

SPECIAL COMMITTEE

MONDAY, 4th NOVEMBER, 2002

PRESENT:- Councillor Kevin Small in the Chair; Councillors Mike Bawden, David Cox, Ian Dobie and Wendy Johnson.

Councillor Mavis Childs attended the meeting in respect of Minutes 52 to 56.

An apology for absence was received from Councillor Mike Every.

Chair -
Councillor KEVIN SMALL

Vice-Chair –
Councillor DAVID COX

MINUTES FOR REPORT

47. Declarations of Interest

The Chair reminded Members of the need to declare any known interests in any matters to be considered at the meeting.

48. Confirmation of Minutes

Resolved – That the minutes of the meeting held on 28th October, 2002, be confirmed and signed.

49. Section 100B(4)(b), Local Government Act 1972

In accordance with Section 100B(4)(b) of the Local Government Act 1972, the Chair determined that an additional item concerning a “Leased Car Agreement – Wiltshire Ambulance Trust” be considered as a matter of urgency to enable a response to be made to the individual concerned and the Wiltshire Ambulance Trust.

50. Section 100A(4), Local Government Act 1972

That, in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded during the discussion of the matters referred to in Items 8 and 9 of the Notice of the Meeting and the Additional Item on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 (Items 8 and 9) and Paragraph 9 (Additional Item) of Schedule 12A to the Act. (Minutes 54, 55 and 56 refer)

51. Public Question Time

No questions were asked in accordance with Standing Order 28.

The Chair advised that Mr Phil Rashid, Chair of the Race Coalition, who wished to ask a public question regarding Street Markets, had contacted him. As Mr Rashid was not present to ask his question he would arrange for a written response to be sent.

52. Alcohol Designated Zone – Swindon Town Centre

The Director of Environmental Services submitted a report dated 21st October, 2002, concerning the necessity for the Committee, on behalf of the Council, to confirm the making of an Order under the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001, to create an “Alcohol Designated Public Place” in Swindon Town Centre to enhance Police powers in relation to the control of on-street drinking. (Minute 30 of the Cabinet refers.)

Resolved – (1) That, on behalf of the Council:-

(a) an Order be made under the Local Authorities (Alcohol Consumption in Designated Public Places) Regulations 2001 in respect of Swindon Town Centre with the Designated Public Area created by this Order including all parts of the zone defined by the boundary description set out in Appendix 1 to the report of the Director of Environmental Services dated 10th May, 2002 (Appendix 2 to the report of the Director of Environmental Services dated 21st October, 2002);

(b) the commencement date and time of the Alcohol Designated Public Place Order for Swindon Town Centre and the effect of the designation be advertised by Public Notice in a local newspaper;

(c) the Alcohol Designated Zone for Swindon Town Centre created take effect from Midnight on 11th November, 2002, or at Midnight on the day following the appearance of the Public Notice whichever is the earlier;

(d) the Director of Environmental Services be authorised to erect suitable signs on a permanent basis at the entry points to the Designated Public Place and within the Designated Public Place to draw attention to the effect of the Alcohol Designated Public Place Order; and

(e) in any event, the Alcohol Designated Public Place Order shall have no effect until such times as the signs referred in (d) above are in place.

(2) That the Director of Environmental Services submit a report to the appropriate Council body on the success of the Alcohol Designated Zone 12 months after the Order's full implementation in Swindon Town Centre.

53. Comprehensive Performance Assessment – Council Response

Mr Tony Allen, a Consultant working with the Council in relation to issues raised in the Comprehensive Performance Assessment of the Council, reported on the proposed response to be made to the Audit Commission on the Assessment. Issues to be incorporated within the response included (a) the action taken to date by the Council in response to the initial draft Assessment, (b) the Council's proposed recovery / improvement plan, and (c) views on the inspection and audit processes relating to the Council.

Resolved – That the proposed response to the Comprehensive Performance Assessment of the Council, circulated at the meeting, be accepted and forwarded to the Audit Commission.

54. Staffing Matters – Housing and Social Services

The Head of Core Personnel reported on the progress of negotiations of a voluntary severance agreement with employee 426559A of the Housing and Social Services Department.

Resolved – (1) That the report be noted.

(2) That it be noted that the Special Committee has lost confidence in the capacity of employee 426559A to successfully lead the Adult Services Division taking into account the failure of that Division to show sufficient improvement since the Social Service Joint Review inspection, the submission of the final inspection report and subsequent actions.

(3) That the Acting Chief Executive be authorised to consider the continued employment of employee 426559A and be authorised to terminate that employment if he so decides.

(4) That the Head of Core Personnel be authorised to conclude by noon on Friday 8th November, 2002, a mutual termination of employment agreement if he considers that to be in the best interests of the Council on terms to be agreed with the Borough Solicitor, and that a further report be submitted to a meeting of this Committee to be held on Friday, 8th November, 2002 at 4:30 p.m., if necessary.

55. Appointment of Chief Executive

The Director of Resources submitted a report dated 28th October, 2002, concerning the proposed approach to be taken to the recruitment of a Chief Executive and the subsequent implications for other senior management arrangements.

Resolved – (1) That, following a selective tendering exercise, the Head of Core Personnel be authorised to appoint external consultants to assist the Council in the recruitment and selection process for the post of Chief Executive and other senior management posts that become vacant prior to 31st March, 2003.

(2) That the Director of Environmental Services be appointed as Acting Chief Executive until a new Chief Executive commences employment.

(3) That Mr Tony Allen be engaged by the Council as a consultant to undertake the role of “Improvement Manager” and to assist the Acting Chief Executive, on terms and conditions to be determined by the Borough Solicitor in conjunction with the Director of Resources.

(4) That, following consultation with the leaders of the three political groups on the Council and the relevant Lead Member and group spokespersons, the Acting Chief Executive be authorised to appoint an Acting Director of Environmental Services.

(5) That, noting the contents of the Council’s response to the Comprehensive Performance Assessment, the Head of Core Personnel be authorised to progress the recruitment of a Director of Social Services.

56. Leased Car Agreement – Wiltshire Ambulance Trust

The Borough Solicitor reported a request for the Council to take responsibility from the Wiltshire Ambulance Trust for a car lease agreement.

Resolved – That the report be noted and the Borough Solicitor be requested to submit a further report on the terms and conditions of the current lease with the Wiltshire Ambulance Trust, and on the possible wider implications for the Council of any transfer of the lease agreement in this case.

(Councillor Kevin Small declared a personal and prejudicial interest in respect of the Code of Conduct as he was a former Chair of the Wiltshire Ambulance Trust and recipient of a leased car, and left the meeting taking no part in the discussion of the above item.)

(Councillor David Cox took the Chair for this item.)