

Draft Minutes of the Council Meeting held on Tuesday 26 June 2007 at the Council Offices, Monkton Park, Chippenham.

Present:

Chairman.....Councillor C Crisp

Councillors DB Allen, KA Banks, RMH Berry, S Bodman, AM Bucknell, CJ Caswill, RAC Causer, RL Cinnamon, PCB Coleman, PR Darby, J P Doubell, SK Doubell, PJ Doyle, GR Greenaway, MEM Groom, JL Hall, JM Hartless, MP Hatton, IJ Henderson, JR Henning, PJ Hutton, E Marston, SG Parker, JA Phillips, N Phillips, A Pier, HR Plenty, CV Ramsey, WF Roberts, RF Sanderson, JA Scott, JR Scragg, ML Singlehurst, SJ Still, TR Sturgis, RL Tonge, AJ Trotman, VA Vines, AM Wannell, C Wannell and J Whincup.

Officers Present: D Burbidge (Chief Executive), I. Inkpen (Principal Environmental Health Officer), P. Jeremiah (Legal Team Leader) and M. Todd (Senior Policy and Democratic Services Officer).

C21. Apologies for Absence

Apologies for absence were received from Councillors CMR Boase, AC Clements, VH Greenman, HT Jones, JC Lay, RB MacGregor, SB Meadowcroft, SD Meadows, C Reid, PS Roberts and JP Thomson.

C22. Minutes

The Minutes of the Council meetings held on the 16 May and 14 June 2007 were considered.

Resolved that the Minutes of the Council meetings held on 16 May and 14 June 2007 be confirmed and signed as a correct record.

C23. Declarations of Interest

No declarations of interest were made.

C24. Chairman's Announcements

There were no Chairman's announcements.

C25. Public Question Time/Receipt of Petitions

(a) Mr P Allnatt, Kington Langley

Mr P Allnatt submitted the following questions:

(1) To the Chairman of Council:

At the extraordinary meeting of Council on 14 June convened solely to consider the issue and motion to rescind Council's policy on "unitary status"



you received a closure motion at a point when neither proposer nor seconder had offered any word in support of the substantive proposition and there had been no general debate.

From memory the Council's constitution at Part 4 Section 18 of Council Procedure Rules referring to closure motions states:

"If a motion that the question be now put **and the Chairman thinks the item has been sufficiently discussed**, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote."

What, on the 14 June, led you to believe that "**the item has been sufficiently discussed**"?

The Chairman of the Council stated that the Monitoring Officer had confirmed that the meeting had been run in accordance with the Constitution. The Chairman confirmed that despite being given an opportunity no one had indicated their wish to speak prior to the procedural motion being put. As far as the Chairman was concerned the subject was now closed.

(2) To the Leader of the Council:

At the extraordinary meeting of Council on 14 June convened solely to consider the issue and motion to rescind Council's policy on "unitary status" in answer to my questions and supplementary questions you stated *inter alia* that:

- (a) The decision to "whip" or not to "whip" on this matter by the Conservative Group was a "private matter". Did you really mean that and do you stand by that answer?
- (b) You also said that "I would get my answer during the debate". Since there was no debate but I noticed that some Conservative councillors present chose to keep to their principles and voted against the substantive proposition can you now tell me whether there was a "free vote" for the Conservatives or did the dissenters defy the "whip" and vote with their conscience?

The Leader of the Council responded to this question stating that the Conservative Group had not been "whipped" for the debate on 14 June.

(3) To the Leader of the Council:

I have submitted on 7 June a number of written questions to the Executive about Corsham Railway station and car parking. Can I have the Leader's assurance that these questions will be fully considered by the Executive and answers given in writing to me at the meeting of the Executive on 12 July, which I will attend, and please note that I may have some supplementary questions?

The Leader of the Council responded to this question stating that the Executive would fully consider the questions submitted at the meeting on

12 July and that a written response would be sent to Mr Allnatt after the meeting.

(b) Mr A Mole – Wootton Bassett

Question

Mr Mole asked the following question:

Traders in the High Street are continuing to suffer severe unsustainable financial hardship due to the abolition of the two hour free parking period. The general public are also concerned as they feel they are witnessing the demise of their town centre. Competition from the internet and the closeness of Swindon is one thing but competition from our own Council is quite another. One business in the High Street has already ceased trading since 7 May.

In his latest comment to appear in the press Councillor Berry says “the first thing we are going to do is listen to the concerns of the traders”. When is this going to happen?

I understand that Councillor Berry is investigating the introduction of restrictions in the High Street. What permissions will be needed and what will be the timescale? This of course avoids the issue which is the re-instatement of the two hour free parking.

When will Councillor Berry inform retailers and public of the action he is taking with reference to the various parking issues?

In the absence of a contribution from Sainsburys what realistic proposals has he got to avoid the town centre being destroyed and will he confirm that equal priority will be given to Wootton Bassett that has been given to Chippenham and Corsham?

Finally, we desperately need the two hour free parking back and anything else falls well short of what is required.

Response

Councillor Berry responded to the question and stated that he would be meeting with Corsham representatives on 4 July and would also meet with the Wootton Bassett traders. He was unable to give any further information regarding the timescale for the proposals to provide restricted parking in the High Street because this was currently under discussion with the County Council.

It would not be possible to resume two hour free parking in Wootton Bassett because of the financial position of the Council.

Petition

Mr Mole also presented a petition containing 5,710 signatures. The petition stated that the undersigned strongly object to the abolition of the two-hour free parking period in Wootton Bassett’s Borough Fields car park.

(c) Mr A Friend – Wootton Bassett

Question

Mr Friend asked the following question:

What is the average weekly revenue from parking tickets not fines for the seven weeks since the abolition of the two hours free parking in Borough Fields car park compared to the seven weeks prior to 7 May?

Response

Councillor Berry and Councillor C Wannell responded to this question stating that the Council had received £6,465 in the first month following the introduction of parking charges. This would lead to a projection of £70,000 for the year. Last year the figure was £1,042 for the month.

£11,786 had so far been received from the Borough Fields Car Park against a budgeted figure of £25,000 for April/May. The budgeted figure for the entire year was £140,000.

In July the Town Council would be asked to consider a proposal to provide restricted car parking in the High Street.

(d) Mr J Webb - Bradenstoke

Mr J Webb asked the following questions:

- (1) Given that it was a whipped vote by the Conservatives at Full Council on 17 January 2007 that led to this Council supporting the County Council's bid for unitary status, and that now the Conservative administration has voted, apparently without debate, not to support the bid, how much has the Council spent, including the cost of Officer time, over the last five months, in support of the bid?

The Leader of the Council responded by stating that neither the vote on 17 January 2007 nor 14 June 2007 had been "whipped". He stated that no costs had been incurred over the past five months in support of the bid. Officers had attended meetings to obtain an understanding of how the Unitary bid would affect North Wiltshire District Council should it be successful.

- (2) Given that the Government's draconian and hypocritical smoking ban comes into affect this weekend, and it follows that it will have the same effect on the pub trade in England as it is already having in Ireland, Scotland and Wales, namely a lot of pubs closing, especially in rural areas, and given that the majority of pubs are not owned by their landlords, but tenanted, what steps have the Council taken to prepare for the inevitable rise in people needing urgent housing as publicans lose their businesses and their homes?

The Leader of the Council responded by stating that whether the smoking ban is draconian and hypocritical should be taken up with national politicians. He confirmed that the housing advice and assistance service was available to all people in the District.

Mr Webb then asked the following supplementary question:

What plans does the Council have to ensure that rural areas remain thriving communities?

The Leader of the Council responded by stating that monies were available in the Council budget to assist rural communities. The Executive had discussed the threat of possible closure of rural Post Offices and was keen to do what they could to protect rural areas within the funds available.

C26. Question Time

Members asked the following questions relating to the minute book:

(a) Councillor S Doubell – Minute No. E8 – Best Value Performance Plan 2007/08

Councillor Doubell asked how the percentage of householders receiving a kerbside recycling service could be increased? Some equally rural Districts had increased their recycling service to 100%.

Councillor T Sturgis, Portfolio Holder for Waste and Sustainability responded to the question stating that investigations were currently underway to find ways to reach very rural areas so that kerbside recycling could be provided.

Councillor Doubell then asked a supplementary question as to whether Councillor Sturgis was aware that the take-up of kerbside recycling was only 55% and that this had an impact on the Council's performance rating.

Councillor Sturgis stated that he was working with areas with a low uptake and also with larger caravan parks in the District to increase the recycling rate.

Councillor Doubell then asked a further question. Due to the success of kerbside collection schemes is this particular performance indicator perverse and should the information be reported in another way?

Councillor Sturgis responded stating that this matter had been taken up with Defra.

(b) Councillor K Banks – Minute No. E23 – Car Parking in Corsham

Councillor Banks asked what the opinion of the Executive was regarding supermarkets refunding parking fees to their customers?

Councillor C Berry, Portfolio Holder for Built Environment, responded stating that equity across the District was important and that he would be discussing this matter with the local Chambers of Commerce.

(c) Councillor P Coleman – Minute No. E15 – Affordable Housing

Councillor Coleman asked whether the sheltered housing scheme in Parklands was due to be closed and what the future of the block was? Councillor A Bucknall responded as the Council's representative on Westlea Housing Association stating that she felt it was important to

discuss such changes with local Councillors and Town and Parish Councils and that she would take this up with Westlea.

(d) Councillor P Coleman – Minute No. E18 – Appointment to the Spatial Planning Advisory Group

Councillor Coleman stressed the importance of this group being up and running and asked if a meeting date had been arranged?

Councillor Tonge, Leader of the Council, stated that he would ensure that Councillor Coleman received a written response to his question.

(e) Councillor P Coleman – Minute No. CH8 – Town/Parish Council Update

Councillor Coleman asked whether anything was being done about motorway noise which affected villages close to the M4?

Councillor Vines, Portfolio Holder for Leisure and Economy, responded by stating that Dauntsey Parish Council had produced a Parish Plan and that this issue had been raised. It was important to keep lobbying on motorway noise but finance was a barrier to finding a solution.

(f) Councillor J Whincup – Minute No. FA59 – Annual Audit and Inspection Letter

Councillor Whincup stated that an increasing number of Committee meetings now commenced at 6pm. Would the Leader agree that the start time should be 7pm to increase inclusiveness for those people who worked full time?

The Leader of the Council responded by stating that it was difficult to find a time suitable for everyone. He stated that this could be looked at next year. It was noted that the Calendar of Meetings had been set for the year.

Members also noted that the Overview and Scrutiny Committee had agreed to start future meetings at 7pm. Officers agreed to investigate whether this change should be brought back to full Council for approval.

C27. Annual Treasury Management and Investment Strategy 2007/08

Consideration was given to Report No. 7 setting out the objectives of the Treasury Management and Investment Strategy and policies in force to enable their achievement.

It was confirmed that the Council had taken advice on this proposal and had been assured that the proposed action was legal.

Resolved that the Prudential Indicator 11 Upper Limit for Total Principal Sums invested for over 364 (per maturity date) be increased to 85% for each of the next three financial years.

Note: Councillor C Caswill requested that his vote against the above decision be recorded.

C28. Best Value Performance Plan 2007/08

Consideration was given to Report No. 8 which set out the Best Value Performance Plan for 2007/08.

Resolved that the Best Value Performance Plan for 2007/08 be approved.

C29. The Gambling Act 2005 (Premises Licence Fees 2007 and Scheme of Delegation)

Consideration was given to Report No. 9 which asked the Council to endorse the scale of fees and the delegations to officers proposed by the Executive at its meeting on 19 April 2007.

Resolved:

- (1) That the scale of fees and delegations to officers proposed by the Executive at its meeting on 19 April 2007 be endorsed.
- (2) That in the future the setting of fees under the Gambling Act 2005 be delegated to the Licensing Committee.

C30. Chief Executive's Appraisal Report

Consideration was given to Report No. 10 seeking agreement on the make-up of the Chief Executive's Appraisal Panel and the associated process.

Resolved that

- (1) The Chief Executive's Appraisal Panel be politically balanced and include the Group Leaders from the two largest political groups.
- (2) The Panel be made up of 3 Conservative Members and 1 Liberal Democrat Member.
- (3) Group Leaders are responsible for ensuring that all Members are able to contribute their views and that the Leader will consult any members who are not in one of the two largest political groups.
- (4) Appraisals be conducted annually with 6-monthly reviews; and
- (5) The process outlined in Appendix 2 of the report be followed.

Note: The Chief Executive left the meeting while this item was considered.

C31. Questions from Councillors – Council Procedure Rule 14.2

There were no questions from Councillors.

C32. Notice of Motion – Council Procedure Rule 15

There were no notices of motion from Councillors.

The meeting started at 7.00pm and finished at 8.02pm.

There were 5 members of the public present.