

Minutes

17 February 2003
Committee Room 2
Bourne Hill, Salisbury
Commencing at 2.15 pm

61. **Present:**
Mr G A Thompson (Vice-Chairman and Independent Person), Councillors M G Fowler and C G Mills, and Mr M Chandler (Parish Representative).
- In attendance: Mr R Crook (Deputy Parish Representative), Susan Tovey (Legal Services Manager/Monitoring Officer) and Mr P J Bellas (Senior Democratic Services Officer).
- Apology: Mrs M F Lewis (Chairman and Independent Person)
- MR G A THOMPSON (VICE-CHAIRMAN) - IN THE CHAIR**
62. **Public Question/Statement Time:**
There were no public questions or statements forthcoming.
63. **Minutes:**

Agreed – that the minutes of the last meeting held on 20th January 2003 be approved as a correct record and signed by the Chairman.
64. **Declarations of Interest:**
No interests were declared.
65. **Changes to the Officer Scheme of Delegation:**
Consideration was given to the report of the Legal Services Manager/Monitoring Officer (previously circulated) together with additional changes to Annex B of the Officer Scheme of Delegation and to the explanatory notes which were reported orally at the meeting, with regard to:-
- (a) The amendment of paragraph 4.8 to read "The grant of licences, tenancies, and leases when land is not immediately required for the Council's own purposes, or for disposal by way of sale and the grant of rights of way and easements, subject to the licence charge, rent sale price or right of way or easement fee being agreed by the Council's appointed Valuer at an appropriate open market value."
 - (b) The inclusion of a new paragraph 8.8 to allow the Head of Revenues and Benefits to authorise legal proceedings and sanctions in respect of benefit fraud.
 - (c) The transfer of the delegated powers under paragraph 10.4 to the Head of Housing Management and 11.2 to the Head of Strategic Housing Services.
 - (d) The deletion of paragraph 11.14.
 - (e) The substitution of "Environment Agency" for "County Council" in paragraph 12.10.
 - (f) The addition of "approvals" prior to "certificates" in the opening sentence of paragraph 12.19 and, in the list of activities set out under that paragraph, the deletion of
 - ♦ Dairies, dairymen and milk dealers,

- ♦ Rag Flock Acts
 - ♦ Slaughterhouses
 - ♦ Slaughtermen; and
 - ♦ Poultry cutting premises, and
- the inclusion of motor vehicle salvage yards.
- (g) The deletion of paragraph 12.23.

Agreed - that the changes to the Officer Scheme of Delegation as set out in the Annex A to the above report (as amended) and the explanatory notes be approved subject to minor typographical changes and to the following:-

- (1) Further clarification in the explanatory notes of the need to amend paragraph 2.5 under "General Delegation".
- (2) The substitution of "Cabinet" for "Executive" in paragraph 1.2 of Annex B.
- (3) That no changes be made to the existing delegated powers of officers in respect of paragraphs 14.6 and 14.25 of Annex B.
- (4) Clarification, in respect of paragraph 10.11 (renumbered as paragraph 10.12) of Annex B, as to whether projects under the Housing Association Programme require Cabinet or Full Council approval.
- (5) The inclusion of an explanation of the proposed amendment to paragraph 2.5 of Annex B.
- (6) Further explanation of the use of the word "final" in paragraph 14.28 of Annex B.

(NOTE: In respect of item (4) above, the Head of Housing Strategic Services advised that Full Council approves the Social Housing Grant but that Cabinet approves the individual projects. The wording of paragraph 10.12 of Annex B was therefore correct).

Accordingly it was:-

Recommended to Full Council - that the Officer Scheme of Delegation (forming Part 6 of the Constitution) be amended as set out in Annex 1, attached to these minutes, for the reasons provided in the accompanying explanatory notes.

(NOTE: Since the meeting of the Committee it has been noted that there is no delegated authority to the Head of Development Services in relation to the Conservation (Natural Habitats etc) Regulations 1994 like that in relation to the Town and County Planning (Environmental Impact Assessment) Regulations 1999. A new delegated authority has been added in paragraph 14.33. The Committee will be asked to approve this addition at its meeting on the 17th March 2003, prior to the recommendation in these minutes being put before the Council meeting on 24th March 2003)

66. **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 particular office-holder, former office-holder or applicant to become an office-holder under, the authority"

Summary of Exempt Matters

Matter of Urgency – Consideration of a letter received in connection with the matters dealt with under minute 58 (17/1/03)