

## COUNCIL

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### **DRAFT MINUTES OF THE ANNUAL COUNCIL MEETING HELD ON 18 MAY 2010 AT COUNCIL CHAMBER, COUNTY HALL, TROWBRIDGE.**

#### **Present:**

Cllr Desna Allen, Cllr Chuck Berry, Cllr John Brady, Cllr Richard Britton, Cllr Philip Brown, Cllr Rosemary Brown, Cllr Allison Bucknell, Cllr Jane Burton, Cllr Trevor Carbin, Cllr Nigel Carter, Cllr Chris Caswill, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Christopher Cochrane, Cllr Peter Colmer, Cllr Linda Conley, Cllr Christine Crisp (Vice-Chair), Cllr Brian Dalton, Cllr Paul Darby, Cllr Andrew Davis, Cllr Peter Davis, Cllr Tony Deane, Cllr Christopher Devine, Cllr Bill Douglas, Cllr Mary Douglas, Cllr Peggy Dow, Cllr Peter Doyle, Cllr Rod Eaton, Cllr Nick Fogg, Cllr Peter Fuller, Cllr Richard Gamble, Cllr Jose Green, Cllr Howard Greenman, Cllr Mollie Groom, Cllr Lionel Grundy OBE, Cllr Brigadier Robert Hall (Chairman), Cllr Russell Hawker, Cllr Mike Hewitt, Cllr Malcolm Hewson, Cllr Alan Hill, Cllr Charles Howard, Cllr J Hubbard, Cllr Chris Humphries, Cllr Keith Humphries, Cllr Peter Hutton, Cllr Tom James MBE, Cllr David Jenkins, Cllr Julian Johnson, Cllr Simon Killane, Cllr John Knight, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Alan Macrae, Cllr Laura Mayes, Cllr Ian McLennan, Cllr Jemima Milton, Cllr Francis Morland, Cllr Bill Moss, Cllr Christopher Newbury, Cllr John Noeken, Cllr Jeffrey Ody, Cllr Stephen Oldrieve, Cllr Helen Osborn, Cllr Jeff Osborn, Cllr Mark Packard, Cllr Sheila Parker, Cllr Graham Payne, Cllr Stephen Petty, Cllr Nina Phillips, Cllr Fleur de Rhe-Philippe, Cllr Pip Ridout, Cllr Bill Roberts, Cllr Ricky Rogers, Cllr Judy Rooke, Cllr Paul Sample, Cllr Jane Scott OBE, Cllr Jonathon Seed, Cllr John Smale, Cllr Toby Sturgis, Cllr Julie Swabey, Cllr John Thomson, Cllr Dick Tonge, Cllr Anthony Trotman, Cllr Bridget Wayman, Cllr Ian West, Cllr Fred Westmoreland, Cllr Stuart Wheeler, Cllr Roy While, Cllr Christopher Williams and Cllr Graham Wright

#### **Presentations**

For the information of Councillors, the following presentations were made prior to this meeting:

Showing of a short film 'Making a Difference' on the Council's Parish Steward Scheme which would also be shown at forthcoming meetings of the Area Boards.

Presentation on the Touch2ID scheme given that Trowbridge had been selected as the UK pilot site.

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20. **Election of Chairman**

The outgoing Chairman, Cllr Brigadier Hall sought nominations for the position of Chairman of Wiltshire Council for 2010/11.

Cllr Brigadier Hall was proposed by Cllr Seed and seconded by Cllr Deane.

In the circumstances, Cllr Brigadier Hall vacated the chair and left the meeting for the duration of this item.

Cllr Moss, Vice-Chairman in the Chair

Cllr Moss asked if there were any other nominations. At which point, Cllr Moss was proposed by Cllr McLennan and seconded by Cllr Rogers. Cllr Moss declined the nomination and there being no further nominations, it was

**Resolved:**

**That Councillor Brigadier RWS Hall be elected Chairman of Wiltshire Council for 2010/11.**

Cllr Brigadier Hall then signed the Declaration of Acceptance of Office of Chairman of Wiltshire Council in the presence of the Chief Executive.

Cllr Brigadier RWS Hall in the Chair

The Chairman commented that it was an honour to be re-elected Chairman of the Council and thanked Councillors for their confidence in him.

21. **Election of Vice-Chairman**

The Chairman sought nominations for the position of Vice-Chairman of Wiltshire Council for 2010/11.

Cllr Christine Crisp was proposed by Cllr Milton and seconded by Cllr Wheeler. There being no further nominations and on being put to the vote, it was

**Resolved:**

**That Cllr Christine Crisp be elected Vice-Chairman of Wiltshire Council for 2010/11.**

Cllr Crisp signed the Declaration of Acceptance of Office of Vice-Chairman of Wiltshire Council in the presence of the Chief Executive.

22. **Apologies**

Apologies for absence were received from Councillors Marshall, Soden, Griffiths, Connolly, Beattie, Cuthbert-Murray, Jeans and Randall.

23. **Minutes of Previous Meeting**

The minutes of the last meeting held on 23 February 2010 were presented. The Chairman explained that minor amendments had been made to the copy for signature to correct the spelling of Wootton Bassett and only having one entry for the Chairman in the list of attendees.

**Resolved:**

**That the minutes of the last meeting held on 23 February 2010 as amended be approved as a correct record and signed by the Chairman.**

Minute number 8 – Budget  
(1) Revenue Budget Proposals for 2010/11

The Leader reminded Council that in considering the budget at the last meeting, she undertook to write a letter to HM Treasury copied to Ministers to press for an explanation of why this authority continued to be poorly funded in comparison to other authorities. At the Leader's request, a copy of the letter sent and the response from Barbara Follett, Parliamentary Under Secretary of State was circulated to Councillors for their information. The Leader explained that following the change in Government, she would write a further more detailed letter, copied to local MP's, to press for a more satisfactory explanation.

24. **Declarations of Interest**

No interests were declared.

25. **Election Results**

For Council's information, the Chairman presented the Returning Officer's report which gave the results of the Parliamentary elections for the Council's area held on 6 May and congratulated those elected. The Chairman asked for any suggestions or observations on the election process to be referred to the Chief Executive in his capacity as Returning Officer.

**Resolved:**

**That the report be noted.**

26. **Announcements by the Chairman**

(a) **Bill Moss – Vice-chairman**

The Chairman paid tribute to the help and support given to him by his outgoing Vice-Chairman of Council, Councillor Bill Moss.

(b) **Award – Implementation of BMP/SAP**

The Chairman announced that Wiltshire Council had recently received two prestigious awards for the implementation of SAP, delivered through the Business Management Programme (BMP).

The Council had been named as a 2010 Computerworld honours program Gold Laureate and was also awarded the SAP bronze quality award.

Both awards represented a significant achievement on the part of everyone involved in the BMP, which was delivered on time and on budget, despite very challenging timescales and numerous competing priorities associated with the one council programme. Jacqui White, the Service Director for Shared Services and Customer Care accepted the award on behalf of her team.

(c) **Online Register of Interests - reminder**

The Chairman reminded Council that it had at its last meeting agreed that Councillors' register of interest details would be published online on a voluntary opt-in basis. Details of how this would be done had since been issued to all elected and co-opted members of the Council. It was noted that no details would be published online unless a member gave their express approval. Members of the Council were asked to contact Democratic Services if they wished to have their interest details published online.

(d) **Wiltshire Flag**

The Chairman gifted a Wiltshire flag to the Council in recognition of his service as Chairman of the Council for the past year and requested that it be displayed along with the other flags in the Council chamber.

(e) **Janet de Rhe Philipe**

The Chairman reported that Mrs Janet de Rhe Philipe, Senior Assistant to the Chief Executive and Assistant to the Lord Lieutenant would soon be retiring from the Council having given 27 years service to the Council. Janet looked after the Lord Lieutenant and Deputy Lord Lieutenant of Wiltshire, the Chairman of Council and Vice-Chairman of Council. She also coordinated Royal visits in Wiltshire and was highly regarded by private secretaries of the Royal family and

was awarded the Royal Victorian Order in the 2007 Birthday Honours. The Chairman thanked her for all her hard work commenting that she had been a longstanding and valuable member of staff at County Hall.

(f) The late former councillor Allan Peach

The Chairman paid tribute to the work of former Wiltshire County Councillor Mr Allan Peach who had sadly died recently. Mr Peach had been Chairman of Wiltshire County Council in 2004/05 and served local government and the community of Amesbury with distinction and dedication for many years. His death was a great loss not only to the town of Amesbury but also to the County. These sentiments were echoed by other members of the Council. The Chairman and the Leader of the Council as well as other Councillors, past and present had attended a thanksgiving service for Mr Peach's life on 12 May held in Amesbury.

As a mark of respect the Council stood for a moment's silence.

27. **Petitions**

Petition – Night TaxiBuzz Service – Pewsey Vale Area

The Chairman reported receipt of a petition organised by the Association of Kennet Passengers. The petition with 202 signatories objected to the decision to cut the Night TaxiBuzz service and called on the Council to review its decision.

At the Chairman's invitation, Mrs Kate Freeman, the petition organiser and Mrs Susan Hiscocks presented their petition and urged the Council to reinstate the service. A copy of the petition and petition statement were circulated.

The Chairman called on Cllr Dick Tonge, Cabinet member for Highways and Transport to respond to the petition. Cllr Tonge acknowledged that this matter had also been raised at the Environment Select Committee on 11 May. He assured the petitioners that both the representations made to the Environment Select Committee and to this Council meeting had been given serious consideration. He explained how the service was an experimental one intended to test whether taxibuses could provide evening services in rural areas at an affordable subsidy. However, the service had proved very expensive to run with each passenger journey costing the council about £12 in subsidy. Alternatives for particular groups affected were being investigated. He reiterated that whilst the Council regretted the inconvenience that the withdrawal of the Night TaxiBuzz service had caused, the subsidy level was far too high for it to continue, even when proposals made by the petitioners were taken into account.

Councillors Dow and Carter both spoke in support of the petition.

**Resolved:**

- a) That Council receive and note the petition.
- b) That a copy of the full statement made by Cllr Dick Tonge, Cabinet member for Highways and Transport be sent to the petition organisers to explain why unfortunately, the NightBuzz could not be restored.

28. **Public Participation**

The Chairman reported receipt of a question from Mr Ross Kavanagh of Hilperton regarding the classification of Hilperton village within the Wiltshire Core Strategy. A copy of the question together with the response from Cllr John Brady, Cabinet member for Economic Development, Planning and Housing was circulated. Mr Kavanagh was unable to attend the meeting. The Chairman therefore accepted the question and response from Cllr Brady as tabled and asked that a copy of the response be forwarded to Mr Kavanagh.

A copy of the question and response are attached to these minutes as Appendix A.

29. **Appointments**

- (a) Appointment of Committees and Review of Allocation of Seats on Committees to Political Groups
- (b) Appointment to Committees
- (c) Appointment of Chairmen and Vice-Chairmen of Committees
- (d) Appointment of Wiltshire Council Members to Serve on the Combined Fire Authority

The Chairman drew Councillors' attention to the reports of the Service Director, Legal and Democratic Services which invited Council to

- appoint the various committees of the Council and review the allocation of seats on those committees to political groups according to their respective political strengths on the Council;
- make appointments to committees in accordance with such a review taking into account the wishes of the political group leaders;
- appoint chairmen and vice-chairmen of committees excluding the Standards and Select Committees which would be asked to make such appointments at their respective first meetings. The Chairman explained

that following this item, he would seek to adjourn the meeting over the lunch period to allow each Area Board to meet to elect its respective Chairman and Vice-Chairman.

- Appoint nine Wiltshire Council members to serve on the Combined Fire Authority for the ensuing year.

The Chairman explained that Group Leaders had been consulted on the principles of what was being proposed.

The Leader proposed a motion which encompassed all of the above, details of which were circulated and this was duly seconded; on being put to the vote, it was

**Resolved:**

- (a) To note the reports and the legal requirements.
- (b) To appoint the following committees with the terms of reference as set out in the Constitution:-

**Strategic Planning  
Area Planning – East, North, South and West  
Licensing  
Standards  
Organisation and Resources Select  
Children’s Services Select  
Health and Adult Social Care Select  
Environment Select  
Audit  
Appeals  
Staffing Policy  
Officer Appointments  
Pension Fund  
Joint Committee for Appointment to Wiltshire Police  
Authority**

- (c) To approve the aggregate number of committee places available to members of the Council being 169 and the number on each committee as follows:-

<u>Committee</u>	<u>Total Number of Places for Elected Members</u>	<u>Conservative Group Allocation (61 seats)</u>	<u>Liberal Democrat Group Allocation (24 seats)</u>	<u>Labour Group Allocation (2 seats)</u>	<u>Independent Group Allocation (8 seats)</u>	<u>Devizes Guardians Group Allocation (3 seats)</u>
Strategic Planning	13	9	3	-	1	-
Area Planning Committees						
North	10	7	3	-	-	-
South	11	6	3	1	1	-
East	9	6	1	-	1	1
West	11	6	3	-	2	-
Licensing	12	8	3	-	1	-
Organisation and Resources Select	13	7	3	1	1	1
Children's Services Select	13	9	3	-	1	-
Health & Adult Social Care Select	13	8	3	-	1	1
Environment Select	13	7	3	1	1	1
Audit	13	8	3	-	1	1
Appeals	9	6	3	-	-	-
Staffing Policy	9	6	2	-	1	-
Officer Appointments	5	3	1	-	1	-
Pension Fund	5	3	2	-	-	-
Joint Police Appointing Committee	7	4	2	-	1	-
Great Western Ambulance Joint Scrutiny Committee	3	2	-	1	-	-
<u>TOTALS:</u>	169	105	41	4	14	5

- (d) To appoint Area Boards, constituted as area committees as set out in paragraphs 17 to 19 of the report and within the Constitution, and to appoint those members representing electoral divisions to their respective area boards as set out in Appendix B of these minutes.



- (e) To agree to continue the proposed arrangements for any future appointments of Councillors to Health Scrutiny Joint Committees as set out in paragraph 13 of the report presented.
- (f) To approve the nominations of Group Leaders, as set out in Appendix C for the appointment of Councillors and substitutes, to serve on committees in accordance with the agreed scheme of committee places, until the next occasion membership is reviewed under the provisions of the Local Government & Housing Act 1989.
- (g) To appoint the Standards Committee with the terms of reference as set out in the Constitution and to reappoint the following Council members to serve until the next Annual Council meeting in 2011:-
- Councillors Fuller, Johnson, Hewson, McLennan, Clark and Carter.
- (h) To appoint the following non-elected members to the Children's Services Select Committee:-

<u>Non-Elected Voting Members</u>	<u>Representing</u>
Vacancy (Reserve/substitute: Mr C Shepperd)	Church of England
Dr M Thompson (Reserve/substitute: Canon L. O'Driscoll)	Roman Catholic Church
Mr N Owen	Parent Governor (Secondary)
Mrs A Kemp	Parent Governor (Special)
Mrs R Ryan	Parent Governor (Primary)
<u>Non-Elected Non-Voting Members</u> (Up to Five)	School, Children and Young People representatives
Mrs D Dale	Further Education Representative
Mr C Dark	Secondary Schools Headteacher Representative
Mrs J Finney	Primary School Headteachers Representative
Mr J Hawkins	School Teacher Representative
Mr C King	Children & Young People's Representative

- (i) To appoint the following councillors to serve on the Combined Fire Authority for 2010/11 :-

<b>Conservative (6) Councillors</b>	<b>Liberal Democrat (2) Councillors</b>	<b>Independent (1) Councillor</b>
<b>Peter Davis</b>	<b>Howard Marshall</b>	<b>Christopher Newbury</b>
<b>Graham Payne</b>	<b>Jeff Osborn</b>	
<b>Mollie Groom</b>		
<b>Christopher Devine</b>		
<b>Philip Brown</b>		
<b>Brigadier Robert Hall</b>		

- (j) To appoint following Chairmen and Vice-Chairmen:-

<u>Committee</u>	<u>Chairman</u>	<u>Vice Chairman</u>
<b>Area Planning Committee – Eastern</b>	<b>P Brown</b>	<b>C Howard</b>
<b>Area Planning Committee – Northern</b>	<b>T Trotman</b>	<b>A Hill</b>
<b>Area Planning Committee – Southern</b>	<b>F Westmoreland</b>	<b>J Green</b>
<b>Area Planning Committee – Western</b>	<b>P Fuller</b>	<b>R While</b>
<b>Audit Committee</b>	<b>R While</b>	<b>S Parker</b>
<b>Licensing Committee</b>	<b>W Moss</b>	<b>N Phillips</b>
<b>Officer Appointments Committee</b>	<b>J Scott</b>	<b>JThomson</b>
<b>Pension Fund Committee</b>	<b>T Deane</b>	<b>C Howard</b>
<b>Staffing Policy Committee</b>	<b>A Bucknell</b>	<b>M Hewitt</b>
<b>Strategic Planning Committee</b>	<b>A Davis</b>	<b>C Crisp</b>

- (k) To note that in accordance with the Constitution the Chairmen and Vice Chairmen of the Standards Committee and Select Committees will be elected at their first meeting.

### 30. Appointments Process - Chairmen and Vice-Chairmen of Area Boards

The Chairman presented the report of the Head of Democratic Services which proposed a revised procedure for electing chairmen and vice chairmen of Area Boards for the period 2010/11 in order to improve the process on last year.

The proposal involved each Area Board meeting in turn in the Council Chamber with each member of an Area Board standing so as to be easily identified as a member. The Chairman of the Council, appointed as a non voting ex-officio member would then manage the appointments process supported by Democratic Services. Where the Chairman of Council was himself a full voting member of an Area Board, the Vice-Chairman of Council would be the non voting ex-officio member. The Chairman and Vice-Chairman's role on the Area Board would be limited to facilitating the appointment process. This would take place either on the rising of Annual Council or during an adjournment of the meeting whichever is appropriate at the time.

It was noted that Group Leaders having been consulted on this proposal had raised no objections. During the debate, a proposal was moved that election of chairmen and vice-chairmen should be undertaken at the first round of meetings of Area Boards in the presence of other members of the Area Boards. However, this was subsequently withdrawn with a request that this be given consideration in the future.

Cllr Williams, Portfolio Holder for Communities reported that a training event for chairmen and vice-chairmen of Area Boards had been arranged.

### **Resolved**

- a) That Council agrees the procedures for the election of chairmen and vice chairmen of Area Boards as set out in paragraph 5 of the report presented.**
- b) That the Council agrees the appropriate amendments to the Constitution to facilitate the appointments process as set out in paragraphs 6 and 7 of the report presented.**

### **31. Corporate Plan**

The Chairman called upon the Leader of the Council to present the recommendation of her Cabinet concerning the adoption of the Corporate plan. The report considered by the Cabinet in arriving at its recommendation was presented as background information together with the recommended Plan.

The Leader of the Council moved that Council adopt the Corporate Plan and this was duly seconded by Cllr Thomson. The Leader explained that the Medium Term Financial Plan would be reviewed in the context of the outcome of the public spending review. A Business Plan was being drawn up which would document how the Council would make efficiencies.

The Chairman of the Council invited Cllr Jeff Osborn to add any comments on behalf of the Scrutiny Select Committee. Cllr Jeff Osborn explained that the Corporate Plan had been examined in detail by the Scrutiny Select Committee. The relevant Scrutiny Committees would examine the Service Delivery Plans, the Medium Term Financial Plan and Business Plan. He urged backbench members to be as involved as possible as scrutinising all of these documents would require a great deal of work.

Cllr Carbin explained that whilst agreeing with most of what was included in the Plan he considered the wording in some parts of it lacked ambition. He moved an amendment to the effect that the Council adopt the Corporate Plan and looks forward to a more ambitious and dynamic version being produced when it was next reviewed. On being put to the vote, the amendment was LOST.

Following debate which included comments from other group leaders, it was

**Resolved:**

**That Council adopt the Corporate Plan 2010-2014.**

32. **Homelessness Strategy**

The Chairman called upon Cllr John Brady as Cabinet member for Economic, Development, Planning and Housing to present the recommendation of Cabinet concerning adoption of the Homelessness strategy. The report considered by the Cabinet in arriving at its recommendation was presented as background information together with the recommended Strategy.

Cllr Brady moved adoption of the Homelessness Strategy and this was duly seconded. Cllr Brady explained that if adopted, this would be the Council's first Homelessness Strategy. The Strategy set out the Council's plans for the prevention of homelessness and for securing that sufficient accommodation and support would be available for people who become homeless or who were at risk of becoming so.

During the debate a number of issues and points of clarification were raised to which Cllr Brady responded. Cllr Brady reported that he was seeking to arrange a meeting with the Housing Minister to lobby the Government on housing issues and particularly with a view to ensuring that the social housing grant is not lost as part of the public sector cuts.

**Resolved:**

**That Council adopts the Homelessness Strategy 2010/15.**

**MEETING ADJOURNED**

The meeting was adjourned at this point (1.45pm) to allow each Area Board to meet to elect its Chairman and Vice-Chairman in accordance with the newly adopted procedure (minute no. 30 refers).

The meeting reconvened after lunch at 2.30pm.

33. **Councillors' Questions**

The Chairman reported receipt of questions from Councillors Nick Fogg, Trevor Carbin, Ernie Clark, Peter Colmer and Jeff Osborn.

Details of the questions and responses given were tabled at the meeting and attached as Appendix D to these minutes.

Supplementary questions were made in some cases summarised as follows:

Cllr Fogg – honoraria payments made by the former Kennet District Council. Cllr Fogg commented that use of the word honoraria was perhaps misleading. The report although exonerated those concerned did comment that the confidentiality clause gave the matter an air of secrecy. He requested that the circumstances and details of this matter should be made publicly available.

The Leader responded by emphasising that this related to the former Kennet District Council and not Wiltshire Council. She confirmed that legal advice had been taken to ensure that information considered confidential including the names of individuals was treated accordingly. She explained that matters which could be made public had already been included in a Part I report to the Audit Committee which had endorsed the actions taken. The Leader also added that her understanding was that honoraria payments were made in recognition of additional work carried out by officers during a particularly difficult time.

Cllr Carbin – publication of Valley News. Cllr Carbin sought clarity over what the media could do with the Council's strapline which would warrant a ban of their publication from Council premises.

Cllr Thomson emphasised his response which stated that the publication in question had not been banned from Wiltshire libraries but asked to follow the Council's guidance.

Cllr Clark – Private Eye article. Cllr Clark sought information on the number of payments and total amount the Council was seeking to recover.

The Leader responded that the Council was seeking to recover two amounts totalling £20,000.

Cllr Clark – Housing Revenue Account debt plan. Cllr Clark asked what was the Council's views on an increased debt of £115m.

Cllr Brady commented that he was unable to give an answer at this stage and that he was awaiting advice from the new Government.

Cllr Clark - Affordable housing in villages. Cllr Clark sought clarification on whether or not villages would be involved in developing affordable housing policies.

Cllr Brady confirmed that villages would be consulted. He also added that villages could help in developing affordable housing policies and gave an open invitation to parish councils who wished to speak with him.

Cllr Colmer – cost of administering the Area Board process. Cllr Colmer asked that aside from the distribution of grants, when would Area Boards be given further delegated powers to provide more benefit to their communities.

Cllr Thomson emphasised that the main role of Area Boards was to influence decisions at a local level.

Cllr Colmer – Removing people from the Homes 4 Wiltshire database who no longer required housing. Cllr Colmer enquired as to the timescale for this filtering process.

Cllr Brady asked Cllr Colmer to email his question to him and he would provide a written response.

Cllr Jeff Osborn – Non implementation of SATs and guidance issued to governing bodies. Cllr Osborn sought information on what the guidance contained.

Cllr Grundy gave an undertaking to give a written reply in order to provide as accurate information as possible.

#### 34. **Executive Business**

##### (a) Executive Updates

The Chairman invited the Leader and members of her Cabinet to update Council on any significant executive matters.

##### Pay Harmonisation

Cllr John Noeken, Cabinet member for Resources drew Council's attention to Briefing Note no. 35 which updated Councillors on the Pay Harmonisation process.

##### ICT Contract

Cllr John Noeken, Cabinet member for Resources updated Council on the position with regards the Council's ICT contract. It was noted that the Council would be terminating its contract with Steria. Work was taking place on developing exit plans for some services alongside designing a new ICT service. The remaining life of the contract would be closely monitored with regular meetings held with Steria to manage the exit strategy and to manage performance issues robustly.

Cllr Jeff Osborn added that this was of fundamental importance to the Council. The Scrutiny Select Committee at its meeting on 27 May would be considering establishing a Task Group to look at this in more detail. In the meantime, he would continue to work closely with Cllr Noeken and the Service Director.

(b) Area Boards

Councillors were given the opportunity to ask questions of a general nature only concerning Area Boards.

Cllr Chris Williams, Portfolio Holder for Communities read out guidance concerning dual hatted members on Area Boards. He also referred to a report which would be considered by the Standards Committee on 19 May on the same subject in relation to the procedure for applying for dispensations. He undertook to circulate the report and guidance to all Councillors. He also advised that a meeting of Area Board Chairmen would be held at on 20 July 2010.

The Leader referred to guidance from Standards for England on declarations of interests in particular the difference between what constituted a personal and prejudicial interest. She understood that it was where an interest was considered a prejudicial interest requiring a member to withdraw from a meeting which would result in a meeting being inquorate which was causing difficulties.

Cllr Jeff Ody commented that the Devizes Area Board operated very successfully but considered that the relationship with the partnerships was rather ambiguous and therefore sought guidance from Cllr Thomson.

Cllr Thomson replied that he would be more than happy to meet with Cllr Ody and the Chairman of the Area Board or the Area Board to explain. He added that the Wiltshire Forum of Community Area Partnerships (WfCAP) would also be able to assist.

35. **Overview and Scrutiny**

The Chairmen of the Overview and Scrutiny Select Committees were invited to update Council on major activities within their respective Select Committees.

Environment Select Committee

Cllr Mollie Groom updated Council on her Committee's activities since the last Council meeting and ongoing matters:

- The Environment Select Committee had met twice since the last meeting of Council, minutes of the March meeting could be found in the separate Minutes Book.
- At the meeting on May 11 some of the key issues raised included a commitment to signing the contract for the new MBT plant in Westbury within the next 6 weeks and confirmation that the PFI housing agreement should be finalised by the end of July.

- An enormous amount of work was being carried out by the various Task Groups of the Committee. Cllr Groom gave a general invitation to any members who wanted to get involved in these groups.

#### Overview and Scrutiny Organisation and Resources Select Committee

Cllr Jeff Osborn updated Council on his Committee's consideration of the following matters:

- Pay harmonisation and terms and conditions of service
- Partnership working in connection with community safety
- S.106 Agreements
- Value for money

#### Children's Services Select Committee

In Cllr Carole Soden's absence, Cllr Jon Hubbard (Vice-Chairman) updated Council on the following matters:

- The Children's Services Select Committee had met once since the last Council meeting, details of which could be found in the separate Minutes Book.
- At the Committee's next meeting on 8 June, Councillors would be focussing on what was being done to improve Wiltshire's primary schools, as well as receiving a report on transport for pupils with Special Educational Needs - an historic area of overspend for this Council.
- A seminar for all Councillors would be held on 22nd July in the Council Chamber on the current review of Special Educational Needs (SEN) provision in Wiltshire, held in the Council Chamber. Further details would be provided to Councillors.

### 36. Minutes of Cabinet and Committees

The Chairman moved that Council receives and notes the minutes as listed in the separate Minutes Book and this was duly seconded by the Vice-Chairman.

Cabinet	23/02/10, 23/03/10 and 20/04/10
Children's Services Select Committee	18/03/10
Environment Select Committee	02/03/10
Health and Adult Social Care Select Committee	11/03/10
Organisation and Resources Select Committee	25/03/10



Audit Committee	24/03/10
Officer Appointments Committee	23/03/10
Standards Committee	10/03/10
Staffing Policy Committee	10/03/10
Wiltshire Pension Fund Committee	25/02/10
Northern Area Planning Committee	24/02/10, 17/03/10, 07/04/10, 28/04/10
Eastern Area Planning Committee	04/02/10, 25/02/10, 18/03/10, 29/04/10
Southern Area Planning Committee	18/02/10, 22/04/10
Western Area Planning Committee	10/02/10, 17/10/10, 10/03/10, 21/04/10

**Resolved:**

**That the above mentioned minutes be received and noted.**

The Chairman invited questions from Councillors on points of information or clarification on the above mentioned minutes and gave Chairmen of those meetings the opportunity to make any important announcements on the work for their respective meetings.

No questions were raised. Cllr Moss, Chairman of the Licensing Committee mentioned that training for Licensing Committee was being arranged for 13 July 2010 on the rising of the next Council meeting. The training would cover the Councillors' roles as 'interested parties', the new provisions relating to the regulation of sexual entertainment venues and update training on mandatory conditions on licences.

**37. Wiltshire Police Authority**

The minutes of the Wiltshire Police Authority meeting held on 11 February 2010 and the report of the Police Authority were received and noted. No questions on these documents had been received from Councillors.

**38. Wiltshire and Swindon Fire Authority**

The minutes of the Wiltshire and Swindon Fire Authority meeting held on 11 February 2010 were received and noted. No questions had been raised by Councillors.

39. **Duty to Respond to Petitions**

Cllr Noeken, Cabinet member for Resources presented the report of the Head of Democratic Services on the new Duty to Respond to Petitions, imposed as a result of the Local Democracy, Economic Development and Construction Act 2009.

The background to the Act and its key principles were outlined. Local authorities were required to establish a scheme for handling petitions by 15 June 2010 with a further requirement to establish a scheme for handling e-petitions by 15 December 2010. Council was therefore asked to consider a suggested petition scheme to meet this requirement. It was noted that the Council already made provision within its constitution for handling petitions which more than met the minimum requirements now imposed. Council was keen that the suggested petition scheme would supplement rather than replace the existing provisions for handling petitions. It was noted that the new duty would not extend to regulatory matters such as development control and licensing where there were mechanisms already in place to deal with representations on those issues.

**Resolved:**

**(a) That Council:**

- (i) approve the petition scheme as set out in the Annexe to the report presented, in particular to set the thresholds referred to in paragraphs 6.3 and 6.7 (2.5% of the local authority population to trigger a debate at Council and 1.25% to require an officer to attend a meeting of the appropriate Select Committee to answer questions) ;**
  - (ii) note that further detail would be required to guide users on the e-petition element of the scheme and to authorise the Solicitor to the Council and Monitoring Officer to make the final alterations to this part of the scheme;**
  - (iii) agree that the scheme supplements the current provisions relating to petitions within the Constitution;**
  - (iv) agree that the scheme be reviewed as part of the overall review of the Constitution being undertaken by the Focus Group on the Review of the Constitution; and**
  - (v) produce an easy to read guide to petitions for public use.**
- (b) To designate the Solicitor to the Council and Monitoring Officer as the Proper Officer for petitions with delegated authority to determine inappropriate or non-compliant petitions and whether e-petitions may be**

hosted on the Council's web site, as well as approving minor amendments to the scheme such as changes in names of officers or designation of posts.

40. **Financial Regulations and Financial Procedure Rules**

Cllr de Rhe Philipe, Cabinet member for Finance, Performance and Risk presented a report by the Chief Finance Officer, which proposed a revised set of Financial Regulations and Procedures as recommended by the Audit Committee at its meeting on 24 March 2010. Cllr de Rhe Philipe moved that Council adopt the Financial Regulations and Procedures and this was duly seconded by Cllr Roy While, Chairman of the Audit Committee

The new Financial Regulations and Procedures had been produced in accordance with good practice. They had been reviewed and developed by a dedicated Working Group comprising the Chair of the Audit Committee, Chief Finance Officer, Head of Internal Audit, the Cabinet Member for Finance, Performance and Risk, elected Member representative for the Audit Committee and other relevant officers. The Financial Regulations and Procedures as proposed and a summary outlining the main provisions were presented.

**Resolved:**

**That Council adopts the Financial Regulations and Procedures as revised and replaced in the Constitution with immediate effect.**

41. **Date of Council Tax Setting meeting - 2011**

The Chairman moved that the date for the council tax setting meeting in 2011 be confirmed as 22 February 2011 and this was duly seconded by the Vice-Chairman.

**Resolved:**

**That the date of the next Council Tax Setting meeting be confirmed as 22 February 2011.**

42. **Notices of Motion**

No notices of motion were received for the meeting.

Appendices:

- A – Question from Mr Kavanagh and response (minute no. 28 refers)
- B – Membership Area Boards (minute no. 29 refers)
- C – Membership of Committees (minute no. 29 refers)
- D – Councillors' questions and responses (minute no. 33 refers)

(Duration of meeting: 11.00am – 3.40pm)  
(which includes an adjournment between 1.45pm – 2.30pm)

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