

Minutes

Alamein Suite
City Hall, Salisbury
4.00 pm: 3 March 2004

Part I: Procedural Matters

ACTIONED BY
Cabinet Member
(Contact Officer)

- 251. 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 & D A Culver (Resources).
- Apologies for absence were received from Councillor Mrs S A Warrander, Cabinet Member Resources
- With the permission of the Chairman, the following Councillors addressed the Cabinet on the matters indicated - Chairman of the Council, Councillor Bissington (minutes 260,261) Councillor Brown-Hovelt (minutes 260,261,263,265) Councillor Britton (minute 261) Councillor Clegg (minutes 261, 263,266,267) Councillor Hewitt (minute 260,264,265) Councillor Hooper (part of minute 254) Councillor Mills (minute 261)
- 252. Code of Conduct - Members & Officers' Interests:**
There were none.
- 253. Minutes:**
The minutes of the last meeting were approved and signed by the Chairman.
- 254. Public/Councillor Questions and Statements:**
- Agenda item 13 - Markets and Events on the Market Square Salisbury
A statement/questions from Mr Beirne, the Secretary of the Salisbury Market Traders Association was submitted (attached as appendix A to these minutes). A detailed written reply would be sent within next few days.
- The Cabinet noted a letter received from J&J Longley Turkey Growers and local farm produce suppliers requesting that the trial sale of locally sourced food be on Wednesdays rather than Fridays.
- A letter from Mr Duff Vice-Chairman of the Wiltshire Farmers Market Association had also been received by the Cabinet. A written reply would be sent within the next 10 working days.

Cllr Wren
(S Agland)

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Mr McLelland from Tisbury submitted a statement circulated to the Cabinet concerning the problems associated with the application of waiting restrictions to the parking bay situated across the road from his house. Councillor Hooper addressed the Cabinet on behalf of Mr McLelland. The Cabinet Member for Environment and Transport advised that he would be requesting the Transportation Team, through the ambassadors, to suspend for 6 months enforcement of the Regulations applying to the parking bay in question, so as to provide the opportunity for Wiltshire County Council, the Parish Council and the Local residents to agree the most appropriate restrictions and once determined, the necessary Traffic Orders can then be made.

255. Call-in:

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

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

256. Forward Plan:

The Leader presented his Forward Plan for the period 1 May 2004 – 31 August 2004 (previously circulated) that would be published on 15 April 2004 to become operational from 1 May 2004.

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

Agreed: that the Leader's previously circulated Forward Plan be adopted for publication on 15 April 2004.

Minutes

Alamein Suite
City Hall, Salisbury
4.00 pm 3 March 2004

Part 2: Recommendations to the Council

(The recommendations set out below will be considered by the Council on 29th March 2004)

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

257. Planned Maintenance Programme 2004/05:

The Cabinet Member for Community & Housing introduced the previously circulated report of the Senior Contracts Manager.

**Cllr Cole-Morgan
(P Bravery)**

Recommended to Full Council on 29 March 2004: that

- (1) the Planned Maintenance Programme for 2004/2005 as set out in Appendix "A" attached to the minutes be approved.
- (2) the principle outlined in 3.2 of the report be approved, that is, where there are less than five dwellings left in a village un-modernised, which would fail the decency standard within the next few years, these are added into the current programme of works (subject to sufficient budget).
- (3) On completion of the Stock Option Appraisal, Cabinet re-examine priorities for investment in the stock based on the outcome, taking into account the emerging 'Salisbury Standard' so that it can be encompassed in the Housing Revenue Account Business Plan.

258. Prudential Code Indicators 2004/05:

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

**Cllr Culver
(A Osborne)**

Recommended to Full Council on 29 March 2004 : that

- (1) The authorised limit for external debt for 2004/05 be Zero.
- (2) The operational boundary for external debt be set at minus £1m.
- (3) By accepting recommendations 1 and 2 above the exposure to variable and fixed rate interest is not applicable.

259. Code of Conduct for Employees:

The Deputy Cabinet Member for Resources introduced the previously circulated report of the Employee Relations Officer, which incorporates the views of the Standards Committee/ Joint Consultative Forum.

**Cllr Culver
(A Osborne)**

Recommended to Full Council on 29 March 2004: that the Code of conduct for Employees be adopted.

260. Licensing Act 2003 – Establishment of a Licensing Committee:

The Cabinet Member for Environment & Transport introduced the previously circulated report of the Legal Services Manager/Monitoring Officer. The Cabinet noted that taking on the licensing function from the Magistrates would be onerous for Members and Officers and that there were doubts that the operation of this function would be self funding as envisaged nationally. Subsequent detailed reports on this subject would follow in due course

**Cllr Brown
(S Tovey)**

Recommended to Full Council on 29 March 2004: that

- (1) The Council establishes a Licensing Committee of fifteen members with six members being drawn from the City Area Committee and three each from the other Area Committees.
- (2) Licensing applications be determined by sub committees of three members to be drawn from the membership of the Licensing Committee as and when a sub committee is needed.
- (3) The Council notes that a further report will deal with the terms of reference of the Licensing Committee and the impact on other committees of the Council once the guidance has been issued and the Council knows the timetable for the introduction of the new regime

261. Development Control Performance – Options:

The Cabinet Member for Planning & Economic Development introduced the previously circulated report of the Head of Development Services. It was noted that the issues in the report are being considered by the Planning and Economic Development Overview and Scrutiny Panel and that the Parish and Town Councils were in the process of being consulted through District Council Parish liaison meetings. Councillor Noeken would also be attending a meeting between Area Committee Chairmen and ODPM representatives set for 24 March to discuss the issues. Councillor Noeken also advised that he had been heartened by the support he had received from Members on the proposals, although two parish councils had written so far expressing concerns and he would be responding to them accordingly.

**Cllr Noeken
(S Thorne)**

Councillor Noeken recognised that Area Committees were hugely important as a vehicle for community engagement and when the Parish Councils meet on 15 March, it will be emphasised that (a) Parish Councils are a statutory consultee and there is no intention to downgrade that role (b) the importance of local knowledge in planning matters (c) the quality of decision making will not be sacrificed for speed.

The Cabinet recognised that the parish council co-ordination and area committee referral role proposed for District Ward Members required further refinement prior to Full Council to ensure it operated effectively.

Recommended to Full Council on 29 March 2004: that in principle and subject to the outcome of the Planning and Economic Development Overview and Scrutiny Panel's review on the 8 March and the special Parish and Town Council liaison meeting on 15 March 2004 -

- (1) the options set out at paragraphs 4.4 to 4.7 of the report be adopted (note the necessary Constitutional word changes will be worked up in time for submission to Council).
- (2) Further to (1) above, under paragraph 4.6.2, prior to Full Council, further refinements be made to the Parish Council Co-ordination and Area Committee referral role proposed for Ward Members to ensure the changes address situations where the Ward Member is away or has an interest as defined within the Code of Conduct in the planning application they are being consulted on by the Parish Council. A mechanism to apply in multi member wards will also need to be established
- (3) the improvements at paragraphs 4.4 to 4.7 be implemented as quickly as possible in order to attract maximum Planning Development Grant.
- (4) Subject to acceptance of the above, a revised Improvement Programme be developed in line with the Council's resolution in March 2004.

Minutes

Alamein Suite
City Hall, Salisbury
4.00 pm 3 March 2004

Part 3: Cabinet Decisions

*All decisions set out in this section of the minutes will be implemented on or after 16 March 2004
(unless called in for consideration by the relevant Overview and Scrutiny Panel)*

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

262. Disposal of Land at Angel Lane, Mere to Signpost Housing Association:

The Cabinet Member for Community & Housing introduced the previously circulated report of the Lead Officer - Development & Private Sector Services. Councillor Cole-Morgan advised that in view of the Housing Association's failure, the Council was pressing the Housing Corporation to provide another site in Salisbury District.

**Cllr Cole-Morgan
(K Entwistle)**

Resolved : that the Council give the land at nil value under its delegated powers – current valuation is £155,000 and notes that Signpost will endeavour to keep costs within this, but may have to request the balance of £13,432 from LA grant in 2004/05.

263. Development of Markets and Events on the Market Square Salisbury:

The Cabinet Member for Planning & Economic Development introduced the previously circulated report of the Head of Marketing Economic Development & Tourism and referred to the views of the City Area (Community) Committee (previously circulated) which were supportive of the recommendations.

**Cllr Cole-Morgan
(G Gould)**

The Cabinet fully accepted that should any of the proposals start to undermine the Charter Market, the Council's first priority will be the security of that Charter Market.

Agreed : that

1. the key principles outlined in paragraph 4.1 of the report be approved, plus the following additional Key Principle 6 -

'where possible the Council will endeavour to harmonise the charging regimes for the Charter Market, the Farmers' Markets and the French/Continental Markets'.

2. the proposed new Farmers, Craft, French and Continental markets as stated in paragraph 9.1 of the report be approved on a pilot basis on the following dates –

Farmers' Markets - once a month (on the second Wednesday) from April to November

A 2 day French and Continental market in May and September on a Thursday and Friday. I further French and Continental 2-day market to be arranged in another month other than December.

Craft Market - once a month (on a Friday) from April to November

3. the charging policy outlined in paragraph 9.3 of the report and the co-ordination role outlined in paragraph 10 be approved.
4. the Guildhall Manager be responsible for the booking of all markets and events in the Guildhall and Market Squares;
5. the Head of Marketing, Economic Development and Tourism to report back to the City Area (Community) Committee as well as the Cabinet following the 2004 pilot of the additional markets and on their impact on the Charter Markets; and
6. the Head of Marketing, Economic Development and Tourism seek to attract additional markets and events to the Market Square and to the Market Square south east triangle in accordance with the six key principles and the charging policy.

264. Wisecard - Implementation and Expansion:

The Cabinet Member for Community & Housing introduced the previously circulated report of the Discount Development Manager.

Resolved -

- (1) the maximum level of discount to be offered on the Wisecard scheme within the Council's own services remain unchanged at 65%.
- (2) the senior concession offered by the City Hall on SDC promoted events only, be removed.
- (3) Environmental Services accommodate the Wisecard concessions within its Pest Control Service charges as set out at Table 1 of the report.
- (4) To reconsider incorporating Wisecard concessions for residents, into the Council's residential on street parking and Park & Ride programmes when the Transportation Policy is reviewed following the opening of the additional Park & Ride sites.
- (5) Officers be authorised to reach reciprocal agreements with neighbouring authorities to discounted access to facilities and venues.
- (6) the Council's position on the introduction of the Wisecard to all residents and the smart use of 'Smart Card' technology be re-examined.

*Cllr Cole-Morgan
(M Barnett)*

265. A303 Stonehenge Improvement : Objectors Alternative Route AR4:

The Cabinet Member for Environment & Transport introduced the previously circulated report of the Transportation Officer which included the views of the Northern Area Committee held on 5 February 2004 - the views of the Western Area Committee arising from its meeting 2 March 2004, were circulated at the meeting, namely that Salisbury District Council should not seek to prejudge the public inquiry and should remain neutral in response to the Highways Assessment of the proposed "Parker Route".

*Cllr Brown
(G Wright)*

With the permission of the Chairman, both Lt Colonel Parker and Mr Ellis Project Officer, Association of Council Tax Payers separately addressed the Cabinet. In essence their points/comments centred around why the Cabinet had been asked to consider only one of the alternative plans, and the accuracy of the Highway Agency's assessment of the alternative Parker Plan presented. Both wished the Cabinet to defer taking a view on the Plan at this stage.

The Leader replied

1. The Highways Agency responded to the representations the Cabinet made to the County, following the presentation Lt. Col. Parker made to the Cabinet some twelve months ago, to ensure the plan had been objectively assessed by the Agencies involved.
2. No other group with an alternative plan had approached the Cabinet with a similar request.
3. The Cabinet continued to press the County Council for confirmation of their objectivity towards the Parker alternative.
4. The Highways Agency instructed Mott MacDonald, Advisers to the Highways Agency, to undertake the further survey.
5. The Highways Agency's final comment on their report is "the scheme does not represent good value for money".
6. The Highways Agency employed their own experts to undertake the later report and we have to accept they are best qualified to do so.
7. We have to keep in mind the growing groundswell of resistance to the plan developing within the District, particularly from within the Bourne Valley, where a petition of some 1200 signatures has been collected.
8. The cost of this latest Highways Agency survey on the Parker Plan, to the taxpayer, is understood to be in excess of £210,000.
9. Although the report to Cabinet does not, in the final analysis, accept the Parker option as a viable alternative, nothing justifies the vitriolic comments the members of the Cabinet have been receiving within the past 24 hours from the Parker plan supporters, and in view of the tone of those comments, the Head of Legal Services has been asked to advise on the position of the Cabinet in Law and the possible action it should now take.
10. If the Highways agency report is as flawed as is suggested by Lt. Col. Parker, then in those circumstances, the report could only assist the Parker submission.

Resolved: that in the light of the concerns expressed by Northern Area Committee and highlighted at section 5.3 of the report, and notwithstanding the Western Area Committee's views, the Council submit to the Secretary of State for Transport a counter objection to the Objectors' Alternative Route AR4 (The Parker Route)

Note this was a unanimous decision.

266. Terms of Reference between South Wiltshire Agenda 21 & Salisbury District Council:

The Cabinet Member for Environment & Transport introduced the previously circulated report of the Environment Community Development Officer.

Agreed: that the new Terms of Reference between South Wiltshire Agenda 21 and Salisbury District Council attached as an appendix to the previously circulated report, be adopted

**Cllr Brown
(V Fletcher)**

267. Waste Minimisation Strategy & Energy Savings:

The Cabinet considered the recommendations from the Environment & Transport Scrutiny & Overview Panel's meeting on 2nd February 2004.

The Cabinet Member for Environment and Transport advised in respect of the Panel's comments on energy savings, that through the recycling of cash, the energy efficiency savings are already effectively "ringfenced" for reinvestment in further energy saving initiatives.

As regards the Waste Minimisation Strategy, Councillor Brown advised that the additional Capital Funding from DEFRA would not be forthcoming, however he would be meeting with the Wiltshire Partnership and Hills Waste and he was hopeful that the Council will be able to proceed with its kerbside recycling plans. He would explain the position more fully at the Full Council meeting on 29 March.

Agreed: that the situation be noted.

**Cllr Brown
(G Silver)**

268. Major Arts organisations and Salisbury Museum funding Levels & Service Agreements 2004/05:

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

Agreed: that the levels of funding and type of Service Agreement for 2004/05 be approved as follows:

- (1) Salisbury Arts Centre (1st year of a 3 year agreement)) at a funding level of £71,489 increasing in year 2 to £76,489
- (2) Salisbury Festival (1st year of a 3 year agreement) at a funding level of £102,566 with targets built into the agreement to increase free activities over the 3 year period
- (3) Salisbury Playhouse (1st year of a 3 year agreement) at a funding level of £130,383
- (4) Salisbury & South Wiltshire Museum (1st year of a 3 year agreement) at a funding level of £36,844 decreasing in year 2 to £31,844
- (5) Sarum Chamber Orchestra (annual agreement) at a funding level of £2,000
- (6) Bournemouth Symphony Orchestra (partnership agreement with Wiltshire Local Authorities) at a funding level of £5,000

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

269. Revised Arts Policy 2004-2007 "Accessing the Arts":

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

Agreed: that

- (1) the revised Arts Policy 2004–07 "Accessing the Arts" be adopted;
- (2) the Arts Policy be used to influence and inform the Council's developing Community & Young Peoples Strategies
- (3) the Principal Arts Officer be commended for her work on this Policy.

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

270. Environmental Health Performance – Best Value Performance Indicator 166:

The Cabinet Member for Environment & Transport introduced the previously circulated report of the Head of Environmental Services.

Agreed that the report and performance indicators as set out at Annex I of the report be noted.

*Cllr Brown
(G Silver)*

271. Provision for a Corporate Design “Gatekeeper” and for the Management of the Content of the Council’s Internet Site:

The Deputy Cabinet Member for Resources introduced the previously circulated report of the Head of Marketing, Economic Development and Tourism.

*Cllr Culver
(G Gould)*

Agreed that

- (1) the Project Assistant post within the Marketing, Economic Development & Tourism unit is made permanent; retitled Communications Officer with a revised job description to reflect more accurately the work undertaken, ie to include responsibility for the procurement of specialist design work and for the publications and printed material ‘gatekeeper’ role.

Note - This post will be funded by savings made within (a) the Democratic Services budget obtained by the cessation of the internal special design service, (b) from the e-government budget and (c) from within existing Marketing, Economic Development & Tourism budgets.

- (2) the Head of Marketing, Economic Development & Tourism through the Corporate Communications Manager shall have overall responsibility for the council’s Internet and Intranet sites and produce a protocol which sets out how these sites are developed and maintained;
- (3) the management of the content of the council’s Internet site be undertaken centrally through an Internet ‘gatekeeper’ working in conjunction with individual service unit web administrators. This ‘gatekeeper’ role to be provided by the corporate communications team.
- (4) additional resources, in the form of 1 FTE temporary post, be provided to enable stage 1 of the Internet site’s development to be completed. The postholder would also work-up the Internet ‘gatekeeper’ role.

Note - This will be funded from within the existing e-government budget and the work will be completed within six months. This proposal is subject to the Internet ‘gatekeeper’ role being taken on by the corporate communications team and from within existing budgets after completion of the initial six months development stage.

272. Joint Consultative Forum:

The Deputy Cabinet Member for Resources introduced the previously circulated minutes of the Forum meeting held on 26 January 2004. The recommendations had been or are being dealt with separately.

*Cllr Culver
(D Crook)*

273. Chairman's Announcements

The Chairman on behalf of the Cabinet expressed his thanks to the Heads of Personnel and Training and Legal and Property Services for all their efforts in helping the Council achieve successful outcomes in the recent employment tribunals.

The Chairman also wished the Head of Community Initiatives, who was shortly leaving the Council's employ, every success and best wishes for the future.

Cllr Wren

274. 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 7 namely: 'Information relating to the financial or business affairs of any particular person (other than the authority)'

Paragraph 8 namely: 'The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services'

Paragraph 9 namely: 'Any terms proposed or to be Proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services'

Summary of Exempt Matters

Agenda Item 25 - Five Rivers Leisure Centre Management Arrangements.

*There were 15 members of the public present.
The meeting finished at 7.20 pm*