

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

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

Held on: **WEDNESDAY 22 FEBRUARY 2006**

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

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

Officers: Chief Executive (AP), Corporate Directors (IG, PW & TD), Head of Human Resources, Head of Finance, Management Accountant (SH), Principal Lawyer (A-AP), Communications Officer (LK) Member Support Team Leader (YR) and Member Support Officer (MS)

1. **Apologies**

Apologies for absence were received from Cllrs Baker, John Clegg, Marion Clegg, Farkas and Syme.

2. **Minutes**

The minutes of the meeting held on 9 November and the Special meeting held on 15 December 2005 were approved as correct records and signed by the Chairman.

3. **Declarations of Interest**

The Chairman called for declarations of interest. He specifically drew Members attention to the advice given and circulated at the meeting regarding declaring interests on the Treasury Management Statement.

The following interests were declared:

Review of Conservation Areas – Bradford on Avon and Warminster (minute no. 11)

Cllr Batchelor – His business is within the Warminster Conservation Area

Questions and Revenue Budget re West Wiltshire Community Wildlife Project
(minute no. s 5 & 8 (a))

Cllr Carbin - has a family membership of Wiltshire Wildlife Trust
Cllr Hawker - member of Wiltshire Wildlife Trust
Cllr Swabey - member of Wiltshire Wildlife Trust

Treasury Management Statement (minute no. 8 (c))

Cllr Rosier - employee of Lloyds TSB
Cllr Clark - personal interest in the following:
Banks as shareholder: Alliance and Leicester plc; Barclays
Bank plc; Halifax plc; Royal Bank of Scotland
Building Societies as a member: Nationwide; Britannia;
Yorkshire; Portman and Skipton
Cllr Mounde Prejudicial interest

4. Announcements from the Chairman

(a) Resignation of Cllr Kay Whatley-Gibbs

The Chairman announced that Cllr Kay Whatley-Gibbs had resigned from the office of Councillor.

(b) Special Council Meeting – 1 March

The Chairman reminded Members that a special meeting of Council had been arranged if necessary, for Wednesday 1 March at 7.00pm (prior to the Scrutiny Committee). The purpose of the special meeting was for Council to confirm any substitute precept for Trowbridge following the special meeting of Trowbridge Town Council on 23 February.

5. Questions

From members of the Council

The Chairman reported receipt of questions :

from Cllr Chivers to Cllr Content, Leader
from Cllr Clark to Cllr Content, Leader (4 questions)

From Members of the public

The Chairman reported receipt of one question:

from Heloise Tierney to Cllr Brown, Environment Portfolio Holder

Note: A copy of all questions and replies given are attached as an appendix to these minutes.

6. Open Forum

There were no open forum presentations.

7. Notices of Motion

(a) Motions previously considered

The following motion was previously presented to Council on 9 November and referred to Cabinet for consideration and report back to Council:

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

“This Council fully supports Andrew Stunell 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”

Cabinet considered the motion at its meeting on 23 November 2005 as well as a report which gave details of the Bill and what it sought to achieve. Cabinet made the following recommendation to Council:

This Council seeks support from the Local Government Association and 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 for the reintroduction of this Bill in new parliamentary session.

RESOLVED:

That the above recommendation of Cabinet be adopted.

Note: Recorded Vote

Cllr Phillips requested that his vote against the above decision be recorded.

(b) New Motions

Reducing accidents in Melksham North Ward – Cllrs Barker and Chivers

Council was asked to consider the following notice of motion :

“This Council notes with great concern that the ward of Melksham North finds itself in the top third of wards in England and Wales for road accidents related injuries to under 16 year olds and over 60 year olds. After research by the Child Accident Prevention Trust.

Between 2000 and 2003 17 accidents occurred to under 16 year olds and 60 year olds at a cost of £1,118,430 to society. This information is from Police Data and the project has been funded by The Department of Health.

As a matter of urgency this Council works with its partners such as Wiltshire County Council, Melksham Town Council and West Wiltshire Housing Society and others in a bid to reduce accident rates within this ward.

In doing so it may be possible to meet the Government target of reducing accidents to the young and old by 50% by the year 2010."

RESOLVED:

That the above motion be referred to the Scrutiny Committee for consideration and report back to Council.

8. Budget 2006/07

(a) Revenue and Capital Budget 2006/07

Cllr Carbin as Finance Portfolio Holder presented the budget which he said had been designed to achieve good progress against the Corporate Plan. He referred to the Council's achievements, initiatives and budgeting for emerging priorities.

He moved the budget as detailed in the report presented and this was seconded.

(Note: Cllr Mounde arrived during the budget presentation).

Cllr While presented an alternative budget as an amendment and proposed that the Council tax increase be reduced from the proposed 4.99% to 2.5% to be in line with inflation. He itemised areas where in his view this could be funded from. This proposal was seconded.

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

For the amendment (18)

Cllrs Bower, Burnan OBE, Clark, Conley, Davis, Fortescue, Hawker, Knight, March, Mounde, Mudge, Newbury, Payne, Phillips, Swabey, Viles, While and Wiltshire

Against the amendment (20)

Cllrs Barker, Batchelor, Blakemore, Brice, Brown, Bryant, Carbin, Chivers, Content, Cox, Cunliffe-Jones, Hames, James, Lewis, Manasseh, Oakman, Oldrieve, Osborn, Repton and Rosier

Abstentions (nil)

A further amendment was proposed to reinstate the following items in the budget to be funded from the contingency fund:

£		
3,060	-	Wiltshire Rural Transport partnership
4,000	-	Play area grants
5,000	-	Arts development

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 (18)

Cllrs Bower, Burnan OBE, Clark, Conley, Davis, Fortescue, Hawker, Knight, March, Mounde, Mudge, Newbury, Payne, Phillips, Swabey, Viles, While and Wiltshire

Against the amendment (20)

Cllrs Barker, Batchelor, Blakemore, Brice, Brown, Bryant, Carbin, Chivers, Content, Cox, Cunliffe-Jones, Hames, James, Lewis, Manasseh, Oakman, Oldrieve, Osborn, Repton and Rosier

Abstentions (nil)

The original motion was then put to the vote and CARRIED and a recorded vote having been requested, the voting was recorded as follows:

For the motion (22)

Cllrs Barker, Batchelor, Blakemore, Brice, Brown, Bryant, Carbin, chivers, Content, Cox, Cunliffe-Jones, Hames, Hawker, James, Lewis, Manasseh, Newbury, Oakman, Oldrieve, Osborn, Repton and Rosier

Against the motion (16)

Cllrs Bower, Burnan OBE, Clark, Conley, Davis, Fortescue, Knight, March, Mounde, Mudge, Payne, Phillips, Swabey, Viles, While and Wiltshire

Abstentions (nil)

It was therefore

RESOLVED:

That Council agree the following spending proposals for 2006/07:

- (i) A general fund revenue budget of £13.968 million for which a council tax level band D of £134.26 will be levied.**
- (ii) Approve the capital programme of £3.271 million.**

(c) Council Tax Resolution

Having set the budget, Council considered a report which recommended the Council tax for 2006/07.

RESOLVED:

That it be noted that at its meeting on 11 January 2006, the Cabinet calculated the amount of 46,498.98 as the Council Tax base for the year 2006/07 in accordance with Regulation 3 of the Local Authorities (calculation of Council Tax base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992 (as amended)

That the following amounts be now calculated by the Council for the year 2006/07 in accordance with Section 32 to 36 of the Local Government Finance Act 1992 (as amended):-

	£
Total gross expenditure including expenditure of £3,474,725.91 for Town and Parish precepts	51,678,406
Total gross income including use of balances	34,291,974
TOTAL NET EXPENDITURE:	17,386,432
Less:-	
Revenue Support Grant	1,240,753
National Non-Domestic Rates	6,427,587
Community Charge Collection Fund Surplus	413
Council Tax Collection Fund Surplus	0
AMOUNT REQUIRED FROM COUNCIL TAX:	9,717,679

These are aggregate amounts calculated in accordance with the Local Government Finance Act 1992, Sections: -A) 32(2) a to e B) 32(3) a to c C) 32(4).

There are no Special Expenses as defined under S 35(2) d.

We are now required to calculate a number of Council Tax amounts known as "basic amounts of Council Tax". This is in accordance with the Local Government Finance Act 1992 and the relevant sections are shown in brackets.

- i) We need to calculate the basic Council Tax for the authority as a whole (S.33). This is our net budget requirement (£9,717,679) divided by our total tax base (46,498.98) and equals £208.99.

As we have town and parish precepts included in this figure, it is necessary to make a further calculation (S.34(2)).

the basic amount for every town and parish is calculated by deducting from the £208.99 previously calculated, the amount of "special items" (£3,474,725.91) divided by our total tax base.
i.e. £208.99 - (£3,474,725.91/ 46,498.98)

In accordance with S.34(2) of the Local Government Finance Act 1992, the basic amount for all towns and parishes is £134.26 and in accordance with S.36(1) the bandings are:-

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
89.51	104.42	119.34	134.26	164.10	193.93	223.77	268.52

- ii) We also need to calculate a basic amount for each parish area for which any precept issued to the authority, which is applicable to a part of its area and was taken into account by it in making the calculation in relation to paragraph 2.above. (see Parish column in Appendix A).

That it be noted that for the year 2006/07 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	619.50	722.75	826.00	929.25	1135.75	1342.25	1548.75	1858.50
Wiltshire Police Authority	88.56	103.32	118.08	132.84	162.36	191.88	221.40	265.68
Wiltshire Fire Authority	35.20	41.07	46.93	52.80	64.53	76.27	88.00	105.60

That in accordance with S.30(2) the amounts set out in Appendix A be approved as the Council Tax levels for 2006/07.

The long term empty homes discount is set at 10%.

That the Head of Finance 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.

With regards the precept for Trowbridge Town, please refer to minute no. 382 (b) above.

Note: A recorded vote was requested in respect of the above decision which was recorded as follows:

For the decision (21)

Cllrs Barker, Batchelor, Blakemore, Brice, Brown, Bryant, Carbin, Chivers, Content, Cox, Cunliffe-Jones, Hames, James, Manasseh, Newbury, Oakman, Oldrieve, Osborn, Repton and Rosier

Against the decision (4)

Cllrs Clark, Fortescue, March and Phillips OBE

Abstentions (13)

Cllrs Bower, Burnan OBE, Conley, Davis, Hawker, Knight, Mounde, Mudge, Payne, Swabey, Viles, While and Wiltshire

(c) Capital Strategy

The Finance Portfolio Holder, Cllr Carbin presented the Capital Strategy for 2006 which had been reviewed and recommended by Cabinet on 8 February 2006.

RESOLVED:

- (i) That Council approves the Capital Strategy.**
- (ii) Officers be requested to return the Strategy for the Council to consider the full implications of the borrowing levels from 2007/08 onwards.**

(c) Treasury Management Statement

The Chairman reminded Members on the advice already given on declarations of interest in relation to this item.

Cllr Carbin presented the Treasury Management Statement for Council's approval on recommendation by Cabinet on 8 February 2006. The Statement set out the strategy to be pursued in the coming financial year and includes the Prudential Indicators and Annual Investment Strategy.

RESOLVED:

That Council

- (i) approve the Treasury Management Strategy Statement 2006/07.**
- (ii) adopt the Prudential Indicators and limits for 2006/07 to 2008/09 as detailed in the appendix of the report presented.**
- (iii) approve the Annual Investment Strategy 2006/07 as detailed in paragraph 7 of the Treasury Management Strategy Statement.**

Note: Declaration of Interest

Cllr Mounde who had not been present at the time when the advice on

declarations of interest on the above item had been given, declared a prejudicial interest in the above item.

9. Capital Programme 2005/06

Cllr Carbin presented a report in which Council approval was sought to revise the 2005/06 Capital Programme following recommendation by Cabinet on 11 January 2006.

The revisions were as follows:

+£100k	-	infrastructure costs for a gypsy site
+£68k	-	grounds maintenance vehicles and plant (minute no. 14)
+£35k	-	Trowbridge cemetery infrastructure costs
+£15k	-	increase in disabled facilities grants subsidy
+£80k	-	housing PFI set up costs
- £32	-	minor amendments as detailed in the appendix presented.

The current Capital programme now stood at £6.525m gross reduced to £4.837m net after external funding.

RESOLVED:

That Council approves the revised Capital Programme.

10. Statement of Accounts 2004/05

Council was asked to approve the Statement of Accounts. Council had previously approved the statement, subject to audit, on 29 June 2005. This report gave details of minor changes made following the audit, all of which had been included in the final audited version.

RESOLVED:

That the audited statement of accounts for the financial year ended 31 March 2005 be noted.

11. Review of Conservation Areas – Bradford on Avon and Warminster

The Planning and Development Portfolio Holder presented a report which detailed the recommendations of Cabinet dated 8 February 2006. This included the setting up of Policy Project Groups to assist in the review of each conservation area and production of an assessment.

RESOLVED:

- (a) To endorse the Cabinet's decision from 8 February 2006.**
- (b) To delegate powers to Cabinet to consider the boundary changes and character assessment for each Conservation Area.**

Note: Having already declared his interest in the above, Cllr Batchelor

requested his abstention from voting be recorded on the above item.

12. Dates of Meetings 2006/07

Council was asked to approve the schedule of meeting dates for 2006/07. Council was advised that the schedule included provisional dates for training of Members.

RESOLVED:

That the dates of meetings be approved.

13. Cabinet Forward Work Plan

RESOLVED:

That the Cabinet Forward Work Plan be noted.

14. Urgent Business – Reporting Back

Council was advised of an urgent decision taken by the Leader in consultation with the Chief Executive in accordance with S.18 - Urgent Decision Procedure of the Constitution.

The decision related to approving an additional £68k to the 2005/06 Capital Programme to purchase grounds maintenance machinery required as part of the extension of the contract with English Landscapes (minute no. 9 also refers). This was in line with the Cabinet decision dated 28 September 2005. All Members had been previously notified of the decision taken.

RESOLVED:

That the decision taken using the Urgent Decision procedure be noted.

15. Representatives on Outside Bodies

Vacancy – Bradford on Avon Historic Buildings Joint Committee

Cllr Phillips volunteered for this position.

Note: Cllr Phillips was subsequently appointed following approval of the Leader.

West Wiltshire Police Consultative Committee – Cllr Hames

Cllr Hames referred to reports he made at Cabinet on the above.

16. Reports of Meetings

Council was asked to receive and note the minutes of the following meetings. This was also an opportunity for Members to ask questions for information or clarification:

Meeting	Date	Minute Numbers.
Cabinet	08/02/06	19 - 34
Cabinet	11/01/06	1 - 18
Cabinet	14/12/05	645 - 666
Cabinet	23/11/05	624 - 644
Licensing	26/1/06	1 - 4
Licensing Sub Committee	17/11/05 – The Speedy Chef	1 - 3
Planning	26/01/06	9 - 18
Planning	05/01/06	1 - 8
Planning	08/12/05	405 - 414
Planning	17/11/05	396 - 404
Planning	27/10/05	389 - 395
Scrutiny	01/02/05	12 - 15
Scrutiny	18/01/05	1 - 11
Scrutiny	30/11/05	50 - 60
LJCC	12/12/05	106 - 111
LJCC	17/10/05	100 - 105
Standards	25/01/06	1 - 10
Melksham Area Seminar	03/11/05	31 - 39

RESOLVED:

That the minutes of the above be received and noted.

Note: At this point, all officers left the meeting with the exception of:
the Chief Executive, Head of Finance, Head of Human Resources,
Principal Lawyer and Member Support Team Leader.

17. Review of Management Arrangements – Part I

The Chief Executive presented a report regarding changes to the management structure of the Council. The main change was the proposal to reduce the number of Corporate Directors from three to two. If agreed, the consequence of such a decision was covered in a confidential report to be considered later in the meeting in closed session.

RESOLVED:

- (a) That Council agree that the number of Corporate Directors be reduced from three to two.
- (b) That Council note the associated changes and financial targets which had already been incorporated into the budget.

18. Exclusion of Press and Public

RESOLVED:

That under S100A (4) of the Local Government Act 1972 the public including the press be excluded from the meeting during the following item of business on the grounds that it was likely in view of the nature of business to be transacted or the nature of proceedings, that if members of the public were present during this item there would be disclosure to them of exempt information as described in paragraph 1 of Schedule 12A to the said Act.

19. Review of Management Arrangements – Part II

The Chief Executive presented a confidential report regarding implementation of the decision detailed above (minute no. 17) of reducing the number of Corporate Directors from three to two. The Head of Human Resources advised Members.

RESOLVED:

- (a) That the employment of employee No 48745 is terminated on the grounds of redundancy on 1 April 2006.
- (b) Note that the equivalent of 5 months of the contractual notice period will be paid in lieu.
- (c) That the Head of Finance and the Finance Portfolio Holder agree the detailed financing arrangements.

Date Of Next Meeting

The next scheduled meeting of Council would be held on 12 April 2006. As explained earlier in the meeting (minute no. 4 (b)), it may be necessary to hold a special meeting of Council on 1 March 2006.

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