calculation of the Council's Tax Base for the year 2004/2005 be approved.
- (2) pursuant to the Acting Head of Financial Service's report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, the amount calculated by the Salisbury District Council as its Council Tax Base for the various parts of its area be as shown in **Annex A** attached to the minutes.
- (3) the decision upon the Council Tax Collection Fund surplus/deficit be delegated to the Head of Financial Services.
- (4) the decision upon the Community Charge Collection Fund surplus/deficit also be delegated to the Head of Financial Services.

162. Additional Costs – Stonehenge Project:

The Cabinet Member for Planning & Economic Development introduced the previously circulated report of the Head of Development Services.

Cllr Noeken
(S Thorne)

Recommended to Full Council on 8 December 2003: that in the event that no alternative source of funding can be identified, additional monies of up to £220,000 be authorised through approval of a supplementary estimate to meet in part the possible additional costs associated with the Stonehenge Project in the financial year 2004/2005 of which an amount of up to £17,500 is allocated to Legal and Property Services.

163. Grants Review:

The Cabinet Member for Community & Housing proposed that the findings of the Grants Review be reported direct to Full Council rather than considered by the Cabinet in the first instance.

Recommended to Full Council on 8 December 2003: that the findings of the Grants Review set out in the report by the review group (to be circulated under separate cover to all Council Members) be considered directly by Full Council especially as the SWAG budget is under the control of Full Council.

Cllr Cole-Morgan

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Part 3: Cabinet Decisions

*All decisions set out in this section of the minutes will be implemented on or after 9 December 2003
(unless called in for consideration by the relevant Overview and Scrutiny Panel)*

ACTIONED BY
Cabinet Member
(Contact Officer)

164. Housing Options Service (Salisbury Back-up Scheme):

The Cabinet Member for Community & Housing introduced the report of the Head of Strategic Housing Services circulated after Agenda dispatch.

Cllr Cole-Morgan
(A Reynolds)

Agreed: that

- (1) the specific proposal for the back-up service as set out in paragraph 5 of the report be approved, with a progress report to Cabinet after 6 months operation;
- (2) the reallocation of resources to support recommendation (1) above as set out in paragraph 6 of the report be approved; and
- (3) the report on Private Sector Leasing set out in paragraph 7 of the report be noted.

165. Redevelopment of Stratford Social Club:

The Cabinet Member for Community & Housing introduced the report of the Lead Officer Development and Private Sector Services (circulated following agenda dispatch). A statement from the Committee and members of the Club advising of the desire to acquire a long lease of the club had been received by the Cabinet Member (see also questions raised under public question time).

Cllr Cole-Morgan
(K Entwistle)

Agreed: that approval in principle be given to the preferred Option 1 as set out in the report subject to a more detailed report in due course, following consultation with stakeholders (including the Scouts).

166. Improving Customer Care – City Hall:

The Cabinet Member for Community & Housing introduced the previously circulated report from the City Hall Manager. (Revised report circulated following agenda dispatch).

Cllr Cole-Morgan
(P Smith)

Agreed: that 1.5 additional F/T Ticket Office staff be recruited, with the F/T post being at supervisory level to free up the time of the Sales and Marketing Manager, for the reasons set out in the report.

167. Wiltshire Structure Plan 2016:

The Cabinet Member for Planning & Economic Development addressed the recommendations set out in the previously circulated draft extract minute from the meeting of the Planning & Economic Development Overview & Scrutiny Panel held on 11 November 2003.

It was noted that whilst the deadline for Call in of Cabinet decisions had elapsed, the Cabinet was being requested to reconsider its recommendation to Wiltshire County Council regarding the proposed new housing allocation with a view to revising the proposed figure downwards.

The Panel had also invited representatives of the Cabinet to attend the next meeting of its Panel on 9 December 2003 to explain its decision regarding the new housing provision figure for the District for the period 2011 – 2016. The Cabinet noted that the Leader and the Cabinet Members for Community and Housing and Planning and Economic Development would be attending the Panel meeting to explain the Cabinet's position.

The Cabinet Member for Planning and Economic Development advised that this issue was not new having originally been considered by Cabinet on 25 June, however on reflection he was willing to see the limit on new homes kept at 1500, - any figure below that would not be tenable in view of the serious housing issues facing the District.

Agreed: that the Cabinet's original decision at its meeting on 29 October 2003 (minute 136) be rescinded and replaced with the following decision:-

- (1) that the Officers submit representations to Wiltshire County Council as follows -
 - a. the District Council endorses the revised proposal of 20 hectares of strategic employment land in Salisbury District to provide for demands between 2011 and 2016
 - b. the original proposal for 1500 new homes be maintained as the minimum level of provision for Salisbury District for the period 2011-2016.

Cllr Noeken

168. Draft Portfolio Plans:

The Cabinet received the draft Portfolio Plans (circulated following dispatch of the Agenda). Risk registers relating to the Plans for Resources, Community and Housing and Corporate were circulated at the meeting. The register for Environment and Transport had yet to be finalised. The Leader advised the Cabinet that the final versions of the plans will be brought before Cabinet in the new year.

Agreed: that the draft Plans be approved for consultation with the relevant Scrutiny Panels etc prior to further consideration by Cabinet on 4 February 2004 and subsequent submission to Full Council for adoption.

*Cllr Wren/All Cabinet Members
(Management Team)*

169. Medium Term Financial Strategy - Update:

The Cabinet Member for Resources introduced the report of the Policy Director, Debbie Dixon (circulated following dispatch of the agenda) .

Agreed:

- (1) the views of the public, along with all other factors, be taken in account

*Cllr Mrs Warrander
(D Dixon)*

when making budgetary decisions.

- (2) The Officers arrange for those members of the public who participated in the consultation to be informed of the outcome of the budget setting process in February and thanked for their positive contribution.
- (3) the revised Medium Term Financial Strategy, be approved taking into account any views the Resources Scrutiny Panel may have and subject in due course to Full Council approval.

170. Bulky Household Waste Collection Service:

The Cabinet Member for Environment & Transport introduced the previously circulated report of the Policy Director, David Crook and advised that the savings that pursuance of option 3 should accrue should address the overall financial shortfall in his Portfolio.

Agreed: that (a) Option 3 (introduction of two dedicated vehicles and crews) is considered acceptable, but starting with one vehicle and crew and if demand actually matches the assumption for option 3 it would then be possible to finance a second vehicle (b) the Officers be authorised to proceed accordingly (c) the Cabinet Member for Environment and Transport to review the proposed use of the wisecard as the only means of securing householder discount for those in receipt of means tested benefit.

*Cllr Brown
(D Crook)*

171. Interim Report of the Flood Prevention Working Group:

The Chairman of the Flood Prevention Working Group, Councillor Hewitt, introduced his Group's previously circulated report which detailed the Group's activities and conclusions together with the views of the respective Area Committees. The Leader advised that he was delighted with the progress made by the Group since he organised its establishment.

Agreed: that

- (1) the interim report from the Flood Prevention Group be noted;
- (2) consideration be given towards making some provision in the Capital Programme for funding for flood defence works in the priority areas identified in the report; and
- (3) this Working Group continue for a further 12 months under the retitled name of the Salisbury District Flood Steering Group as requested by other agencies
- (4) the Members and Officers involved in this Working Group be thanked for all their good work.

*Cllr Brown
(G Silver)*

172. Office Centralisation – Client Development Brief:

The Cabinet Member for Resources introduced the previously circulated report of the Policy Director, David Neudegg (circulated following agenda dispatch).

Agreed: that

- (1) the contents of the report and particularly the key issues outlined in section 4 be noted.
- (2) The Officers include the space requirements as set out in section 3 of the report into the Client Development Brief.
- (3) The Officers investigate suitable and feasible alternatives for those services currently excluded from the main office requirements, including the Council Chamber and the possible use of the Arts Centre for that purpose.
- (4) The Officers include a requirement that the appointed Architects

*Cllr Mrs Warrander
(D Neudegg)*

explore the full potential value of the site consistent with the reasonable views of stakeholders.

- (5) key stakeholders be included within the Brief for Architects to consult with.
- (6) The Officers complete the Architect's Brief in accordance with the recommendations of the report, for an appointment in January in accordance with the previously approved procedure adopted by the Cabinet in September.

173. Reward Achievement:

The Leader introduced the previously circulated report of the Chief Executive.

Agreed: that in recognition of the achievements of all staff in the last 12 months, an additional half day's leave on Christmas Eve be granted other than for services which have to remain open through operational necessity, in which case affected staff will receive the half day at some other time before April 2004.

*Cllr Wren
(R Sheard)*

174. Performance Management:

The Deputy Cabinet Member for Resources introduced the previously circulated report from the Performance Improvement Group.

Agreed that

- (1) the performance against the top 20 Performance Indicators be noted
- (2) an "invest to improve" budget be included within the draft portfolio plans to support cultural change and performance improvement.

*Cllr Culver
(T Beer)*

175. Wiltshire Community Strategy:

The Leader introduced the previously circulated report of the Chief Executive which enclosed the draft Wiltshire Community Strategy.

Agreed: that

- (1) the Strategy be endorsed;
- (2) a report be made to the Strategic Alliance expressing the Cabinet's support;
- (3) Officers and Members participate fully to bring about the actions envisaged to meet the strategic aims and objectives of the strategy;
- (4) Salisbury District Council's documents and standard letters be reviewed to establish how the Council might promote "a County fit for our children" on letters and other documents; and
- (5) The Council's positive support for the Board's vision for Wiltshire be emphasised.
- (6) That consideration be given to having representation from the Judiciary on the Strategy Board.

*Cllr Wren
(R Sheard)*

176. Wiltshire Pension Fund Committee – Appointment of District Council Deputy:

The Leader advised that nominations were sought from amongst the Wiltshire District Authorities to serve on the above body as a Deputy to Councillor Coleman of North Wiltshire District Council.

Cllr Wren

Agreed: that the Leader be delegated to nominate a Deputy for the Wiltshire Pension Fund Committee and advise the Head of Democratic Services accordingly.

177. Policy on use of Mobile Telephones in Motor Vehicles:

The Cabinet Member for Environment & Transport introduced the report of the Principal Environmental Health Officer (circulated separately to the agenda as a supplementary item).

*Cllr Brown
(J Wickens)*

Agreed - that the policy set out in the report be approved.

178. 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'

Paragraph 3 namely: 'Information relating to any particular occupier or former occupier of, or applicant for, accommodation provided by or at the expense of the authority'

Summary of Exempt Matters

Agenda Item 25 – Review of Management Structure

Agenda Item 26 – Housing Tenancies – Exceptional Cases

Urgent Business - Staffing Matters

*There were 15 members of the public present.
The meeting finished at 6.20 pm*