

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **WEST WILTSHIRE DISTRICT COUNCIL MEETING
(COUNCIL TAX SETTING MEETING)**

Held on: **WEDNESDAY 25 FEBRUARY 2004**

Held at: **COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE**

Present: Marion Clegg (Chairman), Baker, Barker, Batchelor, Blakemore, Bower, Brice, Brown, Bryant, Burnan OBE, Carbin, Chivers, Clark, John Clegg, Conley, Cunliffe-Jones, Davis, Farkas, Hawker, Knight, March, Mudge, Newbury, Oldrieve, Osborn, Payne, Phillips OBE, Repton, Rosier, Squires, Swabey, Viles, Whatley-Gibbs, While and Wiltshire.

Officers: Acting Chief Executive, Head of Financial Services, Legal Services Manager, Contract Services Manager, Management Accountant and Member Support Officer (YR)

118. APOLOGIES

Apologies for absence were received from Councillors Cox, Fortescue, Hames, James, Lewis, Syme and Manasseh and Councillor Cunliffe-Jones for lateness.

119. MINUTES

The minutes of the meeting held on 5 November and the minutes of the special meetings held on 30 October and 19 November 2003 were approved as correct records and signed by the Chairman.

120. OPEN FORUM

The following people made open forum presentations. The Chairman explained that in accordance with the Council's Constitution, open forum presentations could only be made in respect of items on the agenda, but she would nevertheless allow their presentations:

- | | |
|--|---|
| Penleigh Park Playing | - Stan Tout, Christine Mitchell, Fred Gliddon, Bidy Watson, John Storey |
| Public Open Space Review | - David Tout |
| Citizens' Advice Bureau Funding | - Sarah Cardy |

121. QUESTIONS

The Chairman reported receipt of one formal question from Councillor Jeff Osborn to the Leader of the Council which had been circulated to Members at the meeting.

Councillor Jeff Osborn asked his question to which the Leader of the Council replied.

Note: A copy of the question and answer is attached as Appendix A to these minutes.

122. DECLARATIONS OF INTEREST

No declarations of interest were made.

123. ANNOUNCEMENTS FROM THE CHAIR

(a) Royal Garden Party

The Chairman announced that Councillor Fran Lewis had been drawn to attend the Royal Garden Party with her husband. The Chairman and her husband would also be attending.

(b) Eunice Applegate

The Chairman reported the sad news that Eunice Applegate, wife of George Applegate Former Chairman of this Council between 1981 - 1983 had died last week.

(c) Trevor Askew – Head of Commercial Services

The Chairman reported that Trevor Askew had unfortunately been taken ill the night before, but it was hoped that he would be returning to work quite soon. On behalf of the Council she wished him well.

(d) Petition – Swimming Pool Temperatures

The Chairman reported receipt of a petition which called on this Council to raise its pool temperatures during exercise and swimming sessions to benefit the disabled, elderly, and very young. The petition stated that this was in keeping with most other public pools including those in Bath and Frome

(e) Bath – Bristol South Coast Study

The Leader reported that the Bath – Bristol South Coast Study had been formally announced and would be the subject of discussion by Council.

With regards the Strategic corridor affecting this District, he reported that the Study expected the A36/A46 link road should reduce traffic in Bradford on Avon by

approximately 1000 vehicles in a 12 hour period. A co-ordination group would be set up to include representatives from the Highways Department, the Police and bus and rail freight operators. The Study supported the Westbury bypass, but it was noted that only the eastern route had been evaluated. The Heytesbury-Codford diversion was also being supported. It did not consider that the A350 would be a viable alternative to the A36/A46. The report also recommended that overcrowded train services should be lengthened and that there should be half hourly service and other services in respect of the Bristol - Southampton line.

In response to a question from Cllr Chivers, the Leader agreed that this matter could be considered at the special meeting of Council on 31 March 2004 (see (f) below). He undertook to write to the Department of Transport informing it that this Council would be discussing it at the end of March and would like the views from that meeting to be taken into account and that he would also raise it at the Regional Assembly. Councillor Chivers suggested that if this Council was not a stakeholder in this issue, it could perhaps make it's views known via the County Council which was a stakeholder.

(f) Comprehensive Performance Assessment (CPA)

The Leader reminded Members that the CPA results would be known on 16 March. He suggested that a special meeting of Council should be arranged for 31 March 2004 in order to consider the CPA issues and results.

(g) Staffing Issues – Member/Officer relations

The Leader referred to a report considered by the Standards Committee on 28 January 2004 reviewing the protocol on Member/Officer relations.

The Leader reported that he had been disappointed that the Appendix to the report to the Standards Committee had taken out of context the results of a staff survey. As a result, it had given an unbalanced picture.

Nevertheless he was satisfied that the matter had since been dealt with appropriately by The Acting Chief Executive and Senior Managers.

Members would be consulted for their views at a seminar on 31 March (see (f) above). Those views would then be reported back to the Standards Committee.

The Leader said that he was extremely sorry that a misleading picture had been given of the relationship between Members and officers and that it was his earnest wish that Members and Officers should work together.

124. BUDGET 2004/05

(a) Revenue and Capital Budget and Council Tax Resolution 2004/05

It was noted that the Budget had been considered by Cabinet at its meeting on 11 February 2004 and recommended to Council for approval.

The Chairman invited Councillor While as Corporate Portfolio Holder to present the 2004/05 budget.

Councillor While referred to the challenges and financial difficulties faced by the Council last year. There had been an overspend on the revenue budget, this had now been significantly reduced to just under £200k due to the measures introduced regarding bed and breakfast accommodation. The Council had received a disappointing Rate Support Grant settlement, saw the end of the Housing Support Grant and had agreed the settlement with West Wiltshire Housing Society.

However, in looking to the future, he was pleased to report that the Council's reserves had gone up to just under £1m and it was hoped that this figure could be maintained. He considered that there was now a sound financial base with sound financial monitoring. The Council would need to remain financially prudent, have due regard to the contingency fund and maintain its reserves. Any new spend would have to be from within existing resources.

He thanked officers for their hard working in preparing the budget material, in particular Ian Jamieson and his finance team, the Acting Chief Executive and the Corporate Team and Service Managers and their respective teams.

Councillor While then proposed the budget which was seconded by Councillor Payne as follows:

That Council agrees the following spending proposals for 2004/05:

- (i) A General Fund budget of £11.439 million, for which a Council Tax band D of £122.38 would be levied.**
- (ii) A Capital Programme of £4.484 million.**

To agree the Council Tax resolution as presented.

The Head of Financial Services gave a power point presentation of the budget for the Council's information.

The Chairman invited the Cabinet Portfolio Holders present to update Members on their particular areas. Councillors Wiltshire (Environment) and Newbury (Planning) gave updates. It was noted that the Council had been unfortunately been unsuccessful in its bid to DEFRA.

Councillor Brice gave his views as leader of the opposition.

The following amendment was then moved and seconded:

That £5,000 be reinstated in the Capital Programme to investigate an e-procurement solution for this Council.

On being put to the vote, the amendment was LOST.

A further amendments was moved and seconded as follows:

That £25,000 for parks open spaces – play equipment be reinstated in the Capital Programme.

On being put to the vote, the amendment was LOST.

A further amendment was proposed and seconded as follows:

To add at the end of the Cabinet recommendation:

....and that this Council recognising the considerable financial difficulties imposed on Council Tax payers on fixed incomes, such as pensioners, calls upon the Government to scrap the Council Tax and replace it with the fairer system of Local Income Tax.

On being put to the vote, the amendment was LOST and a recorded vote having been requested, the voting was recorded as follows:

For the Amendment (16)

Councillors Barker, Batchelor, Blakemore, Brice, Brown, Bryant, Carbin, Chivers, Cunliffe-Jones, Farkas, Newbury, Oldrieve, Osborn, Repton, Rosier, Squires.

Against the Amendment (18)

Councillors Baker, Bower, Burnan OBE, John Clegg, Marion Clegg, Conley, Davis, Hawker, Knight, March, Mudge, Payne, Phillips, Swabey, Viles, Whatley-Gibbs, While and Wiltshire.

Abstention (1)

Councillor Clark

The original motion was then put to the vote and CARRIED, and it was therefore

RESOLVED:

Revenue and Capital budgets:

That Council agrees the following spending proposals for 2004/05:

- (i) **A General Fund budget of £11.439 million, for which a Council Tax band D of £122.38 would be levied.**
- (ii) **A Capital Programme of £4.484 million.**

Council Tax Resolution

- (i) The basic amount for all towns and parishes except Trowbridge is £122.38 and in accordance with S.36(1) the bandings are:-

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
81.59	95.18	108.78	122.38	149.58	176.77	203.97	244.76

- (ii) the basic amount for Trowbridge is calculated by adding to the figure calculated in (i) above the amount of “special expenses” divided by the tax base for Trowbridge (S.34(3) i.e. £122.38 + (£125,236 / 10,149.86)

- (iii) In accordance with S34(3) of the Local Government Finance Act 1992, the basic amount for Trowbridge is £134.72 and in accordance with S.36(1) the bandings are:-

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
89.81	104.78	119.75	134.72	164.66	194.60	224.53	269.44

- (iv) That it be noted that for the year 2004/05 the major precepting authorities have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Act 1992, for each of the bandings shown below:-

Precepting Authority

	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Wiltshire County Council	568.10	662.78	757.47	852.15	1,041.52	1,230.88	1,420.25	1,704.30
Wiltshire Police Authority	80.42	93.82	107.23	120.63	147.44	174.24	201.05	241.26
Wiltshire Fire Authority	31.95	37.27	42.60	47.92	58.57	69.22	79.87	95.84

- (v) That in accordance with S.30(2) the amounts set out in Appendix B be approved as the Council Tax levels for 2004/05.
- (vi) That the Head of Financial Services or any Officer designated by him, be authorised to deal with all matters relating to the Council Tax administration, billing, collection, recovery and administration of Council Tax benefits.
- (c) Treasury Management Policy

Councillor While presented a report which advised Council of changes required to the Treasury Management Policy which had been updated for the new code, guidance and Legislation and now includes Prudential Indicators and the Annual Investment Strategy.

It was noted that the report had been considered by Cabinet at its meeting on 11 February 2004 and recommended to Council for adoption.

RESOLVED:

- (a) **That Council agrees the Treasury Management Policy Statement.**
- (b) **That Council agrees the Treasury Management Strategy Statement and Annual Investment Strategy 2004-05.**

125. STATEMENT OF ACCOUNTS 2002/03

The Chairman of Council reported that Cabinet had approved the Statement of Accounts subject to audit on 24 September 2003. A report was presented which advised of changes made which had been included in the final audited version previously circulated to Members.

There was one significant adjustment, which transferred capital resources to revenue and replenished the Council's reserves to above the recommended £1m.

RESOLVED:

That the audited Statement of Accounts for the financial year ended 31 March 2003 be noted

126. WEST WILTSHIRE ANNUAL AUDIT LETTER

Councillor While presented a report on the Audit Commission Audit and Inspection Letter for 2002/03. The actual Letter had been previously circulated to Members and was also available on the Council's web site.

It was noted that the draft report had been discussed with representatives from each of the political groups in November 2003.

The key messages were that:

- (a) Members should continue to review financial risks and the level of balances and continue to monitor expenditure against budget
- (b) Members should ensure that negotiations with the Housing Society are concluded
- (c) There have been significant improvements to the Best Value Performance Plan (BVPI's) resulting in an unqualified report

RESOLVED:

That Council notes the Audit Commission Audit and Inspection Annual Letter.

127. RECYCLING - ACHIEVING GOVERNMENT TARGETS

At the request of Cabinet at its meeting on 17 December 2003, Council was asked to consider a report presented to that Cabinet meeting on this issue.

A discussion ensued on the various recycling initiatives being promoted and it was

RESOLVED:

That Council

- (a) broadly agrees the Strategy recommended by the Policy Project Group on Recycling.**
- (b) notes with regret the failure of the DEFRA bid but requests that officers assess the implications of a twin bin system to commence in the autumn of 2004 and reports back to an early meeting of the Council**
- (c) calls upon the H M Government to encourage producers and retailers to reduce the amount of packaging of their products.**

Note: Recorded Vote

Councillors Chivers and Newbury requested that their votes against the above decisions be recorded.

128. DATES OF MEETINGS 2004/05

The Chairman presented the dates of meetings for 2004/05 for Council's approval. It was noted that the Corporate Team, Service Managers and Chairmen of Committees had been consulted. The Chairman asked Members to add two dates to the list, namely Council meetings for 8 September and 3 November 2004.

Some Members commented that it had been customary to keep the month of August clear of meetings. The Legal Services Manager explained that it was difficult to schedule all meetings without going into August, but in order to minimise the impact, meetings were scheduled at the beginning and end of the month. Furthermore, it would be very difficult to meet the performance indicators for planning if the Planning Committee did not meet in that month.

RESOLVED:

That the dates of meetings as presented including Council meetings on 8 September and 3 November 2004 be approved.

129. CABINET FORWARD WORK PLAN

RESOLVED:

That the Cabinet Forward Work Plan for the period November 2003 to February 2004 be received and noted.

130. URGENT BUSINESS - REPORTING BACK

There was no urgent business to report back.

131. REPRESENTATIVES ON OUTSIDE BODIES

Reports were made from the following Members on their attendance at meetings representing the Council:

Councillors Bower and Osborn on their attendance at the Board of West Wiltshire Housing Society. The main areas of discussion were preparations for inspection under audit and the work being undertaken to appoint a new Chief Executive.

132. REPORTS FROM MEETINGS

Council received minutes of meetings for the last cycle of meetings and accepted questions on them.

RESOLVED

That the following minutes be received and noted:

Meeting	Date	Minute nos
Planning Committee	13/11/03	52 - 59
Planning Committee	11/12/03	60 - 69
Planning Committee	08/01/04	70 - 79
Planning Committee	29/01/04	80 - 89
Cabinet	19/11/03	174 - 194
Cabinet	17/12/03	195 - 213
Cabinet	14/01/04	214 - 227
Cabinet	11/02/04	228 - 246

In moving the Cabinet minutes, the Leader wished to place on record his thanks to Tim Darsley and Peter Woodcock for acting up pending the appointment and arrival of the new Chief Executive. Council concurred with this.

Internal Overview Committee	03/12/03	67 - 78
Internal Overview Committee	04/02/04	79 - 88

External Overview Committee	12/11/03	52 - 57
External Overview Committee	21/01/04	58 - 65
Standards Committee	09/12/03	41 - 49
Standards Committee	28/01/04	50 - 58
Southern Area Committee	27/11/03	67 - 78
Southern Area Committee	05/02/04	79 - 88
Central Area Committee	06/11/03	82 - 90
Northern Area Committee	20/11/03	92 - 102
Licensing Committee	11/11/03	1 - 5
LJCC	01/12/03	23 - 31
Appeal Panel	12/02/04	1 - 6

During the acceptance of the above mentioned minutes, at 10pm it was

RESOLVED:

That the meeting continue after 10pm.

DATE OF NEXT MEETING

It was noted that the next meeting of Council would be the Annual Council meeting to be held on 21 April 2004 at the Council Offices, Bradley Road, Trowbridge

These minutes were prepared by Yamina Rhouati, Member Support Officer who can be contacted on direct line 01225 770322 or email yrhouati@westwiltshire.gov.uk

(Meeting started 7pm
Meeting finished 10.04pm)

community/word/council/mins2004/25/02/04