

**THESE MINUTES WILL BE PRESENTED TO THE COUNCIL MEETING ON  
21 JUNE 2006 FOR APPROVAL AS A CORRECT RECORD.**

**WEST WILTSHIRE DISTRICT COUNCIL**

**MINUTES**

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

Held on: **WEDNESDAY 10 MAY 2006**

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

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

Also present: Tony Frost, Chairman of the Standards Committee  
Keith West, Vice-Chairman of the Standards Committee

Officers: Chief Executive (AP), Corporate Directors (IG &TD), Head of Legal & Democratic Services (NM), Head of Finance (IJ), Head of Human Resources (SL), Solicitor (GC), Policy and Scrutiny Officer (ML), Member Support Team Leader (YR), Member Support Officers (MS, SS & PS) and Democratic Support Officer (KF)

---

**43. Election of Chairman 2006/07**

Nominations were sought for the position of Chairman of Council for 2006/07.

**Cllr Batchelor** was proposed by Cllr Content and seconded by Cllr Cox

**Cllr Viles** was proposed by Cllr J Clegg and seconded by Cllr Knight

Cllr Batchelor explained that he had been advised that should he be nominated and accept the nomination, he could not preside over the election of Chairman. A Chairman if present had to preside. In the circumstances, at this point, Cllr Batchelor asked his Vice-Chairman to preside and left the meeting.

Cllr Vic Oakman in the Chair

There being no other nominations, a vote was taken and Cllr Batchelor was duly elected Chairman of Council. A recorded vote was requested and the voting was recorded as follows:

### **For Cllr Batchelor ( 22)**

Cllrs Barker, Blakemore, Brice, Brown, Bryant, Carbin, Chivers, Content, Cox, Farkas, Hames, James, Lewis, Lovell, Manasseh, Newbury, Oakman, Oldrieve, Osborn, Repton, Rosier and Syme

### **For Cllr Viles (19)**

Cllrs Baker, Bower, Burnan OBE, J Clegg, M Clegg, Conley, Davis, Fortescue, Hawker, Knight, March, Mounde, Mudge, Payne, Phillips OBE, Swabey, Viles, While and Wiltshire

### **Abstention (1)**

Cllr Clark

Notes: Cllr Cunliffe-Jones was not present when her name was called for the above recorded vote. She arrived whilst the votes were still being taken and was denied the opportunity to vote as she was not present when her name had been called.

Cllr Barker requested that it be recorded that she was unhappy that the Chairman had to vacate the room.

### **RESOLVED:**

**That Councillor Paul Batchelor be elected Chairman of West Wiltshire District Council for 2006/07.**

Councillor Batchelor then signed the statutory Declaration of Acceptance of Office Book.

### **Cllr Paul Batchelor in the Chair**

#### **44. Appointment of Vice-Chairman 2006/07**

Nominations were sought for the position of Vice-Chairman of Council for 2006/07.

**Cllr Oakman** was proposed by Cllr Manasseh and seconded by Cllr Chivers.

**Cllr Conley** was proposed by Cllr March and seconded by Cllr Viles

There being no other nominations, a vote was taken and Cllr Oakman was duly appointed Vice-Chairman of Council. A recorded vote was requested and the voting was recorded as follows:

### **For Cllr Oakman ( 24)**

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

### **For Cllr Conley (19)**

Cllrs Baker, Bower, Burnan OBE, J Clegg, M Clegg, Conley, Davis, Fortescue, Hawker, Knight, March, Mounde, Mudge, Payne, Phillips OBE, Swabey, Viles, While and Wiltshire

### **Abstention (1)**

**Cllr Clark**

### **RESOLVED:**

**That Councillor Vic Oakman be appointed Vice-Chairman of West Wiltshire District Council for 2006/07.**

#### **45. Apologies**

No apologies for absence were received.

#### **46. Declarations of Interest**

No declarations of interest were made.

#### **47. Minutes**

The minutes of the last meeting held on 12 April 2006 were approved as a correct record and signed by the Chairman.

#### **48. Announcements from the Chairman**

##### **Cllr David Lovell**

The Chairman welcomed Cllr David Lovell to this, his first Council meeting following his success at the Warminster East By-election on 20 April 2006.

##### **Planning Training**

The Chairman reminded Members that training on planning had been arranged for the following evening, 11 May 2006, prior to the Planning Committee.

**49. Dates of Meetings**

**RESOLVED:**

**That the dates of meetings as presented for 2006/07 be ratified.**

**50. Election of Leader of Council 2006/07**

Cllr Content was proposed and seconded by Cllrs Manasseh and Oakman respectively.

Cllr Phillips OBE was proposed and seconded by Cllrs Payne and Clark respectively.

There being no other nominations, a vote was taken and Cllr Content was duly elected Leader of the Council. A recorded vote was requested and the voting was recorded as follows:

**For Cllr Content (24)**

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

**For Cllr Phillips (20)**

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

**Abstentions (0)**

**RESOLVED:**

**That Cllr Sarah Content be elected Leader of West Wiltshire District Council for 2006/07.**

**51. Membership of Cabinet**

The Leader reported that Cllr Hames had resigned his position on the Cabinet. She thanked him for all his hard work and the valuable contribution he had made.

The Leader also reported that she had appointed Cllr Bryant to the Cabinet as Community Portfolio Holder including Community Safety. Policy would now come under Cllr Carbin's Finance Portfolio Holder.

The composition of Cabinet was therefore as follows:

Rosemary Brown	Environment
Andrew Bryant	Community
Trevor Carbin	Finance & Policy
Sarah Content (Leader)	Strategy & Publicity
Gordon Cox (Deputy Leader)	Leisure
Tom James	Housing
Jeff Osborn	Planning & Development
John Syme	Communications

**52. Appointment of Committees and Review of Allocation of Seats on Committees**

Council considered a report following the result of the Warminster East by-election and the establishment of new committees in accordance with the adopted Constitution.

**RESOLVED:**

**That Council :**

- (a) notes the report presented and the legal requirements,**
- (b) approves the aggregate number of Committee places available to members of the Council as 69,**
- (c) appoints members to the following committees based on the table set out in the report presented,**

**Planning Committee  
Scrutiny Committee  
Audit Committee  
Staffing and Appointments Committee  
Appeals Panel**

- (c) allocates to Cllr Hawker, one place on the Planning Committee and one place on the Appeals Panel,**
- (d) appoints six Members to the Local Joint Consultative Committee,**
- (e) confirms the size of the Licensing Committee as 15 and appoints members to it,**
- (f) appoints four members to the Standards Committee and**
- (g) appoints substitute members on a one for one basis to the following Committees**

**Planning Committee  
Scrutiny Committee  
Audit Committee  
Staffing and Appointments Committee  
Local Joint Consultative Committee (LJCC)**

**Note: Details of committee membership as approved by Council under the above resolutions are attached at Appendix A.**

**53. Annual Appointment of Representatives on Outside Bodies**

Council was asked to make annual appointments to outside bodies as shown on the schedules presented. All Members had been canvassed for their preferences and/or willingness to continue to serve, details of which were presented. Council was updated on those who had since withdrawn their nominations.

There were no nominations for representation on West Wiltshire Primary Care Trust.

**RESOLVED:**

**That appointments to outside bodies for 2006/07 be approved as shown at Appendix B.**

Note: Appointments to the under mentioned organisations were made following a ballot/recorded vote of Members with the results as shown:

Ballots

**Warminster and Westbury Historic Buildings Joint Committee**

Cllr Davis	19 votes
Cllr Lovell	26 votes
Cllr Manasseh	29 votes

Cllrs Lovell and Manasseh were therefore appointed and Cllrs Newbury and Davis were appointed as deputy representatives.

**West Wiltshire Housing Society Board**

Cllr Bower	31 votes
Cllr Chivers	23 votes
Cllr M Clegg	21 votes
Cllr Cox	23 votes
Cllr Lovell	23 votes
Cllr Osborn	22 votes

Cllrs Bower, Chivers, Cox, Lovell and Osborn were therefore appointed.

## **West Wiltshire Police Community Consultative Group**

Cllr Hames	28 votes
Cllr Oakman	24 votes
Cllr Mudge	20 votes
Cllr Syme	23 votes

Cllr Hames, Oakman and Syme were therefore appointed.

Recorded Votes

## **Campaign for the Protection of Rural England**

### **For Cllr Fortescue (19)**

Cllrs Baker, Bower, Burnan OBE, J Clegg, M Clegg, Conley, Davis, Fortescue, Hawker, Knight, March, Mounde, Mudge, Payne, Phillips OBE, Swabey, Viles, While and Wiltshire

### **For Cllr Osborn (25)**

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

Cllr Osborn was therefore appointed.

## **Local Transport Plan**

### **For Cllr Knight (20)**

Cllrs Baker, Bower, Burnan OBE, Clark, J Clegg, M Clegg, Conley, Davis, Fortescue, Hawker, Knight, March, Mounde, Mudge, Payne, Phillips OBE, Swabey, Viles, While and Wiltshire.

### **For Cllr Osborn (24)**

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

Cllr Osborn was therefore appointed.

## **54. Annual Report of the Scrutiny Committee and Work Plan**

Council received a report which gave details of the work that the Scrutiny Committee had undertaken over the period May 2005 to April 2006 together with details of the Committee's plans for future agenda items.

**RESOLVED:**

**That Council notes the work undertaken by the Scrutiny Committee during 2005/06 and approves the Committee's annual work programme for 2006/07.**

**55. Questions from Members of the Public**

No questions had been received.

**56. Reports from Members of the Cabinet**

Cllr Content referred to the many achievements of the Council over the past year, thanked members of her Cabinet and expressed appreciation for the support of members of the Council.

**57. Reports of Committees**

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.

<b>Meeting</b>	<b>Date</b>	<b>Minute No.'s</b>
Cabinet	5 April	56 - 74
Licensing Sub Committee	20 April – Prestbury Sports Bar	1 - 3
Licensing	27 April	5 - 8
Planning	20 April	44 - 51
	30 March	35 - 43
Scrutiny	19 April 2006	28 - 40
Standards	15 March	11 - 19

**RESOLVED:**

**That the minutes of the above meetings be received and noted.**

**58. Notices of Motion**

**(a) Motions previously considered – Reporting Back**

The following notice of motion was presented to Council on 22 February 2006 and referred to the Scrutiny Committee which considered it at its meeting on 19 April 2006:



**(i) Reducing Accidents in Melksham North Ward – Cllrs Barker and Chivers**

“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 Date 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.”

The Scrutiny Committee noted that a similarly worded notice of motion had also been considered by the County Council which had resolved: “To note that based on the most recent three year casualty data, Melksham does not have a child pedestrian safety problem”.

In view of the County Council’s resolution, the Scrutiny Committee had recommended that no further action be taken on this notice of motion given the findings of the Wiltshire County Council.

**RESOLVED:**

**That the recommendation of the Scrutiny Committee be accepted and that the above notice of motion be not adopted.**

**(i) Appraisal of Development Control and Enforcement Functions  
- Cllrs Phillips and Clark**

The following notice of motion was presented to Council on 12 April 2006 and referred to Cabinet to consider the resource implications of such a motion:

“This motion requests the Council to carry out a thorough appraisal of the development control and enforcement functions of the planning department, particularly in the light of the withdrawing over a period of the government’s planning delivery grant. This is in order to ensure that the department is capable of carrying out its statutory functions in respect of dealing with planning applications and carrying out enforcement for contravention purposes.”

Cabinet at its meeting on 3 May resolved as follows:

That in light of :

- the information contained in this report and;
- the fact that it is already the intention to provide reports to the Scrutiny Committee in July in respect of the enforcement service and in October in respect of the development control service

this notice of motion be NOT adopted and that Council be advised accordingly.

**RESOLVED:**

**That the above resolution of Cabinet be noted and accepted.**

Note: Recorded Votes

Cllrs Clark and Phillips OBE requested that their votes against the above resolution be recorded.

**(b) New Motions Received**

**No. 1 – Members’ Allowances – Cllrs Hawker and Newbury**

"In accordance with the agreed formula for annual index linking, Council resolves

- (1) to approve an increase in members' allowances for the fiscal year April 2005 to March 2006, which was overlooked and not made at the appropriate time;
- (2) that this increase be applied before the calculation of the new rates of members' allowances (in accordance with the agreed formula) as approved at the last Council meeting for the fiscal year April 2006 to March 2007; and
- (3) that with regard to any arrears of allowances for the period April 2005 to March 2006 which result, these should be included in the next payment to all members."

**RESOLVED:**

**That the above notice of motion be adopted subject to the word ‘fiscal’ being changed to ‘financial’.**

**No2 – Minority Group Notice of Motion – Boundary Committee – Cllrs Phillips OBE and Clark**

Cllrs Phillips OBE and Clark proposed the following motion:

"In the light of the information given on the Members' Information Sheet no. 556 with regard to the Boundary Committee, this motion asks the Council to reconsider the decision not to make any submissions to the Boundary Committee on the proposed reorganisation, bearing in mind that this Authority

has a responsibility to act for its members in matters such as this, and the proposal by the Boundary Committee to incorporate combinations of rural and town seats is contrary to their own policy.

Bearing in mind the time scale for submissions of the 22nd May, we ask that this matter is addressed urgently by the officers of the Authority in conjunction with members direct.”

In presenting the motion, Cllr Phillips explained that he agreed with the submission made by Trowbridge Town Council and the Council should be making its views strongly to the Boundary Committee.

Council considered a report of the Chief Executive which gave the background to the Boundary Committee Review and explained the time scales involved and the next steps remaining in the timetable.

It was explained that it was not considered feasible at this stage to submit another scheme on behalf of the Council. The approach of the Boundary Committee had clearly shown that the Council’s time would not be effectively employed in submitting another scheme. The Chief Executive did however point out that he would be meeting with representatives of the Boundary Committee when he would reinforce the stance previously made by Members. Members could also send any further comments individually direct to the Boundary Committee and it would be helpful if any such comments could be copied to the Chief Executive.

**RESOLVED:**

- **To note the process and that the Council would not be submitting a revised proposal.**
- **The Chief Executive on behalf of the Council would prepare a submission to reinforce Members’ views and any common themes.**
- **That any Members wishing to make any further comments should do so directly to the Boundary Committee.**

**59. Questions from Members of the Council**

One question was received from Cllr Clark to the Leader of the Council.

Note: A copy of the question and answer is attached at Appendix C.

**60. Representatives on Bodies – Reporting Back**

The following Members reported on their attendance at meetings of outside bodies:

Cllr Osborn - West Wiltshire Housing Society  
Cllr Bower - West Wiltshire Housing Society  
Cllr Mounde - Cranborne Chase Area of Outstanding Natural Beauty

## Partnership

### **61. Cabinet Forward Work plan**

The Leader presented the latest Cabinet Forward Work Plan.  
Cllr Burnan queried that there were so few key decision items on the Work Plan.  
The Leader undertook to give a written answer.

#### **RESOLVED:**

**That the Cabinet Forward Work Plan be received and noted.**

### **62. Urgent Departure Decisions – Reporting Back**

No urgent decisions had been made.

Note: on conclusion of this meeting, each of the following committees met to elect their respective Chairman and Vice-Chairman:

- Audit Committee
- Licensing Committee
- Planning Committee
- Scrutiny Committee
- Staffing and Appointments Committee

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 – 9.50pm)