

**Draft Minutes of the Meeting of the Executive held on Thursday 24th April 2008
in the Council Chamber, Council Offices, Monkton Park, Chippenham
commencing at 7.00pm.**

Present: Councillor R.L. Tonge in the Chair

Councillors R.M.H. Berry, A.M. Bucknell, R.A. Causer, V.H. Greenman, C.V. Ramsey,
and V.A. Vines

Non-Executive Councillors Present:

Councillors D.B. Allen, C.M.R. Boase, S. Bodman, C. Crisp, S.K. Doubell, R.J.
Henning, I.J. Henderson, A.K. Hill, H.R. Plenty, A. Phillips, W.F. Roberts, J.R. Scragg,
and A.J. Trotman,

Officers Present:

D. Burbidge (Chief Executive), P. Jeremiah (Legal Services Manager), S. McGregor
(Section 151 Officer), L. Pullin (Policy & Democratic Services Officer) and L.
Robertson (Head of Policy & Performance)

E207. Apologies for Absence

Apologies for absence were received from Councillors N.M. Phillips and T.R. Sturgis.

E208. Leader's Announcements

The Leader made the following announcements:

1. Change to Agenda Order

With your agreement, Agenda Item 13 (Gypsy and Traveller Site Provision) will be
brought forward and considered as Agenda Item 7. *Admin Note – This was agreed.*

2. Procedural Matters

Written answers have been prepared for those who have asked questions in accordance
with Agenda Item 2 and these have been circulated. I will allow those who have already
registered a question to ask one supplementary question which will be answered.

E209. Public Question Time/Receipt of Petitions

The following public questions were received in respect of Agenda Item 13 – Gypsy
and Traveller Site Provision.



1. Nick Harmer, High Penn Farmhouse, Calne

Why has there been no prior consultation with residents about these proposals?

Response: The purpose is to identify sites within public ownership on which to consult. There will be consultation as part of the planning process.

Supplementary question – Given that there has been no consultation, what are your plans for consultation?

Councillor R.L. Tonge responded that this would be answered during the discussions/debate that would take place during consideration of this item.

2. Emma Clough, Crooks Cottage, 80 High Penn, Calne

Please could the Council release full details of exactly how each site has been evaluated – the Oxford Road site appears to go against the criteria of safeguarding the local community from being swamped. Has due consideration been given to provision at local schools, healthcare etc?

Response: An independent consultant carried out the evaluation against site search criteria, and financial consideration. This will be tested as part of the planning consultative process.

Supplementary question – Why are you proposing a site on a main road where all will be able to see it?

Councillor R.L. Tonge responded that the Government had produced a document entitled The Gypsy and Traveller Accommodation Assessment which highlighted the need for the provision of 47 pitches to be found for Wiltshire and 24 of these to be in North Wiltshire. Humberts had been instructed on behalf of the Council to carry out an assessment of the available sites in North Wiltshire for this purpose.

3. Paul O’Gorman, The Old Dairy, High Penn, Calne

- a) In the Council’s rush to push this through, no due consideration appears to have been given to an open, democratic process, leaving residents feeling railroaded. The search identified 6 publicly owned and 9 privately owned sites in the district. The 9 privately owned sites were ignored because of the need to deliver a site sooner rather than later. Can the Executive explain the rush in making a decision, thereby ignoring potentially suitable sites?

Response: There is a current shortfall in gypsy site provision. The longer the process of site provision takes the greater the prejudice to the Council’s ability to deal with unauthorised sites in the district. Publicly owned sites can be delivered more quickly and at less cost to the public.

Supplementary question – What is the definition of a pitch - How many caravans does that mean?

Councillor R.L. Tonge responded that a pitch means two caravans – one stationary and one travelling caravan.

- b) With an eye on the advent of the unitary authority, how many pitches are required in Wiltshire overall and will the distribution of sites be evenly distributed throughout the county? I understand that Kennet has no sites or plans for any sites.

Response: 47 pitches for the whole of Wiltshire. Following unification the requirement will relate to the County. However, much like affordable housing – provision must be related to need in the area, and not simply evenly spread.

4. Cilla Neale, 2 New Cottages, High Penn, Calne

The Oxford Road site is adjacent to a busy main road and roundabout, does the Executive think that is appropriate for families with young children?

Response: The Highway Authority will be consulted as part of the planning process.

Supplementary question – What about the schools in the area – will he be able to cope with the extra demand?

Councillor R.L. Tonge responded that the consultation carried out with a planning application would take this issue into account.

5. Sophy Fearnley-Whittingstall, High Penn Farmhouse, Calne

Does the Council believe that the proposal to provide this highly visible permanent site for Gypsies and Travellers on Oxford Road, at the main gateway to the town from the M4. is compatible with the current plans underway to regenerate the town centre?

Response: It will be part of the planning process and consultation process to assess the impact of sites.

Supplementary question – Why is the criteria that is being used to assess each site not being released to the public so that we can see how you are assessing why a site is viable?

Councillor R.L. Tonge responded that the criteria used was available to be public.

6. Mr R J Harvey, Calne

We farm at Dugdales Farm, Compton Bassett, a short way from the Oxford Road site, and heard from a friend about the proposal to consider the above site for the permanent use of gypsies and travellers. To our knowledge, there has been no formal notification to the inhabitants of the surrounding area that this proposal would be discussed; although we understand that there was an item on the local television news last night. I see from the North Wilts web site that there are six sites under consideration; but my questions relate solely to the above site, and they are as follows:-

- a) Given the sensitivity and importance of the matter under discussion, why has the public not been made more aware that this was happening? Why is there such a short time frame for people to submit their questions to the council? What's the rush?

Response: See the responses to questions 1 and 3 a) above.

- b) What is the current planning use of the land in question? Does it form part of the Green Belt? Is it a brownfield site?

Response: Agricultural. It is not within a Green Belt, nor is it a brownfield site.

- c) Has the Council now published the results of its Traffic Impact Study? What conclusion did your traffic planners come to on reading the results of the Study?

Response: No: it is part of any future planning process.

- d) Has the Council now published the results of its Environmental Impact Study? What were the findings?

Response: No: it is part of any future planning process.

- e) What additional work would need to be carried out to make the site suitable for the occupation by gypsies and travellers; how much would it cost and who would pay for it? If the Council would be paying for it, how will the extra money be raised?

Response: This has yet to be established.

- f) If the site were occupied by gypsies and travellers, what extra services would the Council need to provide on an ongoing basis, what would they cost and who would pay for them?

Response: This has yet to be established.

7. Mr Pearson, Vice Chairman, Bremhill Parish Council

- a) Can the councillors tell us if the present sites at Chiseldon Firs, Thingley, Hay Lane etc are full?

Response: They are normally full.

- b) How many pitches are available today?

Response: See above and also the published Gypsy and Traveller Accommodation Assessment.

- c) I note that in the Draft Local Plan for 2011 the Chiseldon Firs site is reduced from 30 Pitches to 12. Why do councillors not look to filling the existing sites, spending the money that will be wasted fighting these proposals to make FULL USE of sites like Chiseldon and Thingley and if necessary compulsory purchase adjoining land to fulfil your obligation to the requirement for the further 28 pitches.

Response: Chiseldon Firs is not within the North Wiltshire District but it is referred to in the publication referred to above.

- d) How are these existing and any new sites to be supervised? We hear of vandalism and drug dealing in these facilities forming an almost "No Go" area for our Police and Officialdom?

Response: Any problems of this nature anywhere are always matters for the Police.

Supplementary question – I would say that 5 of the sites that are being considered are open green belt sites – please could you clarify the definition of a green belt site.

L. Robertson (Head of Policy & Performance) responded that the sites are not within the green belt but are within the open countryside.

8. Cllr Nancy Bryant, County Councillor for Calne & Without

- a) Has the Executive taken into account that, you have DUMPED, and I use this word specifically, 3 sites in my parish? This is a totally unfair proportion as to the whole of NWDC.

Response: The sites were identified by a private consultant with no account taken of parish boundaries.

- b) What consultation was carried out?

Response: See response to question 1 above.

- c) How long is the statutory consultation period?

Response: The statutory consultation process for a planning application is 28 days.

- d) Who chose and what evidence did they use to identify these sites?

Response: See the Report No. 13 being considered this evening.

Supplementary question – As a landowner, can I put up a house in the open countryside?

L. Robertson (Head of Policy & Performance) responded that gypsy sites are subject to different policy considerations.

As the County Councillor for the Calne area why was I not notified of the proposals and why were the parishes not consulted?

Councillor R.L. Tonge responded that this would be covered in the debate that would take place during consideration of the item.

9. Cllr Derick Eadon, Calne Without Parish Council

Have Councillors considered:

- a) That the access to the Abberd Lane site is very poor, since the direct route via Sandpits Road is unadopted with access restricted to the sandpit and landfill operation?

Response: These matters would be taken into account if the site was put forward for further consideration.

- b) The impression that a travellers' site adjacent to the A3102 at a busy gateway to Calne is likely to have on anyone considering locating a business on either Porte Marsh Industrial Estate or Beversbrook Road?

Response: This will be considered as part of the planning process.

Supplementary statement – A document on your website that is dated 2006 says that there will be public consultation on gypsy and traveller sites – why have we not heard anything since then?

10. Cllr C. Viner, Calne Town Council

Why was Calne Town Council not informed at any stage, over the inclusion of the two areas of land within the Town being considered for the proposed site?

Response: See response to question 1 above.

Supplementary question – Why have you only considered possible sites that you own – why can't you look into purchasing more suitable sites?

Councillor R.L. Tonge responded that this would be dealt with in the portfolio holder's (Councillor V.H. Greenman's) opening statement during the consideration of this item.

11. Mr P. Atkinson, 4 Castle Street, Calne

- a) In the Council's assessment of the sites why was their impact on already overstretched infrastructure not considered? Calne already caters for residents who are not contributing to the precept, due to many residents of the Chilvester Estate not being included within the Town boundary.

Response: Adequacy of the infrastructure has yet to be established.

Supplementary statement - You are not taking in account the views of those affected and the impact this will have – what is the rush?

- b) Does the Council not think that the provision of the proposed site within Calne will only make matters worse? New Calne residents already have to travel to Chippenham to see an NHS Dentist as all those within Calne are full and not accepting new patients.

Response: See response above.

E210. Questions from Non-Executive Councillors

There were no questions from Non-Executive Councillors received.

E211. Minutes

The Minutes of the meeting of the Executive held on 13th March 2008 were considered.

Resolved that the Minutes of the meeting of the Executive 13th March 2008 be confirmed and signed as a correct record.

E212. Declarations of Interest

The following declaration of interest was made:

Executive Members

Name	Item	Type	Nature	Action
Cllr C.V. Ramsey	Agenda Item 13 – Gypsy and Traveller Site Provision	Personal	Live in the vicinity of proposed sites and have relayed my views to the other members of the Executive	Remained in the chamber during the consideration of the item but did not take part in the debate.

E213. Gypsy and Traveller Site Provision

Consideration was given to Report No. 13 (circulated with the Agenda) which identified a site in public ownership for the provision of a permanent gypsy and traveller site and authorised all works necessary to establish the viability of the site and its subsequent disposal.

Councillor V.H. Greenman (portfolio holder for housing) introduced the item on behalf of the Executive. He had listened to all of the comments and concerns of the public and stated that the Executive was not comfortable with the contents of the report and wished to propose revised recommendations which would include a six week consultation exercise.

Issues discussed during consideration of this item included:

- The importance of selecting the correct site – whether this be owned by the Council or privately;
- The importance of involving all of the relevant bodies and groups in the consultation to include Town and Parish Councils, the Police, residents and the gypsies/travellers potentially using the site/s;
- The geographic suitability of the site should also be assessed as the presence of springs on the Hardens Mead site had not been mentioned;
- The need for the consultation to be open, transparent and clear;
- That the concerns of the residents are understood,
- The Council's obligation to make provision for gypsies and travellers in the district;
- The effect on the public and the countryside needs to be carefully considered; and
- That suggestions for alternative sites would be welcomed.

Resolved that

- (1) Whilst noting the scoring of the sites set out in the report, a consultation exercise be carried out in accordance with the Statement of Community Involvement (SCI) which will take place over a period of 6 weeks and will include the consideration of the site at Marlborough Road, Wootton Bassett.
- (2) Offers be invited in respect of any privately owned land which can then be the subject of consultation as set out in (1) above.

E214. Recommendation from the Cricklade and Wootton Bassett Area (2) Committee

At its meeting on Wednesday 13th February 2008, the Cricklade and Wootton Bassett Area (2) Committee considered the final round of applications for funding from the 2007/08 Community Award Scheme.

Following the consideration of the applications the Committee expressed the wish for the capital underspend in 2007/08 of £3,449 to be allocated to the North Wiltshire District Council Flood Working Group for flood alleviation activities in Area 2.

They made the following recommendation to the Executive: (Minute CR44)

- (9) That the Area 2 2007/08 capital underspend of £3,449 be allocated to the Flood Working Group for flood alleviation activities in Area 2.

Resolved that £3,449 (being the remainder of the Cricklade and Wootton Bassett Area (2) Committee's capital funding for 2007/08) be allocated to a central fund for use by the Multi Agency Flood Working Group for flood alleviation activities in Area 2.

E215. Revenue Budget Monitor

Consideration was given to Report No. 8 (circulated with the Agenda) which set out the Revenue budget monitor for Month 11 of the 2007/08 financial year, showing the financial position at the end of February 2008 and the anticipated variations in income and expenditure that could affect the Council by the end of the financial year.

Resolved that the Executive note the report forecast under spend of £802k.

E216. Capital Budget Monitor 2007/08 – Month 11

Consideration was given to Report No. 9 (circulated with the Agenda) which informed the Executive of the latest position and forecast outturn on the 2007-08 capital programme and noted change to the Risk Assessment Table.

Resolved that the Executive:

- (1) Note the contents of the Report and the figures contained in Annex 1 in relation to the Capital Programme for 2007/2008;
- (2) Note the information on Capital Schemes at Annex 2 to the Report;
- (3) Note the Capital Risk Assessment at Annex 3 to the Report; and

- (4) Note that the Capital programme is part of the ongoing consultation with Wiltshire County Council as a result of a Unitary proposal. A further report containing proposals to cease certain projects will be presented to the Executive.

E217. Corporate Plan Progress Update – Final Quarter 2007/08

Consideration was given to Report No. 10 (circulated on 23rd April 2008) which provided an update and exceptions report on the delivery and performance of the Corporate Plan for the final quarter of 2007/08.

Issues discussed during consideration of this item included:

- Queries on whether some items should continue as ongoing and in progress or cancelled in the light of the Unitary Council;

Resolved that the Executive note the final quarter exception reporting for delivery and performance under the priority areas in the Corporate Plan.

E218. Report of the Household Waste and Recycling Task Group

Consideration was given to Report No. 11 (circulated with the Agenda) which presented the findings of the Overview and Scrutiny Household Waste and Recycling Task Group.

Issues discussed during consideration of this item included:

- That the Household Waste and Recycling Task Group should be congratulated for their work;
- Queries over some of the implementation dates and other points of detail mentioned in the report; and
- The Chair of the Task Group undertook to check the queries made.

Resolved that the Executive

- (1) Support the views of the Household Waste and Recycling Task Group that a Sorted Weekly Collection is the preferred option as it constitutes best practice and recommend this to the new Unitary Wiltshire Council (WC). It is suggested that the rounds system should ideally be structured so that the bins for each household are emptied on the same day each week to avoid confusion and encourage recycling;
- (2) That Officers introduce an awareness raising program across the district to highlight the need to reduce waste overall and recycle more and

that a budget for this programme of £55k be allocated. This will prepare the Council Tax payers of the district for the likely introduction of a form of alternate weekly collections following the transition to Wiltshire Council in 2009; and

- (3) That Officers be requested to draft a more rigorous enforcement and extra capacity charging policy in relation to waste collection and recycling. A robust policy regarding excess waste and a charging policy for those households requesting additional capacity will enhance the efficiency of programmes designed to reduce waste sent to landfill.

E219. Wiltshire Flood Plan

Consideration was given to Report No. 12 (circulated with the Agenda) which detailed the Wiltshire Flood Plan which had been compiled by the Wiltshire Emergency Planning Local Resilience Forum Sub Group and provided a summary of the roles and responsibilities of the different agencies involved in dealing with and preventing flooding.

Issues discussed during consideration of this item included:

- That the responsibilities for Town and Parish Councils should be clearly defined.

Resolved that the Executive endorse and approve the Wiltshire Flood Plan as detailed at Appendix 1 to the report.

E220. Membership to the Adjudication Joint Committee

Consideration was given to Report No. 14 (circulated with the Agenda) which sought authorisation for the continued membership of the Adjudication Joint Committee.

Resolved that the Council enter into a new agreement for continued membership of the Adjudication Joint Committee.

E221. Commercial Waste Collection Charges 2008/09

Consideration was given to Report No. 15 (circulated on 18th April 2008) which sought to adopt the proposed commercial waste collection charges for 2008/09.

Issues discussed during consideration of this item included:

- That the collection of commercial waste is a statutory service that we have to provide if it is requested.

Resolved that the Executive:

- (1) Note that the costs charged by Wiltshire County Council, for waste disposal have increased in excess of the level of inflation assumed in the budget of 3%; and
- (2) Approve the proposed increase in charges as reflected in Appendix A of the report.

E222. Exclusion of Press and Public

Resolved:

That in accordance with Regulation 21 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the press and public be excluded from the remainder of the meeting on the grounds that the following items of business involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 as follows and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Agenda Item/Report name	Paragraph(s) of the Act / Schedule describing the exemption
Item 17 – Cash Handling – Monkton Park Offices	Paragraphs 3 and 7
Item 18 – Development of Bath Road Car Park and the Bridge Centre, Chippenham	Paragraphs 1, 3 and 5

E223. Cash Handling – Monkton Park Offices

Consideration was given to Report No. 17 (circulated on 18th April 2008) which set out the issues concerning current cash handling at the Council Offices at Monkton Park, Chippenham.

Issues discussed during consideration of this item included:

- Possible timescales and publicity requirements; and
- The emphasis on the use of Post Offices to make payments for Council services.

Resolved that the Executive:

- (1) Authorise the Head of Finance & Resources in consultation with the Corporate Management Board to implement a rapid cashless office policy, so reducing cash handling costs and improving the perceived safety of the front desk staff.
- (2) Note that this forms part of an enhanced health and safety regime for the staff and customers of the Council.

E224. Development of Bath Road Car Park and the Bridge Centre, Chippenham

Consideration was given to Report No. 18 (circulated on 18th April 2008) which updated the Executive on the development of Bath Road Car Park and the Bridge Centre, Chippenham.

Issues discussed during consideration of this item included:

- What a mixed use site might include;
- The need for a quality residential development;
- That the County Council were now on board with this project; and
- That an updated project brief would need to be prepared.

Resolved that:

- (1) The Bath Road/Bridge Centre site at Chippenham be marketed for re-development purposes in the form of a retail or retail led mixed use scheme.
- (2) Authority be delegated to the Legal Services Manager in consultation with the Leader of the Council, the Asset, Design and Regeneration Manager and the Head of Finance and Resources to agree the revised project brief and the marketing strategy.
- (3) Expressions of interest in the site be reported back to a future meeting of the Executive.

The meeting commenced at 7.00pm and concluded at 8.30pm.

There were 115 members of the public present.