

**Draft Minutes of the Council Meeting held on Tuesday 29 January 2008 at the Council Offices, Monkton Park, Chippenham.**

**Present:**

Chairman.....Councillor C Crisp

Councillors DB Allen, KA Banks, C Berry, AM Bucknell, CJ Caswill, R Causer, A Clements, PCB Coleman, PR Darby, JP Doubell, SK Doubell, PJ Doyle, GR Greenaway, MEM Groom, JL Hall, J Hartless, MP Hatton, IJ Henderson, JR Henning, PJ Hutton, T Jones, J Lay, RB MacGregor, E Marston, S Meadows, S Parker, JA Phillips, N Phillips, A Pier, HR Plenty, CV Ramsey, C Reid, P Roberts, WF Roberts, R Sanderson, ML Singlehurst, SJ Still, TR Sturgis, J Thomson, RL Tonge, A, Trotman, VA Vines and AM Wannell.

Officers Present: D Burbidge (Chief Executive), P Jeremiah (Legal Services Manager) and M Todd (Senior Policy and Democratic Services Officer).

**C66. Apologies for Absence**

Apologies for absence were received from Councillors CMR Boase, S Bodman, H Greenman, AK Hill, JA Scott, J Scragg and C Wannell.

**C67. Minutes**

The Minutes of the Council meeting held on 4 December 2007 were considered.

**Resolved** that the minutes of the Council meeting held on 4 December 2007 be confirmed and signed as a correct record.

**C68. Declarations of Interest**

No declarations of interest were made.

**C69. Chairman's Announcements**

(1) Registration of Land Holdings

The Chairman reported that the Registration of all the Council's land holdings has now been completed in pursuance of a Government initiative to secure the registration of ownership of all land in Great Britain by 2012.

Much of the Council's land had already been registered but 173 applications needed to be made affecting 342 pieces of land. The land registry fees amounted to a modest £2,565.

The exercise was initiated and implemented over an 18 month period by Chris Wootton in Legal Services who will now revert to general legal duties. The completion of this project would assist in transferring the Council's property assets to the new Authority.



(2) Implementation Executive

The Chairman informed Members although two substitute Members had been appointed to the Implementation Executive at the last full Council meeting, Wiltshire County Council had now received Leading Counsel's opinion that substitutes were not allowed. However, any Member was allowed to attend meetings of the Implementation Executive and to speak with the permission of the Chairman.

**C70. Public Question Time/Receipt of Petitions**

There were no public questions or petitions.

**C71. Question Time**

(a) Councillor SK Doubell – Minute No. E129 – Cleansing and Amenities Improvement Plan

Bearing in mind that £50,000 has been allocated for the litter response team when will the A350 near Junction 17 at Morrisons be cleared?

Councillor T Sturgis, Portfolio Holder for Waste and Sustainability, stated that this area would be cleared when the rolling programme for litter removal was implemented.

(b) Councillor SK Doubell – Minute No. CH45 – Area 3 Streetscene Enhancements

Several attempts have been made to remove the barriers on Chippenham footpaths to facilitate access for disabled people. Will the Lead Member write to the Leader of Wiltshire County Council requesting that any remaining barriers be removed?

Councillor C Ramsey, Portfolio Holder for Customers and Partners agreed to look into this matter.

(c) Councillor C Reid – Minute No. E129 – Cleansing and Amenities

In Katherine Park in Corsham, which consisted of some 600 houses, no litter collection could be undertaken until the streets had been adopted. There were therefore no dog warden services and no dog litter bins – when would litter bins and rounds be established in this area?

Councillor T Sturgis, Portfolio Holder for Waste and Sustainability, stated that he would look into this matter bearing in mind that it was very important to position bins in the correct locations.

**C72. Calendar of Meetings 2008/09**

Consideration was given to Report No. 7 setting out the draft Calendar of Meetings for 2008/09 for approval.

**Resolved** that the draft calendar of meetings for 2008/09, attached as an appendix to the report be approved subject to delegated authority being granted to the Democratic

Services Manager to amend the Development Control Committee dates so that no meetings of the Committee take place during August.

**C73. Report on Implementation Executive Meeting**

The Leader of the Council gave an update regarding the meeting of the Implementation Executive which had taken place on 16 January 2008. The update included the following issues:

- A copy of the outline work programme for the Implementation Executive was circulated.
- Once the legislation had been finalised a briefing for Members regarding the unitary proposals would take place followed by a briefing thereafter every three months.
- A newsletter would be e-mailed to Members after each Implementation Executive meeting and would also be available on the Council's intranet site "Ourspace". The newsletter would also be an item on the Executive agenda.
- All Members were able to attend meetings of the Interim Executive and would be able to speak with the permission of the Chairman.
- All Members had access to information on the Wiltshire County Council website which gave access to all meeting agendas, reports and minutes.
- The Boundary Committee required the Order to be made by 26 February in order to undertake a review in time for the elections for the new authority. A consultation on the draft recommendations would take place and this would be brought to the full Council to enable Members to comment on the proposals.
- There would be opportunities for non- Executive Members to get involved in the transition via reference groups that were being set up by the Joint Transition Scrutiny Board and also via Area Boards.
- There was no compulsion for Town and Parish Councils to take on devolved duties but they were encouraged to express an interest if there were particular services they would be interested in providing.

**C74. Questions on Notice from Councillors – Council Procedure Rule 14.2**

The following question was received from Councillor C Caswill and answered by Councillor R Tonge, Leader of the Council:

What was the total price paid to this Council for the former Cattle Market site on Cocklebury Road and when was this money credited to this Council's capital receipts?

Response

*£8,263,162*

*£800,300 was paid on 6 January 2006*

*The balance was paid on 5 January 2007*

The following questions were received from Councillor C Caswill and answered by Councillor J Thomson, Chairman of the Development Control Committee:

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- (1) For each of the calendar years 2005, 2006 and 2007, how many Section 106 agreements were signed?

Response

2005 – 44  
2006 48  
2007 39

- (2) For each of the calendar years 2005, 2006 and 2007, what were the total financial contributions due to (a) this Council and (b) the County Council through those agreements?

Response

*The money secured under S106 Agreements for the calendar years 2005, 2006 and 2007 are as follows:*

2005/2006	WCC	£132,500	NWDC	£22,000
2006/2007	WCC	£373,935	NWDC	£20,994
2007/2008	WCC	£195,000	NWDC	£45,000

*NOTE : many obligations are expressed as future commitments, consequently, not all these contributions have necessarily been paid as at today.*

- (3) Is it correct that the Section 106 agreement in relation to the Linden Homes development on the cattle market site in Cocklebury Road has brought this Council contributions of £26,000 for public art, and £89,599 for providing and improving public open space in the vicinity of the site, together with over half a million pounds to the County Council for educational purposes?

Response

Yes

- (4) Is it correct that the Section 106 agreement in relation to the former Hartwalls garage site in Cocklebury Road (which is now a Charles Church development) brought this Council £20,000 for providing and improving public open space in the vicinity of the site, and the County Council £48,000 for educational purposes, as well as £60,000 for works on the highway within one mile of the site?

Response

Yes

- (5) Was any part of these Section 106 agreements due to a shortfalls in the developments below the standards set nationally and in local authority planning guidelines, and if so what shortfall(s)?

Response

*Only in respect of the public open space contributions which were in lieu of the required amount of on-site provision.*

Councillor Caswill then asked a supplementary question as to whether the £60,000 allocated for highway works would be used to restore Cocklebury Road which was in a terrible condition. Councillor Caswill asked that the Portfolio Holder provide a written response.

**C75. Notices of Motion – Council Procedure Rule 15**

Consideration was given to a Notice of Motion submitted by Councillor P J Doyle in accordance with Council Procedure Rule 15. Councillor Doyle amended his motion, with the consent of the meeting, to reflect the recommendation put forward by the Overview and Scrutiny Committee at its meeting on 13 December 2007.

**Resolved** that when the call-in procedure is exercised, those members requesting the call-in shall also notify the proper officer of the detailed reasons for that request and that Council Procedure Rule 40 be amended accordingly.

The meeting started at 7.00pm and finished at 7.50pm.

There were no members of the public present.