

Minutes

Meeting of : The Council
Meeting held in : The Auditorium, City Hall, Malthouse Lane, Salisbury
Date : Monday 31 March 2008

Present

Councillor Mrs E A Chettleburgh - **Chairman**
Councillor I D McLennan - **Vice-Chairman**

Councillors:

R A Beattie, R Britton, Mrs J V Broom, D W Brown, K A Cardy, P M Clegg, R J Clewer, I C Curr, B E Dalton, Mrs S L Dennis, C Devine, E R Draper, P D Edge, J M English, Mrs M I Evans, S R Fear, Mrs J A Green, M A Hewitt, Mrs C R Hill, J Holt, S J Howarth, G E Jeans, J P King, Ms J F Launchbury, M D Lee, D J Luther, Mrs H McKeown, C G Mills, I M Mitchell, Ms C J M Morrison, W R Moss, J C Noeken, M J Osment, D O Parker, L Randall, A C Roberts, J C Robertson, B M Rycroft, P W L Sample, J F Smale, Mrs C A Spencer, J R G Spencer, A A P Thorpe, I R Tomes, Miss M A Tomlinson, C R Vincent, I C West, F Westmoreland, and G Wright

Apologies were received from Councillors J A Cole-Morgan, M G Fowler, J M Walsh and K C Wren.

Officers:

Stewart Agland (Head of Democratic Services), Tom Bray (Democratic Services), John Crawford (Head of Legal and Property Services)

98. Declarations of Interest:

Councillors S Fear, J Noeken and P Sample declared personal interests in Council Agenda Item 8 (Wiltshire [Structural Change] Order 2008), since they all sit on the Implementation Executive. They all remained in the meeting during the consideration of this item.

Councillor Noeken also declared a personal interest in Council Agenda Item 9 (8) '(26 03 08) Local Government Pension Scheme (LGPS) Changes'. This item was not discussed and he remained in the meeting throughout agenda item 9.

99. Public Questions/Statement Time:

Mr Duller made a statement regarding the Unitary Authority (The statement is included in **Annex A** to the minutes).

Mr Piers Fletcher asked questions regarding the "Preferred Options" Core Strategy document. (The questions along with a written response from Councillor Clegg are attached as **Annex B** to the minutes)

100. Minutes:

Resolved - that the minutes of the ordinary meeting held on Monday 18 February 2008 (previously circulated) be approved as a correct record and signed by the Chairman.

101. Chairman's Announcements:

Councillor Britton gave an update on the health of Councillor John Cole-Morgan on behalf of the Chairman. Councillor Cole-Morgan was making steady progress and undertaking physiotherapy and speech therapy.

The Chairman was pleased to announce that the Mayor had raised £5000 in the sponsored teddy bear parachute drop. Also, as part of the Mayors Appeal, she informed Council that there would be a concert at the Salisbury Art Centre on 10th April 2008 of The Band & Bugles of the Rifles.

The Chairman announced that Roy Frankland had stepped down as Chairman of the Tisbury and District Sports Centre Managing Body and thanked him for all his hard work over the years. Furthermore, she announced the retirement of David Vallis from the Salisbury Journal and also thanked him for his work with the Council.

The Chairman also announced the birth of Councillor Roberts' new baby boy and further to this, the Vice-Chairman congratulated the Chairman on becoming a grandmother once again.

The Chairman went on to announce some important dates regarding her end of year receptions. She will be holding a Chairman's reception in the Guildhall on the 8th May and the past chairs reception on the 14th May.

102. Recommendations from the Standards Committee:

The Council considered the recommendation from the Standards Committee on a matter outside its power.

a. Preparations for Local Assessment of Complaints Against Members:

The Council considered the Standards Committee's recommendation from its meeting on 17 March 2008 (Minute 47) together with the report of the Monitoring Officer.

Resolved – that

- (1) the Standards Committee be increased to 9 members comprising 3 district councillors with deputies (drawn from each of the three main political groups), 3 Independent Members and 3 Parish Councillors (representing the Northern, Southern and Western areas - nominated by the Wiltshire Association of Local Councils) and that the Constitution be revised accordingly;
- (2) a district councillor be appointed to serve as a member of the Standards Committee (to be drawn from the Conservative group) and that the three main political groups be requested to confirm their deputy members as soon as possible so that training can commence without delay.

NB – The Leader of the Conservative Group stated that Councillor Britton would represent his group making the third District Council member with Councillor Rycroft as his deputy. The Leader of the Labour Group stated that Councillor Roberts deputy will be Councillor Draper of the Independent Group. The deputy for the Liberal Democrat Group is to be advised.

103. Prudential Limits 2008/09:

The Council considered the previously circulated report of the Head of Financial Services.

Resolved – that

- (1) The authorised limit for external debt for 2008/09 be set at £20m.
- (2) The operational boundary for external debt for 2008/09 be set at £10m.

- (3) The maximum exposure to fixed or variable interest rates be set at 100%.
- (4) The upper limit to the debt structure maturity be £20m for up to 40 years and there be no lower limit.
- (5) The Head of Financial Services be given delegated authority to borrow in line with the limits set out above in consultation with Wiltshire County Council.
- (6) The limit for principal sums to be invested for more than 364 days be £20m.

104. Wiltshire [Structural Change] Order 2008:

The Council considered the previously circulated report of the Head of Legal and Property Services.

Resolved – that

- (1) the appointments of the Leader and the Deputy Leader to the Implementation Executive be confirmed.
- (2) the interim Chief Executive is appointed as the Council's Proper Officer for the purposes of the Structural Order
- (3) the Head of Democratic Services in consultation with the Head of Legal and Property Services and all party group leaders is authorised to make any changes to the Council's constitution to give effect to the provisions of the Structural Order.

105. Questions on Cabinet Decisions taken since the last Council Meeting:

A number of questions were raised by Members in connection with those matters that had been considered by the Cabinet on 26 March 2008.

Regarding the matter set out under item 9(3) - '(26 03 08) Update on Petersfinger Park and Ride' – Councillor Moss asked if the Implementation Executive were aware of the ongoing costs of running the park and ride site at Petersfinger. Councillor McKeown stated that the information is available to Wiltshire County Council should it be requested.

Regarding the matter set out under item 7(7) – '(26 03 08) The New Wiltshire Local Area Agreement' Councillor Spencer drew the attention of Council to the work of the Sustainable Rural Communities review group, of the Planning and Economic Development Overview and Scrutiny Panel. The group had finished the review on rural issues in Wiltshire and Councillor Spencer stated the purpose of the review. The review gained full support from Councillor Edge, the portfolio holder for Economic Development, who stated that rural regeneration is a high priority for the Cabinet. In terms of the New Wiltshire Local Area Arrangement (LAA), Councillor Clegg stated that he would endeavour to get the document recognised in the New Wiltshire LAA.

Regarding the matter set out under item 7(10) – '(26 03 08) Wiltshire County Council – Highway Issues' Councillor West gave an update on the meeting regarding Stonehenge and the A303 in London that he attended with Steve Thorne, Head of Development Services. He also drew members' attention to a meeting to be held in Trowbridge on April 10th 2008.

106. Project and Policy Progress Reports:

There were none.

107. Reports of other Committees/Panels on which questions were asked:

Councillor Westmoreland referred to minute 92 of the City Area Committee (Planning) minutes of 21 February 2008 regarding Allocation of S106 funds to community projects in the Bemerton Heath area. He was referred to the rest of minute 92 which answered his queries regarding the amount of funds allocated to St Michael's Community Centre.

Councillor West commended the Donhead St Mary Parish Plan endorsed by the Western Area Committee under minute 108 of the Western Area Committee Minutes of 7 February 2008.

108. Call In Matters

There were none.

109. Questions to the Council Chairman, Cabinet Member, Chairman of any Committee - on any matters not on the agenda in relation to which the Council has powers or duties or which affects the District:

The following question was submitted by Councillor Richard Britton:

“At the last meeting of Full Council Cllr Sample told members that the Housing Revenue Account would remain in surplus for 29 of the next 30 years.

This claim was subsequently repeated by both Cllr Fear and the Housing Portfolio holder Cllr Tomes.

In stark contrast, our consultant told the recent HRA Business Plan Project Board that the account will actually be losing money from 2012 onwards and will have to borrow from year 11 or 12.

Why did Cllr Sample choose to make such a highly misleading statement to members?”

The meeting was adjourned during the consideration of this item.

A response to this question is attached to these minutes at **Annex C**.

110. Exempt Business:

Since there were no questions arising it was not necessary to move into exempt business.

*The meeting finished at: 8.00 pm
Members of the public: 7*

Annex A

Mr Colin H Duller
59 Essex Square
West Harnham
Salisbury
Wilts SP2 8JA

01722 507009

28/03/08

Statement Full Council - Monday 31 March 2008

Chairman and Members of the Council

The one year run up to Unitary Authority

Now that we are committed to our being part of a new authority, is it possible that the public bickering and sniping about who did what to whom between groups will end?

With Solicitors, doctors, ex forces officers, businessmen and at least one teacher/lecturer sitting as councillors then I feel the public is entitled to see and hear reasoned debates at "ALL" meetings.

You do or are supposed to represent the public who voted you in, that seems to me to have been forgotten by some members.

As a voter and member of the public I believe we should expect better behaviour from the council. Fortunately few members of the public attend your meetings and the Journal does not report such items.

As a former district Councillor, I have watched the "NEW" cabinet system for nearly eight years and have been appalled at its operation, by both groups.

Scrutiny panel chairmen and vice-chairmen have stayed in post for years causing stagnation and paralysis.

No sensible review of the cabinet structure has ever taken place that I know of.

"SO IF" the Conservative Group feel hard done by following last year's change of administration, then it is their own fault as they brought in cabinet style administration.

This has done south Wiltshire residents no favours at all, as the housing debacle shows.

The debate between city councillors and countryside councillors over who does what has to end so we can tackle the future.

South Wiltshire in the next twelve months has to fight to protect our interests in the new union.

The die is cast with no turning back and we have a conservative led county council to thank for that move.

It is worth noting some of that body sat in your ranks before betraying you and this city area.

Colin Duller

Piers Fletcher
 Sarah Rancans
SALISBURY - PREFERRED OPTIONS

Agenda Item 3 - Statement & Questions for SDC Council on Mon 31st at 6.00

My questions arise from the "Preferred Options" Core Strategy document and so are directed at the Portfolio Holder for Planning, Councillor Clegg.

Preferred Option 8 deals with proposals for either:

- 1) a new settlement; or
- 2) distributed growth; or
- 3) an urban extension at Firsdown.

Cllr Clegg may know that residents in the affected communities have only just become aware of these proposals, are very concerned that they appear to have been by-passed by the consultative process so far, and now have very limited time and incomplete information available for framing a response. We would therefore be grateful for his assistance with the following questions:

- 1) The Core Strategy document is in very short supply, as only 1,500 copies seem to have been printed – a hopelessly inadequate number given the predictable level of interest in this issue. Will more be printed as a matter of urgency? If not, why not?
- 2) A report in the Journal indicated that letters would be sent to all households. This hasn't happened to date. Will such letters be sent, and, if so, when?
- 3) It is apparent that neither Councillors nor Parish Councils in Firsdown / Winterslow were made aware that the plan was proposing to site 2,500-dwelling settlements in their area until shortly before Easter. Why were they neither briefed nor consulted before publication of the Black Book?
- 4) The site suggested for a new settlement is referred to in 8.37 (Scenario 1) as "Lopcombe Corner" and "Porton Down". Is the Councillor aware that it is in fact in the Parish of Winterslow, nowhere near to the village of Porton? Does the Councillor accept that this is a material misrepresentation? Will he ensure that the point is clarified to the people of Winterslow?
- 5) Paragraph 8.19 of the Black Book raises the suggestion that a new settlement be built at Winterslow along the A30, but para 8.20 goes on to state that "this could be contrary to regional and national policy", without elaboration. Will Cllr Clegg explain what this means?
- 6) Is Cllr Clegg aware that the expansion in employee numbers at Porton Down will already have been completed long before any new houses have been built, with the consequence that the need to house the Porton Down workforce is essentially irrelevant to this planning exercise?
- 7) If the consultation process is genuinely still in progress and no sites have yet been identified, why have approaches already been made to landowners asking them what land they have available?
- 8) What is the timetable for the "Site Specific Allocation" stage of the Local Development Framework? Do sites become 'specific' before or after the 'Final Options' are sent in June 2008 to the Minister?
- 9) Forward Planning state that usually Final Options would go back to the public for further consultation only at the same time that the package goes to the Minister. On this occasion can Cllr Clegg confirm that Councillors, Parish Councillors and major stakeholders will be briefed about the package *before* publication and before the package goes to the Minister? Can he further confirm that these parties will be able to amend the package before publication?
- 10) Can Cllr Clegg confirm that the Regional Strategy has taken over 2 ½ years to get to this point and that the residents of this area now have just 60 days in which to absorb 192 pages of Preferred Options, check backing documentation, undertake their own research where necessary and come back with a coherent response? Does he regard this as a satisfactory state of affairs?
- 11) Press reports indicate that Cllr King has called into question the validity of the underlying assumptions as to housing and jobs statistics. Can Cllr Clegg comment on what plans there are to bring employment to the region, or is it his intention simply to build another dormitory town?
- 12) Amongst other documents drawn up by Forward Planning and by consultants there are 16 Topic Papers, each with an Addendum added after "Our Place in the Future". Have Councillors been briefed on these documents? If not, why not?
- 13) Has Cllr Clegg taken legal advice as to whether an inadequate consultation process could invalidate any eventual decision as *ultra vires*? If not, will he?

**Councillor Paul Clegg
Portfolio Holder for Planning
Salisbury District Council, Planning Office,
61 Wyndham Road, Salisbury,
Wiltshire SP1 3AH**

direct line: 01722 434284

fax: 01722 434247

dx: 58026

email: PClegg@salisbury.gov.uk

web: www.salisbury.gov.uk

Piers Fletcher
By Email

DATE: 9th April 2008

OUR REF: LDF/CS

Dear Mr Fletcher

**RE: PUBLIC CONSULTATION ON SALISBURY DISTRICT COUNCIL CORE STRATEGY
PREFERRED OPTIONS.**

Thank you for the recent question you asked at Council and the set of questions you sent in advance. As promised I have placed my more detailed response to the points you raised in writing. For the sake of clarity I have used your original questions as headings, which I trust you find helpful.

14) *The Core Strategy document is in very short supply, as only 1,500 copies seem to have been printed – a hopelessly inadequate number given the predictable level of interest in this issue. Will more be printed as a matter of urgency? If not, why not?*

As I am sure you can appreciate, the production of the Core Strategy has had to be balanced with the prudent expenditure of tax payers money.

The number of Core Strategy Preferred Options copies printed was based on an estimate using the Forward Planning team's experience of the "Our Place" consultation that took place in summer 2007.

During this current consultation, the district council were required to send approximately 200 copies to statutory consultees, which included all district council members and parish councils. Six public meetings and exhibitions were originally arranged at the beginning of the consultation period (although additional meetings/exhibitions have since been arranged) and approximately 90 copies were estimated for each exhibition/meeting, based on the experience of similar exhibitions during the Our Place consultation last summer. The estimate also allowed for copies of the document to be made available in the planning office and six libraries across the district.

No-one who has requested a copy of the Core Strategy has been denied a copy. In the interests of sustainability and prudent use of tax payers money, the Core Strategy is available on the web, to view in the planning office and in local libraries.

However, notwithstanding this, a further 1000 copies were ordered on 27 March to allow for the fact that additional public meetings have now been arranged and the fact that the consultation period has now been extended by an additional two weeks until 25 April.



Awarded in:
Housing Services
Waste and Recycling Services



I can confirm that letters were sent out to all households (over 51,000) in the district on week commencing 24th March.

16) It is apparent that neither Councillors nor Parish Councils in Firsdawn / Winterslow were made aware that the plan was proposing to site 2,500-dwelling settlements in their area until shortly before Easter. Why were they neither briefed nor consulted before publication of the Black Book?

The Core Strategy Preferred Options was approved by Cabinet for consultation in December 2007. Prior to this Cabinet meeting, the Cabinet Papers including the Core Strategy Preferred Options was circulated to all District Members so that they could then disseminate the information to the people who they represent as they considered appropriate.

17) The site suggested for a new settlement is referred to in 8.37 (Scenario 1) as "Lopcombe Corner" and "Porton Down". Is the Councillor aware that it is in fact in the Parish of Winterslow, nowhere near to the village of Porton? Does the Councillor accept that this is a material misrepresentation? Will he ensure that the point is clarified to the people of Winterslow?

I can confirm that Lopcombe Corner is in the parish of Idmiston and Porton Down is within the Parish of Winterslow. This was clarified to the people of Winterslow at a public meeting on Thursday 3 April by David Milton the Forward Planning Team Leader. I assure you that it will also be clarified in the subsequent submission version of the Core Strategy should this scenario be taken forward. I thank you for pointing out the need for such clarification; the Core Strategy Preferred Options document is only a consultation draft and part of the point of the consultation is precisely to bottom out such issues.

18) Paragraph 8.19 of the Black Book raises the suggestion that a new settlement be built at Winterslow along the A30, but para 8.20 goes on to state that "this could be contrary to regional and national policy", without elaboration. Will Cllr Clegg explain what this means?

The Government's national policies are set out in Planning Policy Statements. Policies set out in PPSs need to be taken into account by regional planning bodies in the preparation of regional spatial strategies.

At the regional level, the Regional Spatial Strategy identifies broad strategic locations for new housing developments so that the need and demand for housing can be addressed in a way that reflects sustainable development principles. However, with reference to the Salisbury District, this does not *explicitly* refer to a new settlement for Salisbury district. However, nor does it implicitly state that the housing requirement for this district could not be met through the development of a new settlement.

19) Is Cllr Clegg aware that the expansion in employee numbers at Porton Down will already have been completed long before any new houses have been built, with the consequence that the need to house the Porton Down workforce is essentially irrelevant to this planning exercise?

Officers have been in discussion with Porton Down and whilst details cannot be disclosed at this point in time, officers are aware that there are long term plans for Porton Down well into the plan period that will be covered by the LDF. Whilst it is clearly impossible to make people who work at Porton Down also live in any future housing that is provided here, the point is that the provision of new housing in this area will provide the *opportunity* for workers to live close by to their employment. This reflects the Government's objectives set out in national planning guidance (PPS1 and 3) which seek to create sustainable communities which includes enabling people to live near to their places of work.

20) If the consultation process is genuinely still in progress and no sites have yet been identified, why have approaches already been made to landowners asking them what land they have available?

As well as consulting on the Core Strategy Preferred Options, the District Council is also currently consulting on a document called the Strategic Housing Land Availability Assessment, or SHLAA. All local authorities

are required by the Government to produce such a document, which sets out sites that could *potentially* be developed for housing and will form part of the evidence base to support the Core Strategy and other Local Development Framework documents.

The SHLAA does not make judgements as to what the policy approach in the Core Strategy should be **nor does it allocate land for housing**. It simply provides an indication of the land that could come forward for development and forms an evidence base for the Local Development Framework. Furthermore, the SHLAA identifies all settlements where housing could be provided, not just the main urban areas, in order to look at all potential sources of supply. It will not make final judgements about whether or not a place would be appropriate for housing.

This document is currently in draft form and comments are currently invited on this document.

Landowners in the areas that have broadly been identified as strategic sites in the Core Strategy have also been informed of the possible inclusion of their sites in the interests of deliverability; without landowners on board, there would bring into question the rationale behind identifying a site as an allocation.

21) *What is the timetable for the “Site Specific Allocation” stage of the Local Development Framework? Do sites become ‘specific’ before or after the ‘Final Options’ are sent in June 2008 to the Minister?*

National guidance (PPS12) states that specific land allocations should not be set out in the core strategy but in the Site specific Allocations Development Plan Document (DPD). However, since this guidance was published, the Government Office for the South West now requires the district council to provide enough strategic sites to ensure housing delivery in the district over the next 10 years. The reason for this is to provide certainty that the housing requirements of the district can be met, at least in the short term. The specific details of these sites will be set out in the next version of the Core Strategy and consulted upon when this version of the Core Strategy is submitted to the Secretary of State in June 2008.

Specific, non-strategic site allocations will be set out in the Site Specific Allocations DPD, the first consultation on which is due in the autumn 2008.

22) *Forward Planning state that usually Final Options would go back to the public for further consultation only at the same time that the package goes to the Minister. On this occasion can Cllr Clegg confirm that Councillors, Parish Councillors and major stakeholders will be briefed about the package before publication and before the package goes to the Minister? Can he further confirm that these parties will be able to amend the package before publication?*

The submission draft will be subject to debate by the Cabinet and then Full Council prior to submission and further period of public consultation at which stage all Parish Councils will be asked for their further comments

The current consultation on the Core Strategy Preferred Options is the opportunity for Councillors, Parish Councillors and major stakeholders to make representations **now** and I would strongly urge all parties not to wait but to give us their comments at this stage.

The Core Strategy Preferred Options is being taken to all area committees for their consideration. Parish Councils were given prior notification of the Core Strategy Preferred Options consultation. Parish Councils were first informed of the imminent Core Strategy Preferred Options consultation in the middle of January. This letter informed Parish Councils that the consultation was due to start on 14 February. A second letter sent at the end of January informed Parish Councils that there would be a two week delay in the start of the consultation period to 28 February. A third letter was sent out just after the consultation period began, and the Core Strategy Preferred Options consultation document was included with this letter.

Other statutory consultees were sent a copy of the consultation documents at the beginning of this current round of consultation.

Publicity measures being used to advertise the consultation include:

- Individual notification to every household in the district

- Repeated adverts in the local press
- A four page wrap in the Avon Advertiser
- All people who commented on the Our Place in the Future (other than those who commented anonymously) have been directly notified
- All elected Members and parish councils have been sent consultation packs
- A radio advertising campaign has been employed
- There is a series of exhibitions and evening meetings throughout the district
- The area committees are being consulted
- A range of focus groups, and technical consultative meetings are being held
- A series of summits such as the Salisbury housing summit and Wilton summit are being held.
- All documents are publicly available free of charge from the Planning Office, local libraries, website or on request.

There will be a further consultation period once the Core Strategy has been submitted to the Secretary of State. This is in accordance with at the submission stage Regulation 28 of the Town and Country Planning (Local Development) (England) Regulations 2004. In accordance with this and the district council's SCI, Councillors, Parish Councillors and major stakeholders will be consulted again at this stage.

23) Can Cllr Clegg confirm that the Regional Strategy has taken over 2 ½ years to get to this point and that the residents of this area now have just 60 days in which to absorb 192 pages of Preferred Options, check backing documentation, undertake their own research where necessary and come back with a coherent response? Does he regard this as a satisfactory state of affairs?

The RSS is not the same as the LDF Core Strategy; this document is not produced by the District Council but by the South West Regional Assembly, a partnership of councillors from all local authorities in the region and representatives of various sectors with a role in the region's economic, social and environmental well-being. Work began on the RSS in late 2003 and the final version of the RSS is expected to be issued by Government in Autumn/Winter 2008.

In preparing the Local Development Framework, the District Council must accord with the Town and Country Planning (Local Development) (England) Regulations 2004. Regulation 27 relates to representations on proposals and states that *"any such representations must be made within a period of 6 weeks.."*. However, notwithstanding this, the District Council has still extended the consultation period by two weeks until 25th April.

24) Press reports indicate that Cllr King has called into question the validity of the underlying assumptions as to housing and jobs statistics. Can Cllr Clegg comment on what plans there are to bring employment to the region, or is it his intention simply to build another dormitory town?

The RSS sets the housing figures for the region based on household projections produced by the Government. It also sets out the number of jobs to be provided across the region, based on an analysis of economic growth requirements and technical forecasts. The RSS is produced by the South West Regional Assembly, made up of District Councillors and the production of the RSS has been subject to public consultation, and will be subject to further public consultation in the future. I would suggest that if any one is unhappy with the level of growth in the RSS then they contact the South West Regional Assembly directly and ask how they may have their views taken into account.

The RSS sets out the number of jobs that the district is required to provide for expressed in terms of hectares of land. In order to provide opportunities for attracting new employment to the district, it is of utmost importance that the right amount and type of employment land is provided in the right locations across the district; without this, there would be no incentive for new employers to come to the district. It is also important to provide employment land for existing world class employers that are already in the district, such as Porton Down. By ensuring the right amount and type of employment land in the right locations through the LDF, this will facilitate the implementation of the regional economic strategy.

25) Amongst other documents drawn up by Forward Planning and by consultants there are 16 Topic Papers, each with an Addendum added after "Our Place in the Future". Have Councillors been briefed on these documents? If not, why not?

Yes, Councillors have been briefed on these documents. All the Topic Papers and associated Addendum papers were fully reference as a key background document when the Core Strategy Preferred Options went to Cabinet. As referred to above, all Cabinet papers are circulated to all district councillors.

26) *Has Cllr Clegg taken legal advice as to whether an inadequate consultation process could invalidate any eventual decision as ultra vires? If not, will he?*

In preparing the Local Development Framework, the District Council must accord with the Town and Country Planning (Local Development) (England) Regulations 2004 and guidance set out in Planning Policy Statement 12 on consultation procedures. It must also accord with the district council's Statement of Community Involvement, which itself was prepared in consultation with the local community and district councillors and has been the subject of a formal public examination led by an independent inspector. Legal advice has been sought at each key stage in the production of the Core Strategy Preferred Options through Counsel from Zoë Levethal and David Blundell of Landmark Chambers, London.

Can I thank you for the interest you have shown in this important process and I do hope my answers have proved helpful in clarifying the issues you have raised

Yours sincerely

Cllr Paul Clegg
Portfolio Holder for Planning

Annex C

**Democratic Services
Salisbury PO Box 2117
District Council
Salisbury, Wiltshire SP2 2DF**

direct line: 01722 434250
email: ptrenell@salisbury.gov.uk
web: www.salisbury.gov.uk

To: Councillor Paul Sample

Date: 25 March 2008

Dear Councillor

Re: Full Council 18 February 2008 – Housing Revenue Account Budget & Rent Setting 2008/9

You have requested information regarding the comments made by yourself and your Cabinet colleagues at Full Council on 18 February 2008 with regard to agenda item 6c (Housing Revenue Account Budget & Rent Setting 2008/09).

My notes from the meeting show that you referred to the fact that the Housing Revenue Account is subject to a duty of surplus over a period of thirty years, and that Salisbury District Council would cease to exist a year from now. Councillor Tomes also made reference to the fact that the council were going through the process of setting a thirty year plan.

There is no record in the notes of a commitment from you or any other Cabinet member that the Housing Revenue Account would remain in surplus for twenty-nine of the next thirty years.

Yours sincerely



Paul Trenell
Democratic Services