

Minutes

Alamein Suite
City Hall, Salisbury
4.00 pm: 4 February 2004

Part I: Procedural Matters

ACTIONED BY
Cabinet Member
(Contact Officer)

- 230. Present:**
Councillors K C Wren (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).
- Apologies for absence were received from J M Collier (Deputy Leader)
- With the permission of the Chairman, the following Councillors addressed the Cabinet on the matters indicated - Councillor Mrs Chettleburgh (minute 239 241, 244), Councillor Paisey (minute 244)
- 231. Code of Conduct - Members & Officers' Interests:**
Councillor Culver declared a personal interest in agenda item 17, Salisbury Cathedral and Close.
- 232. Minutes:**
The minutes of the last meeting were approved and signed by the Chairman.
- 233. Public/Councillor Questions and Statements:**
The Leader read out a letter from the Secretary of the Market Traders Association (attached to these minutes) expressing concern at the effect on the viability of some of his members' businesses should increases in rents for the Charter Market this year be similar to the last two years. The letter also informed of the Association's concern at the apparent disparity between Salisbury and certain other areas regarding the policy on rent free periods, including when traders are unable to operate due to sickness, especially long term. The Leader advised that a written response would be sent to the Association Secretary within 10 working days and that this issue would be considered as part of agenda item 7.
- Mr Gross congratulated the Council on providing such a worthwhile training event for Parish Councils last January - he thought it was a superb day.
- 234. Call-in:**
No decisions from the Cabinet's last meeting had been called-in.

Cllr Wren
(S Agland)

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(S Agland)

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(S Agland)

235.

Forward Plan:

The Leader presented his Forward Plan for the period 1 April 2004 – 31 July 2004 (previously circulated) that would be published on 14 February 2004 to become operational from 1 April 2004.

Agreed: that the Leader's previously circulated Forward Plan be adopted for publication on 14 March 2004.

***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 18th February 2004)

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

**Cllr Brown
(E Teagle)**

236. Proposed Car Parking Charges 2004/05:

The Cabinet Member for Environment & Transport introduced the previously circulated report of the Head of Forward Planning & Transportation (together with a revised schedule 2 circulated at the meeting). The views of the Environment and Transport Overview and Scrutiny Panel from its meeting on 2 February were circulated at the meeting - these were in support of the recommendations.

The Overview and Scrutiny Panel also made a number of points concerning car parking generally - those which are not already existing policy will be examined by the Cabinet Member in conjunction with the Officers.

The Cabinet considered the proposals for Market traders vehicles that remain on the Market Place during trading and the uncertainty as to whether these had been proposed in liaison with the traders and the cumulative effect these increases would have bearing in mind the stall rent charges levied.

The Cabinet also noted that it would be helpful, if in future years (in addition to the already produced car parking schedules), if a schedule detailing the current and proposed market rent charges etc was produced rather than dealing with general percentages.

Recommended to Full Council on 18 February 2004: that the proposed car parking charge increases described in Schedules 1 and 3 as set out in the report be agreed for recommendation to Full Council, subject to Government agreeing to fund the remainder of the £13.7m of the Local Transport Plan. In the event that Government does not provide this funding, the Council will not implement these charges.

Resolved - That discussions be commenced between the Officers and representatives of the Salisbury Market Traders Association concerning rent issues raised by the Association, including the policy on rent free periods, with a report back to Cabinet on the outcome.

Resolved - that in future years a market rent charges schedule detailing current and proposed charges be produced for the Cabinet.

237. Portfolio Holder Plans:

The Cabinet considered the Portfolio Plans as amended at its last meeting, having regard to the views (where given) of the various Overview and Scrutiny Panels (all previously circulated except Environment and Transport Panel which was circulated at the meeting). The Planning and Economic Development Panel has decided to defer giving a view until the Cabinet has finalised its recommendations to Full Council. The Resources Panel would like the Cabinet to adopt a three year funding arrangement in providing grants to arts organizations, but also, that all such organizations that are Council funded are synchronized so that they are in line with the District Council's own funding arrangements from central government. The Cabinet also noted the issue raised by the Panel concerning the reduction in SWAG budget combined with the proposal for part of the funds to be used for the appointment of a funding officer.

The Cabinet noted that the Community and Housing Panel was not supportive of the originally proposed saving of £35,000 in respect of Arts Grants, however this was no longer being recommended in the Portfolio Plan.

The Environment and Transport Panel wished to see the figure of £26,000 for parish Cleaning and Skips proposed to be deleted from the budget (para 5.4) to be retained.

The Cabinet also considered a report circulated after agenda dispatch from Policy Director, David Neudegg, on the Council's capacity to deliver actions within the Portfolio Plans.

Recommended to Full Council on 18 February 2004 : that the Portfolio Plans (as agreed at the last Cabinet meeting) together with the recommendations therein be adopted (as amended by any budget decisions at the Council meeting) and subject to the following additional changes and to the decisions arising from the capacity report (see below)-

I. Environment and Transport

- paragraph 5.4 parish grants for cleaning and skips - no savings to be made in 2004/5, however £10,000 savings to be made with effect from 2005/6 with a consequent budget for that year of £16,000

Page 10 in summary of unavoidable costs, the item concerning the replacement of vehicles on lease should make clear that they are worn out and not redundant.

Resolved in respect of the Capacity report,

- a. to note the cautionary concerns outlined in the report
- b. Management Team to consult with Scrutiny Panels and report to a future Cabinet meeting on the Best Value Programme for 2004/5
- c. A report be produced for a future Cabinet meeting on any changes in priorities of actions contained within the Portfolio Plans
- d. the Officers undertake more detailed resources planning for the larger projects and report back on any options to meet these programmes in accordance with proposed timetables
- e. any amendments subsequently agreed by Cabinet be incorporated into the 2004/5 published Corporate Plan

Resolved that the Resources Panel recommendation concerning the adoption of a three year funding arrangement in providing grants to arts organisations etc be supported

Respective Portfolio Holders

238. Revenue Budget 2004/05 Capital Programme (including Housing) 2003/04 – 2007/08 and Council Tax 2004/05:

The Cabinet Member for Resources introduced the previously circulated report of the Acting Head of Financial Services and the Chief Accountant. The Cabinet noted the views of the Resources Overview and Scrutiny Panel (previously circulated). The Cabinet noted that the final Revenue Support Grant Settlement was £28,000 less than anticipated. Councillor Mrs Warrander expressed concern at the continued strain being placed on the budget through the considerable unbudgeted expenditure on overtime payments, weekend working and agency staff. It was also noted that in accordance with portfolio plan decisions, the savings of £6,000 through shopmobility income should be deleted from the budget. Also the budget should indicate that no savings on the parish grants budget for 2004/5 are proposed.

Recommended to Full Council on 18 February 2004: that

- (1) the draft Revenue Estimates for 2003/04 (revised) and 2004/05 (original) be approved as previously circulated, subject to the final Government Settlement (2004/5) variation being funded from additional savings, and to noting that non recurring items will be funded from reserves in accordance with the Medium Term Financial Strategy:
- (2) The capital Programme 2003/04- 2007/08 be approved as set out in the previously circulated report
- (3) For the year 2004/05 the sum of £521,910, giving a Council Tax of £35.24 (at Band D) (thereby contributing £65,480 to reserves) be determined as the amount of the special expenses incurred in the City of Salisbury in accordance with Section 35 (2)d of the Local Government Finance Act 1992.
- (4) Taking into account the following:
 - (a) the deficit on the Council Tax collection fund estimated at £652,099, of which £77,598 falls on the District Council Tax providing an adjustment of £1.75 deficit for a Band D property;
 - (b) the surplus on the Community Charge Collection fund estimated at £500 providing an adjustment of 1.1p credit for a Band D property

The basic amount of Council Tax at Band D for District Council purposes in 2004/05 be determined by way of an advance notice amendment being moved at Full Council based on a net District budget requirement of £11,302,860, excluding City Area Committee. This will therefore require £272,000 to be drawn from the Council's reserves resulting in a projected General Fund reserves balance of £1.54m) at 31.3.05.

Further to 4 above the District Tax sum together with the information from Wiltshire County council, Wiltshire Police Authority, Wiltshire and Swindon Fire Authority and the relevant Town and Parish Councils be incorporated in the formal Tax Resolution (to be circulated prior to the Council Tax meeting) for adoption by Full Council showing the Tax Rates for Bands A-H for each part of the District Council's Areas.

*Cllr Mrs Warrander
(A Osborne)*

Resolved - that the Resources Overview and Scrutiny Panel be thanked for submitting its views which the Cabinet will consider in due course.

Resolved - that discussions be continued between the Officers and Unison to determine a way forward on the issues of Overtime, Weekend Working and Agency Staff, with a report back to Cabinet in three months (Cabinet meeting on 5th May 2004)

Resolved - that the Acting Head of Financial Services, the Chief Accountant and the rest of the Finance Team be thanked for their excellent work in helping bring this budget together.

239. Housing Revenue Account Budget & Rent Setting 2004/05:

The Cabinet Member for Community and Housing introduced the previously circulated report of the Acting Head of Financial Services and the Head of Housing Management.

Recommended to Full Council on 18 February 2004: that

- (1) the HRA Budget for 2003/2004 (revised) and 2004/2005 (original) be approved;
- (2) the increase for dwelling rents in accordance rent restructuring be approved; and
- (3) the level of increase for service charges and garage rents at 3.5% be approved.

Cllr Cole-Morgan
(A Osborne)
(D Streek)

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Part 3: Cabinet Decisions

*All decisions set out in this section of the minutes will be implemented on or after 17 February 2004
(unless called in for consideration by the relevant Overview and Scrutiny Panel)*

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

240. **Management Options – Review of Leisure Services (Progress Report):**

The Cabinet Member for Community & Housing introduced the (previously circulated) report of the Principal Leisure & Community Officer.

The Cabinet noted that agreeing terms with Wiltshire County Council regarding the transfer of ownership of the three dual use facilities would probably require sometime and involve a lot of negotiation. This was borne out following a recent meeting between the leaders and Chief Executives of the respective Authorities. Richard Sheard advised that it had been a positive meeting at which the County Council made clear its willingness to negotiate - it also reinforced the need for the relevant officers from both Councils to get together to move this forward.

Resolved :

- (1) the interim report be deferred for a month and considered by the Cabinet on 3rd March:
- (2) to approve the extension of Leisure Connection's contract for a further year expiring on 31st March 2005 on the same terms and conditions as the current agreement

**Cllr Cole-Morgan
(R Townsend)**

241. **Review of the Council's Cash Handling Facility at Pennyfarthing House:**

The Cabinet Member for Resources introduced the previously circulated report of the Customer Care Manager, together with the previously circulated views of the Resources Overview and Scrutiny Panel meeting which were supportive of the recommendation. The Cabinet noted in the report summary that the words "counter payments by cash or credit card" should read "counter payments by cheque or credit card".

Agreed : that

- (1) the closure of the Salisbury Cash Office facility with effect from the 1 Oct 2004 be approved; and.
the lease of a cash payment machine for one year, subject to costs being less than £12k, to be funded from identified savings (as set out in the report) be approved.

**Cllr Mrs Warrander
(H Frances)**

242. Whistleblowing Policy:

The Cabinet Member for Resources introduced the previously circulated report of the employee Relations Officer together with the views/recommendations of the Standards Committee and the Joint Consultative Forum following their respective meetings on 26 January. The Cabinet noted that the Unison Branch Organiser had submitted a letter to the Leader subsequent to the meetings on 26th January, concerning Unison's desire for Councillors to become involved at a final internal level so that they can affect the outcome of a disclosure before the matter gets into the public arena. The letter requests the matter be referred back for further consideration (paragraph 5.4 refers).

Resolved that the Whistleblowing Policy as amended by the changes submitted by Standards Committee/Joint Consultative Forum as detailed at (a) and (b) below be approved, subject the policy being known as Whistleblowing/Raising Concerns Policy, the word "will" replacing the word "should" in paragraphs 5.1 and 5.2 in respect of notifying the Chief Executive and to paragraph 5.4 being referred back for further discussion between Unison and the Officers, with a view to resubmitting the paragraph to the Joint Consultative Forum for recommendation to Cabinet.

a. that paragraph 3.2 of the covering report should read
"the Council should take out a subscription with the Public Concern at Work, which costs £200 for 12 months. Such subscription will be reviewed after 12 months. This offers staff a helpline and is a confidential service for raising genuine concerns about wrongdoing."

b. the inclusion of a decision flowchart for the policy

(Note 1 depending on the recommendation for paragraph 5.4, this may have to be submitted to Full Council if it involves changes to the political management structure/or material changes to the terms of reference of a body forming part of the structure.)

(Note 2 - the recommended changes to paragraph 5.4 by Standards Committee and JCF are superseded by the decision to refer the paragraph back for discussion.)

243. Code of Conduct for Employees:

The Cabinet Member for Resources introduced the previously circulated report of the Employee Relations Officer together with the views of the Standards Committee and the Joint Consultative Forum following their respective meetings on 26 January.

Resolved: that consideration of the Code of Conduct for Council Employees be deferred to enable time to consider fully the changes proposed by the Standards Committee and Joint Consultative Forum and Cabinet (particularly with regard to publications by Officers)

*Cllr Mrs Warrander
(A McConkey)*

*Cllr Mrs Warrander
(A McConkey)*

244. Future Use of the Guildhall – Consultation:

The Cabinet Member for Resources introduced the previously circulated joint report of the David Neudegg, Policy Director, Head of Community Initiatives and the Property Services Manager.

There was some concern at the limited consultation period (three months). The Leader advised that if the Cabinet in due course believed more time was needed to consider this issue at the end of the consultation period then this would be made available, but it was important to set a timetable to guard against the risk of slippage.

Agreed:

- (1) Note the contents of the report and Appendix I;
- (2) the criteria as set out in Appendix I be approved;
- (3) the Officers prepare public consultation material for publication locally and in appropriate property media;
- (4) the City Area Committee be consulted with regard to the wording of the Consultation Brief in respect of protecting existing City Charter Trustees' uses.

*Cllr Mrs Warrander
(D Neudegg)*

245. Salisbury Cathedral and Close – Vision for the Future:

Councillor Noeken Cabinet Member for Planning & Economic Development introduced the previously circulated report of the Head of Forward Planning & Transportation. Councillor Noeken also welcomed Alun Williams of the Cathedral Visitor Centre to the meeting.

Agreed: that the document 'Salisbury Cathedral – Options Appraisal', attached to the previously circulated report be endorsed as the basis for future work leading to the development of proposals for change and improvement within the Salisbury Cathedral Close.

*Cllr Noeken
(E Teagle)*

246. New Forest National Park Authority:

Councillor Mrs Peach Deputy Cabinet Member for Planning & Economic Development introduced the previously circulated report of the Forward Planning Officer, which incorporates the Southern Area Committee's views.

Agreed: that

- (1) the principle of Salisbury District Council retaining the service provision of development control, that falls within the proposed New Forest National Park and supports the recommended scheme of delegation agreed by the Technical Officer Working Group and the advice of the Countryside agency be endorsed.
- (2) If principles are agreed by the majority of authorities involved, the Cabinet agree for more detailed technical work to be undertaken by the Technical Officer Working group and the Joint Member Steering Group, once it has been established.

*Cllr Mrs Peach
(N Styles)*

247. Draft Planning Policy Statement 22 – Renewable Energy:

Councillor Noeken, the Cabinet Member for Planning & Economic Development introduced the previously circulated report of the Planning Officer.

**Cllr Noeken
(J Iles)**

Agreed: that the provisional Officer response already submitted to the ODPM be ratified as the Council's formal response.

248. Print Unit Review:

Councillor Culver Deputy Cabinet Member for Resources introduced the previously circulated report of the Head of Democratic Services.

**Cllr Culver
(S Agland)**

Agreed that

- (1) the contents of the final Consultant's report and the comments from Management Team be noted;
- (2) the recommendations of the Consultant's report (excluding those which have already been actioned) but including a review of central costs allocated to the Print Unit for IT charges and Premises costs be approved;
- (3) a review date in November 2004 to be carried out by David Butler, be agreed, in the meantime the Unit should have operated for a number of months at near full strength and a true picture of capacity and production can be gained prior to a decision being made on the main printing press;
- (4) the Heads of Democratic Services and Personnel & Training be authorised to implement the new Print Unit staffing structure (commencing with the deletion of the specialist Graphic Designer's post from its structure) along the principles outlined within the Consultant's report.
- (5) the transfer of the procurement of specialist design work to the Marketing, Economic Development and Tourism Unit, together with the budget resources to acquire the necessary skills, subject to a full report from the Head of Marketing, Economic Development and Tourism for consideration at a future Cabinet meeting be agreed; and
- (6) the consultant and staff be thanked for producing the Review and its findings.

249. 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 12 namely 'Any instructions to Counsel and any opinion of Counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with –

- (a) any legal proceeding by or against the authority, or
- (b) the determination of any matter affecting the authority

(whether, in either case, proceedings have been commenced or are in contemplation); and

Summary of Exempt Matters

Urgent Business – Staffing Matters

*There were 5 members of the public present.
The meeting finished at 6.30 pm*