

# WEST WILTSHIRE DISTRICT COUNCIL

## MINUTES

Minutes of the: **WEST WILTSHIRE DISTRICT COUNCIL**

Held on: **WEDNESDAY 9 NOVEMBER 2005**

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

Present: Councillors Batchelor (Chairman), Baker, Barker, Blakemore, Bower, Brice, Brown, Bryant, Burnan OBE, Carbin, Clark, John Clegg, Marion Clegg, Cox, Cunliffe-Jones, Davis, Farkas, Fortescue, Hames, Hawker, James, Knight, Lewis, Manasseh, March, Mudge, Newbury, Oakman, Oldrieve, Osborn, Payne, Phillips OBE, Repton, Rosier, Swabey, Viles, While and Wiltshire.

Also present: Tony Frost – Chairman of the Standards Committee

Officers: Chief Executive (AP), Acting Legal and Democratic Services Manager (GC), Corporate Director (TD), Conservation Officer (CP), (Outgoing) Housing Services Manager (GH), New Housing Services Manager (NS), Member Support Team Leader (YR)

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### 357. Apologies

Apologies for absence were received from Councillors Chivers, Conley, Content Mounde and Syme.

### 358. Minutes

The minutes of the following meetings were approved as correct records and signed by the Chairman subject to an amendment to record Cllr Swabey's apologies and not attendance in the minutes of the two meetings held on 14 September 2005:

14 September 2005	-	Council Seminar
14 September 2005	-	Ordinary meeting
28 September 2005	-	Special meeting

### 359. Declarations of Interest

Cllr Clark declared a prejudicial interest in the item regarding the Trowbridge Town Centre Conservation Area as his property was located within Area A of the proposed amendments. He left the meeting when the item was discussed and returned on its conclusion.

### **360. Announcements from the Chairman**

The Chairman made the following announcements:

#### **Graham Hogg – Secondment**

Graham had taken up a secondment for 2 years as an advisor for the Office of the Deputy Prime Minister's Community Housing Task Force, based at the Government Office in Bristol. On behalf of Council, the Chairman wished Graham good luck in this post. In his absence, Nicole Smith, the Housing Needs Manager will be heading the Housing Service.

#### **David Oakensen – West Wiltshire Housing Society (WWHS)**

David Oakensen would, at the next Board meeting, be standing down as Chairman of WWHS. Later in the meeting, Cllr Osborn reported that John Alford, a tenant representative would be appointed as the new Chairman.

The Chairman wished to record the Council's thanks and appreciation for all the work Mr Oakensen had carried out as Chairman and wished him all the best for the future.

It was noted that a letter had been sent from Cllrs James, Fortescue and Mounde as current and former Housing Portfolio Holders to that effect.

#### **Special Council meeting 15 December/Group Photograph**

The Chairman reminded Members that a special meeting of Council had been arranged for 15 December in order with a view to adopting a new Constitution.

A councillor group photograph was being arranged to be held prior to the meeting on 15 December.

#### **Council Website – Members' work area**

The Members' area of the web site has been improved.

It now links through to pages which are available elsewhere on the main website, but now members will have a shortcut directly to key documents which includes access to various forms used by Members.

Details would be given in the Members' Information Sheet and Members were asked to provide any comments or suggestions on the work area to Member Support.

#### **ABRO**

With the permission of the Chairman, Cllr Osborn referred to the recent reports of redundancies at ABRO. ABRO provides the UK Ministry of Defence and other armed forces with a total repair support for fleets of heavy and light armoured vehicles, artillery and engineer systems which has a base in Warminster.

The issue had been raised at the West Wilts Economic Partnership meeting and it was hoped that the impact could be minimised. Cllr Osborn undertook to keep Members informed.

### **361. Questions**

#### **From members of the public**

No questions were asked.

#### **From members of the Council**

Questions were received from the following Members:

From Cllr Wiltshire to Cllr Content - in the absence of the Leader, dealt with by the Deputy Leader)

From Cllr Newbury to Cllr Brown

From Cllr Clark to Cllr Chivers

From Cllr Payne to Cllr Content - in the absence of the Leader, a written reply would be produced and at the request of Cllr Payne, circulated to all Members.

Note: A copy of the questions and responses are attached as an appendix to these minutes.

### **362. Open Forum**

There were no Open Forum speakers.

### **363. Notices of motion**

#### **Motion previously considered**

#### **Trowbridge Magistrates Court – Cllrs Payne and Clark**

The following notice of motion was presented to the Council meeting on 11 May 2005 and referred to Cabinet for consideration and report back to Council.

“That this authority being mindful of the status of Trowbridge as the County Town, gives its full support for the provision of a magistrates court as part of the Vision for Trowbridge process”.

The above motion was considered by Cabinet on 18 May 2005 when it had resolved to write to the Lord Chancellor’s Department; to seek the involvement of the Vision for Trowbridge group and to consider a further report.

Cabinet received an update on 20 July and again considered the motion on 28 September when it recommended that the motion be supported. A letter had since been received from Her Majesty's Court Service explaining it had no plans to review the decision to close the court house at Trowbridge. Officers had written to HM Court Service asking for details of any procedure to enable a review of its decision. Members would be kept informed of the outcome.

**RESOLVED:**

**That the above notice of motion be adopted.**

**New Motion**

**Telecommunications Mast Planning Control Bill – Cllrs Chivers, Barker and Content**

The following motion was proposed and seconded:

“That this Council fully supports Andrew Stunnell MP Private Members’ Bill (Telecommunications Mast Planning Control Bill).

This Council seeks support from Local MP’s Michael Ancram and Andrew Murrison and asks them to give their full support to this Bill and asks the Chairman of Council to write seeking their full support when this Bill is brought forward.”

The Chairman advised that he and the Deputy Leader had agreed that there would be no debate on this motion and if carried would stand referred to Cabinet.

On being put to the vote, it was

**RESOLVED:**

**That the above motion be referred to Cabinet for consideration and report back to Council.**

**364. Housing Strategy**

As Housing Portfolio Holder, Cllr James presented the draft Housing Strategy for Council’s consideration.

He explained the background and how the Strategy had been compiled, the involvement of a Policy Project Group, working with partners, the Government Office, stakeholders, service users and the voluntary sector and a conference being held. The Government Office had advised that the Strategy was now ‘fit for purpose’

Details of the action plan was presented which set out what the Council would be trying to achieve by 2009.

Nicole Smith gave a power point presentation which gave an overview of the Strategy and what it sought to achieve.

On behalf of the Council, the Housing Portfolio Holder thanked Graham Hogg for the hard work undertaken and commitment shown in putting together the Strategy and for his enthusiasm and ambition generally. Graham thanked Members, in particular the current and former Housing Portfolio holders (Cllrs James, Fortescue and Mounde) for their co-operation and support and the Chief Executive for his support and for giving him the opportunity to take up the secondment. The Chief Executive paid tribute to Graham's drive and ambition and his many achievements and wished him well in his secondment.

**RESOLVED:  
(UNANIMOUSLY)**

**That the Housing Strategy be adopted.**

**365. Review of Trowbridge Town Centre Conservation Area**

This matter had previously been considered by Cabinet. The Planning and Development Portfolio Holder presented a report which requested Council to note the work carried out to date and to endorse the decisions of Cabinet.

**RESOLVED:  
(UNANIMOUSLY)**

- (a) That the amendments to remove the conservation area review from The Local Development Scheme (LDS) be accepted but that the programme of review for the District's conservation areas continues in parallel with the LDS.**
- (b) That the Council agrees to the amendments proposed for the Trowbridge Town Centre Conservation Area in line with the Recommendations of the report presented and that the new boundaries are advertised in the local press and the London Gazette. Noting that a small section of Area B be amended to remove the Wincanton Logistics part of the site from it only. The remainder of Area B will be designated as the Conservation Area.**
- (c) That the Draft Conservation Area Assessment for Trowbridge Town Centre is published for public consultation with these boundary amendments included within it.**
- (c) That the final adoption of the Draft Conservation Area Assessments is delegated to Cabinet following the results of a public consultation exercise.**

**366. Allocation of Seats on Committees**

The Acting Legal Services Manager presented a report which referred to recent change in membership of the Conservative group following the resignation of Cllr Hawker from that group. The report also dealt with the consequential changes to the allocation of seats on the politically balanced committees, namely, the Planning and Scrutiny Committees.

**RESOLVED:  
(UNANIMOUSLY)**

- (a) That seats on the Scrutiny Committee and the Planning Committee be allocated in accordance with the table at paragraph 3 of the report (but noting that the correct total of seats in the Ind and WWIG columns is 2 and not 1).**
- (b) 2) That each group leader notifies the Acting Legal & Democratic Services Manager of that group's membership on the Scrutiny Committee and Planning Committee.**
- (c) That Cllr Hawker be appointed to the remaining seat on the Planning Committee.**

**367. Appointment of Members on the Standards Committee**

The Corporate Director (TD) in his capacity as Monitoring Officer presented a report which recommended the appointment of Dr Kurt Paulus as an independent member on the Standards Committee. A Panel set up in accordance with the Constitution had met to interview 5 candidates and had recommended Dr Paulus' appointment.

The report also asked Council to note the re-appointment of Horace Prickett and Mary Stacey as Parish and Town Council representatives on the Committee.

**RESOLVED:**

- (a) That Dr Kurt Paulus be appointed as an independent member on the Standards Committee.**
- (b) To note the re-appointment of Horace Prickett and Mary Stacey.**

**368. Membership of the Wiltshire County Council's Health and Overview Committee**

The Chairman reported that this Council was currently represented on the Health and Overview Committee by Cllr Cox. The County Council had recently advised this Council that due to Department of Health Guidance, Cllr Cox could not serve on that committee as a co-opted member due to the fact that he was a

member of this Council's Executive. Accordingly, Council was asked to appoint a replacement member, preferably from the membership of the Scrutiny Committee.

**RESOLVED:**

- (a) That Cllr Manasseh be appointed as this Council's representative on the Wiltshire County Council's Health and Overview Committee.**
- (b) That this Council acknowledges the valuable contribution that Cllr Cox had made to health scrutiny.**

**369. Recommendation of Cabinet**

Cllr Carbin as Finance Portfolio Holder presented a report which proposed the revision of the Prudential Indicators following changes in the capital programme and investment performance.

Cabinet had at its meeting on 28 September 2005 recommended the adoption of the revised indicators.

**RESOLVED:  
(UNANIMOUSLY)**

**That the revised prudential indicators be adopted.**

**370. Cabinet Forward Work Plan**

The Deputy Leader presented the Cabinet Forward Work Plan and advised that the following items would now be deferred from December 2005 to January 2006:

Recycling Strategy for West Wiltshire  
Southwick Country Park

**371. Urgent Business – Reporting Back**

The Chairman advised that there was no urgent business to report on.

**372. Representatives on Outside Bodies**

The Chairman invited Members to report back on meetings of outside bodies they had attending representing the Council.

The following reports were made:

Cllr Manasseh – Community First

Cllr Manasseh circulated a written report. He also asked Council to give consideration to Community First being able to give a presentation to Members.

Cllr Bower – West Wiltshire Housing Society

Noted that a new Finance Director of WWHS had been appointed.

Cllr Newbury - Village Hall Grants Panel

Referred to the monies available for village hall projects funded by Wiltshire County Council and part match funded by this Council. Monies were still available.

Cllr Hames – West Wiltshire Police Community Consultative Group

A very well attended meeting including WWDC members. Main issue considered was neighbourhood policing and plans for 25% of costs being met by local authorities instead of from the police precept. This was likely to be challenged given the financial constraints of local authorities.

Cllr Osborn – West Wiltshire Housing Society

Cllr Osborn was pleased to learn that the new Chairman of WWHS would be a tenant representative, Mr John Alford. Mr Alford was the Chairman of the Studley Green (Trowbridge) Tenants and Residents' Association.

Cllr Cox – Chief Constable of Wiltshire

They had discussed proposals to amalgamate police forces and the funding implications.

**373. Reports of Meetings**

Council was invited to receive and note minutes of meetings presented to the Council meeting on 14 September which had not been dealt with due to the lateness of the hour and minutes of meetings held during the last cycle of meetings. Members were given the opportunity of raising questions on them for clarification purposes.

Minutes of last cycle of meetings:

<b>Meeting</b>	<b>Date</b>	<b>Minute Numbers.</b>
Cabinet	26/10/05	604 - 623
Cabinet	28/9/05	576 -603
Licensing sub committee	13/10/05 - The Laverton,	1 - 3

	Westbury	
Licensing sub committee	29/9/05 - Bar More, Trowbridge	1 - 3
Licensing sub committee	29/9/05 - Wesley Road Club, Trowbridge	1 - 3
Licensing sub committee	23/9/05- The Bear, Bradford on Avon	1 - 3
Licensing sub committee	23/9/05- Horse & Groom, Westbury	1 - 3
Licensing sub committee	16/9/05- White Hart, Warminster	1 - 3
Licensing sub committee	16/9/05 - Farmers Hotel, Warminster	1 - 3
Licensing sub committee	13/9/05- Wiltshire Yeoman, Trowbridge	1 - 3
Licensing sub committee	6/9/05- United Services Club, Warminster	1 - 3
Licensing sub committee	6/9/05- The Hollies, Westbury	1 - 3
Licensing	29/9/05	7 - 12
Planning	6/10/05	381-388
Planning	22/9/05	377-380
Planning	15/9/05	369-376
Planning	8/9/05	362-368
Scrutiny	19/10/05	39 - 49
Scrutiny	7/9/05	27 - 38
LJCC	19/9/05	92 - 99
Standards	25/10/05	153 - 161
Standards	1/9/05	147 - 152

Minutes originally presented to Council on 14 September:

<b>Meeting</b>	<b>Date</b>	<b>Minute No. s</b>
Cabinet	20/07/05	531 - 552
Cabinet	31/08/05	553 - 575
Licensing Sub-Committee	23/08/05 – the Angel	1 - 3
	23/08/05 – the Nags Head	1 - 3
	26/08/05 – The Bunch of Grapes	1 - 3

Cllr Phillips drew attention to the Licensing Act fee structure. As this was based on the rateable value of a property, nursing homes were having to pay a high fee and usually even higher than publicans. He asked for this to be raised with the Government. This matter had been raised at the Licensing Committee on 29 September 2005 when it was resolved to lobby the Government on this

issue. The Chairman of Council undertook to ensure this matter was taken up with the Government.

Planning	23/06/05	319 - 326
Planning	13/07/05	327 - 332
Planning	14/07/05	333 - 343
Planning	04/08/05	344 - 353
Planning	25/08/05	354 - 361
Scrutiny	06/07/05	15 - 26
Warminster Area Seminar	09/06/05	14 - 25
Bradford on Avon Seminar	16/06/05	19 - 32
Melksham Area Seminar	07/07/05	20 - 30
Trowbridge Area Seminar	18/07/05	12 - 23
Westbury Area Seminar	26/07/05	28 - 42

### **Date of Next Meetings**

Special Council meeting (Constitution) – 15 December 2005 7.00pm

Next scheduled meeting of Council (Council Tax Setting meeting) – 22 February 2006 – 7.00pm

These minutes were prepared by Yamina Rhouati, Member Support Team Leader who can be contacted on direct telephone line 01225 770322 or email [yrhouati@westwiltshire.gov.uk](mailto:yrhouati@westwiltshire.gov.uk)

(7.00pm – 8.10pm)