

Agenda

Meeting of : The Annual Council
Meeting held in : Auditorium, City Hall, Salisbury
Date : Monday 19 May 2008
Commencing at : 6.00 pm

PRAYER: David Linaker Vicar of St Thomas Church, Salisbury, will open the proceedings with prayer.

1. Apologies:

To receive any apologies for absence.

2. Outgoing Chairman's Report:

The outgoing Chairman will present her report for her term of office.

3. Chairman of the Council:

To elect a Chairman for the ensuing Municipal Year.

Nominations will be taken at the meeting.

The new Chairman to make the Declaration of Acceptance of Office.

4. Vice-Chairman of the Council:

To elect a Vice-Chairman for the ensuing Municipal Year.

Nominations will be taken at the meeting.

The new Vice-Chairman to make the Declaration of Acceptance of Office.

(**Note:** Neither the Chairman or Vice-Chairman can be Members of the Cabinet)

5. Declarations of Interest:

To receive declarations of interest from District Councillors and officers present.

6. Public Questions/Statement Time:

Fifteen minutes will be set aside to allow members of the public to ask questions/make statements relating to the Council. Questions or Statements are required to be submitted (either by fax or by email) to Stewart Agland, Head of Democratic Services by 12 noon on the working day prior to the meeting and anyone wishing to ask a question is advised to contact Stewart who will provide advice, a question submission proforma and a leaflet explaining how 'Public Question Time' works, if required.

Contact Stewart Agland, Tel: 01722 434253
email sagland@salisbury.gov.uk



Awarded in:
Housing Services
Waste and Recycling Services



Please note that this agenda item does not allow Members of this Authority to ask questions or make statements. The opportunity for Members to ask questions on matters not on the agenda is available under agenda item 24 below, subject to providing 7 days written notice. Questions on matters before the Council require no notice, and should be asked when the item is being considered.

7. **To Receive Minutes of Previous Meetings:**

To approve the minutes of the ordinary meeting held on **Monday 31 March 2008** and the Extraordinary meeting held on **Wednesday 23 April 2008** (both attached).

8. **Chairman's Announcements:**

9. **Establishment, Size, Composition and Terms of Reference of the Bodies forming the political management structure (current arrangements are set out at *Appendix A attached*):**

The Council is required to determine the above issues. As these matters have previously been determined by the Council, they are effectively matters for ratification. In respect of composition, the political balance Rules apply in respect of the Planning/ Regulatory Panel and the Overview and Scrutiny Co-ordinating Committee (technically the rules also apply to the Audit Committee and will need to be set aside as previously). The allocation of seats on each of these two bodies is based upon the Group strengths upon the Council as a whole (see report at item 10 below).

10. **Group Membership of Committees:**

To consider the attached report from the Head of Democratic Services

11. **Leader of the Cabinet/Council**

To elect the Leader of the Cabinet and Council for the 2008/09 Municipal Year.

12. **Deputy Leader of the Cabinet/Council**

To elect a Deputy Leader of the Cabinet/Council for the 2008/09 Municipal Year – the person must be from the Group(s) represented by the Leader – the Administration).

13. **Cabinet Members:**

To elect the eight other Members of the Cabinet on an individual named basis (Members must be drawn from the Administration) – The Leader shall determine which Members of the Cabinet will perform which Portfolio roles.

14. **Membership of Overview and Scrutiny Panels:**

To appoint Non – Cabinet Members to the four Overview and Scrutiny Panels. As these Panels are not politically balanced, appointments will be on an individual named basis rather than through Group allocation.

The known Membership (wef 9 May 2008) is set out in the attached schedule (***Agenda 14***). Having regard to the above election of Cabinet Members, the Council is asked to determine the Panel memberships for the 2008/09 Municipal year. If any Member wishes to transfer would they please let the Head of Democratic Services know in good time before the meeting in order to ensure no Panel is likely to be under represented (have less than 10 members bearing in mind the quorum is 5 members), or is likely to be over represented (have more than 14 members). If there are any subsequent changes, a revised Membership list will be circulated at the meeting.

15. **Membership of the Standards Committee:**

To appoint the three District Councillors and their named deputies on the Standards Committee. Only one Member of the Cabinet may be a member of this Committee, (so long as they are not the Leader of the Cabinet).

Present Membership Councillors Mills (Deputy Holt), A C Roberts, (Deputy Draper) Britton (Deputy Rycroft)

16. **Re-establishment of the Salisbury Transportation Joint Committee, its Terms of Reference and Membership:**

To determine the following -

- (a) That subject to Wiltshire County Council doing the same, the re-establishment of a Salisbury Transportation Joint Committee consisting of 12 members be approved.
- (b) The Terms of Reference as shown in ***Appendix C*** (attached) be approved.
- (c) that the political proportionality provisions under the Local Government and Housing Act 1989 in respect of the Joint Committee be set aside and each Council appoint six members not necessarily with political balance.

- (d) the District Council's composition - it is currently – 2 Conservatives, 2 Labour, 2 Liberal Democrats.
- (e) that four Members drawn from the Administration (and Deputies) be appointed to serve on the Joint Committee (including the Portfolio Holder for Transport), - they are currently :-

Councillor Mrs Mckeown	(Councillor J Holt – Deputy)
Councillor M D Lee	(Councillor I C Curr – Deputy)
Councillor Mrs I M Evans	(Councillor S J Howarth - Deputy)
Councillor I D McLennan	(Councillor J M Walsh - Deputy)

- (f) Further to (e) above, the remaining non cabinet Members (and named Deputies) be appointed in accordance with the agreed allocation - they are currently :-
- | | | |
|---------------|-----------------|---------------------------------|
| Conservative: | Cllr D W Brown | (Cllr R J Clewer – Deputy) |
| Conservative: | Cllr M G Fowler | (Cllr Ms J Launchbury – Deputy) |

17. Cabinet Recommendations:

To consider recommendations from the Cabinet concerning matters outside its powers.

(a) [The New Wiltshire Local Agreement: Councillor Clegg](#)

To consider the Cabinet's recommendation from its meeting on 28 April 2008 (Minute 182) (the updated report of the Partnership Team Manager is attached).

Recommended to Full Council on 19 May 2008 – that

- (1) the Council endorses the draft LAA which has been negotiated to date and agrees to be a signatory;
- (2) delegated authority be given to the Chief Executive, in consultation with the Leader and Deputy Leader of the Council, to agree any outstanding matters and to sign off the final LAA once it has been agreed by Government; and
- (3) the Implementation Executive be advised that the Agreement should place greater emphasis on sustainable rural communities and have regard to the findings of the District Council's Scrutiny Review undertaken on this matter; it should also be asked to consider the possibility of including an additional indicator relating to reduction in road deaths.

(b) [Scrutiny Review on Sustainable Rural Communities together with response to Rural Services Network Document: Councillor Edge](#)

To consider the Cabinet's recommendation from its meeting on 28 April 2008 (Minute 183). The Scrutiny Review has been previously circulated, however if any Member would like a further copy please let Ruth Davis know (01722 434408), in the meantime the Executive summary containing the recommendations is attached.

Recommended to Full Council on 19 May 2008 – that

- (1) the recommendations set out in the summary be approved for recommendation to the Implementation Executive;
- (2) the Scrutiny findings be taken into account during the new stage of consultation for the local development framework as agreed by Full Council on 23 April; and
- (3) a copy of the Review be sent to the Primary Care Trust and the Joint Director of Public Health as the recommendations address a number of important health issues.

18. Standards Committee Recommendations:

To consider recommendations from the Standards Committee meeting held on 21 April 2008 - reports attached.

(a) [Register of Members' Interest - Publication on the Internet:](#)

Recommended – that

- (1) the Register of Members' Interests for district councillors be made available for inspection via the council's website; and
- (2) the Register of Members' Interests for parish and town councillors be not published on the council's website unless the individual parishes so request.

(b) [Application for works to trees that are subject to a Tree Preservation Order \(TPO\):](#)

Recommended – that the scheme of delegation to the Head of Development Services be amended by the addition of the following:

- 14.32 *To deal with applications to carry out works on trees that are subject of Preservation Orders, and to determine the applications under delegated authority, unless they are referred to an area committee by a ward member.*

(c) Preparations for Local Assessment of complaints Against Members:

Recommended – that in the light of the regulations now received and notwithstanding previous decisions:

- (1) no additional Independent member be recruited;
- (2) that only one additional parish representative be recruited through Wiltshire Association of Local Councils; and as a consequence
- (3) Membership of the Standards Committee be set at 7 members.

Resolved: that the Committee ratifies the decisions taken on 17th March as follows:

- (1) to form two sub committees in accordance with the requirements set out in 3.3.2 of the Monitoring Officer's report from a pool consisting of members of this Committee with one to receive and assess allegations and the other to review decisions to take no action by the first sub committee; and
- (2) that from 8th May 2008 this Committee will consider reports of investigations and hold hearings.

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

To question (without notice) the Leader or other relevant Cabinet Member, on any of the issues on which decisions have been made as set out below:

- (1) 176 – 180 (28 04 08) Procedural Matters
Cllr Sample (Leader)
- (2) 184 (28 04 08) Churchfields Project Initiation Document and Authorisation to Proceed with the Project
Cllr Edge (Economic Development and Tourism)
- (3) 185 (28 04 08) Christmas in 2008
Cllr Edge (Economic Development and Tourism)
- (4) 186 (28 04 08) Southern Area Committee Recommendation
Cllr Thorpe (Resources)
- (5) 187 (28 04 08) Wiltshire County Council Highway Issues
Cllr Sample (Cabinet Leader)
- (6) 188 (28 04 08) Climate Change – Implementation Plan
Cllr Clegg (Planning)
- (7) 189 (28 04 08) Unitary Update
Chief Executive
- (8) 190 (28 04 08) Successes of the Council
Cllr Sample (Cabinet Leader)
- (9) 191 (28 04 08) Update on Petersfinger Park and Ride
Cllr McKeown (Transport)
- (10) 192 (28 04 08) Joint Consultative Forum
Cllr Thorpe (Resources)
- (11) 193 (28 04 08) Special Delegation Procedure
Cllr Sample (Leader)
- (12) 194 (28 04 08) Matter of Urgency - Fingerposts
Cllr Fear (Deputy Leader)

20. Project and Policy Progress Reports:

To receive any progress reports from the Cabinet (including the portfolio holders) not covered under item 19. The Council may question (without notice) the relevant Cabinet Member on the information given.

21. Notice of Motion 149:

To consider the following Notice of Motion 149 proposed by Councillor Westmoreland and seconded by Councillor Brown:-

We wish the following Motion to be submitted to the Full Council at its meeting on 19 May 2008.

"Due to ill health, Councillor J Cole-Morgan has been unable to attend any meetings of this Council since 10th January 2008.

The law states that where a council member fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of that authority.

As the next scheduled Council meeting would be after the six months had elapsed, Members are now respectfully requested to grant Councillor Cole-Morgan, for reasons of ill health, a six month extension from the existing expiry date for non attendance of Council meetings, consequently, Councillor Cole-Morgan could remain a Councillor without having to attend a meeting of the Council until 10th January 2009, or until such time as he is able to resume attendance if earlier".

22. Reports of other Committees/Panels on which questions may be asked:

1. City Area (Plan) 095 – 103 (20 03 08)
2. City Area (Plan) 104 – 109 (17 04 08)
3. City Area (Com) 062 – 071 (25 03 08)
4. Southern Area 109 – 119 (27 03 08)
5. Northern Area 096 – 111 (13 03 08)
6. Northern Area (Special) 112 – 116 (27 03 08)
7. Northern Area 117 – 130 (10 04 08)
8. Western Area 113 – 126 (06 03 08)
9. Western Area 127 – 136 (03 04 08)
10. Resources OSP 056 – 064 (17 03 08)
11. Planning & Economic Development OSP 043 – 052 (19 03 08)
12. Planning & Economic Development OSP 053 – 074 (14 04 08)
13. Community & Housing OSP 052 – 059 (12 03 08)
14. Planning/Regulatory Panel 049– 055 (18 03 08)
15. Standards Committee 042 – 049 (17 03 08)
16. Standards Committee 050 – 057 (21 04 08)
17. Audit Committee 045 – 057 (09 04 08)

23. Call in Matters:

To consider any decisions taken by the Cabinet which have been called-in by the relevant overview and scrutiny panel in the belief that it is contrary to the policy framework.

[There are none for this meeting]

24. 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: (subject to 7 working days written notice) – no notice required for supplementary questions so long as they arise directly out of the original question or reply. The following question has been received from Councillor Richard Clewer to Councillor Paul Sample

"At the full council meeting on the 18 February Councillor Sample criticised Conservative amendments to the proposed parking charges as no warning had been given and as a result the cost implications of the amendments could not be worked out. The amendments were taken directly from the recommendations of the Environment and Transport Scrutiny panel. Does this mean that the Cabinet did not even bother costing the recommendations of a cross party scrutiny panel before discarding them? Does Councillor Sample consider this to be a responsible way for cabinet to behave?"



Manjeet Gill
Chief Executive
9 May 2008