

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

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

Held on: **WEDNESDAY 12 SEPTEMBER 2007**

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

Present: Councillors Alford, Binding, Blakemore, Brown, Bryant, Burden, Carbin, Clark, Davis, Eaton, Ezra, Fortescue, Fuller, Hawker, Hedley, Humphries, James, Jenkins, King, March, Martindale, Mudge, Newbury, H Osborn, J Osborn, Payne, Phillips OBE, Repton, Ridout, Seager, Swabey, While and Wiltshire

Officers: Chief Executive (AP), Corporate Director (TD), Environmental Health Service Manager (JC), Planning Policy and Conservation Services Manager (MR), Principal Lawyer (A A-P), Member Support Team Leader (PS) and Democratic Support Officer (KF)

Also in attendance: Tony Frost (Chairman of Standards Committee)

85. Apologies

Apologies for absence were received from Cllrs Bolwell, Carr, Coop, Denison-Pender, Griffiths, Mounde, Parks and Walker

86. Declarations of Interest

Item No. 3 – Announcements from Chairman	Cllr Chivers Cllr Osborn Cllr Ridout	Personal interest - Members of Housing Society Board
Item No. 8 - Appointment of Councillors to the Planning, Licensing and Scrutiny Committees	Cllr Newbury Cllr Hawker	Personal interest – acquainted with Cllr Wyeth Personal interest – acquainted with Cllr Reed
Item No. 14 Update on Local Government Reorganisation	Cllr Chivers Cllr Davis Cllr J Osborn Cllr Swabey Cllr While	Personal interest – Members of Wiltshire County Council

87. **Announcements from the Chairman**

West Wiltshire Housing Society

The Chairman asked Cllr Fortescue to update members on a matter arising from a meeting of West Wiltshire Housing Society. Cllr Fortescue tabled a paper in which the Society proposed to change its name to Selwood Housing Society with effect from April 2008. This matter would be decided at the Society's AGM in October 2007. She requested members' views on this name change.

A debate ensued and it was

RESOLVED

That Council notes the paper presented on behalf of the Housing Society and their intended name change.

Lafarge Liaison Group

The Chairman announced that there was a vacancy on the above Group and if anyone was interested to contact Member Support.

Hope Nature Centre

The Chairman said that she had donated £100 towards the cost of repairs to the centre following a fire.

88. **Minutes**

The minutes of the council meeting held on 20 June 2007 and the extraordinary meeting of 8 August 2007 were approved as a correct record and signed by the Chairman.

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

No questions had been received.

90. **Appointment of Councillors to the Planning, Licensing and Scrutiny Committees**

Nominations were requested to replace members who had resigned from the Planning, Scrutiny and Licensing Committees.

RESOLVED

that

- **Cllr Alford replace Cllr Eaton on the Planning committee**
- **Cllrs Humphries and Fuller replace Cllrs Griffiths and Swabey on the Scrutiny committee**
- **Cllr Hedley replaces Cllr Blakemore on the Licensing committee**

91. **Appointment of Town and Parish Representatives on the Standards Committee**

Council were asked to approve the appointment of a Town and a Parish representative to the Standards committee following due process for their election.

RESOLVED:

That Council appoints Cllr Joan Kinder of Melksham Town Council as the Town Council representative and Cllr Rosemary Wyeth of Codford Parish Council as the Parish Council representative to the Standards Committee.

Recorded vote: Cllr Newbury requested that his abstention from the above vote be recorded.

92. Reports from Cabinet and Cabinet Members

Cllr Payne said that he had written to MP's asking them to work towards an amending clause to the Local Government Reorganisation Bill with a view to the removal of the unitary status provision.

Cllr Eaton said that the relevant papers had gone to the barrister who was co-ordinating a response to the Consultation paper.

There had been some guidelines issued by Wiltshire County Council which were in line with the government's planned joint arrangements.

Another six Counties were going for judicial review alongside ourselves.

93. 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.

Meeting	Date	Minute No.'s
Audit	28 July	14 - 29
Bradford on Avon Area	19 July	14 - 29
Bradford on Avon HBJC	10 July	11 - 17
Cabinet	4 July	102 - 116
Extra Cabinet	8 August	117 - 119
Licensing	24 July	6 - 8
LJCC	11 June	19 - 25
Planning	7 June	66 - 71
	21 June	72 - 78
	12 July	79 - 85
	2 August	86 - 92

	23 August	93 - 100
Scrutiny	13 June	29 - 39
	18 July	40 – 51
Standards	5 July	30 - 37
	25 July	38 - 46
Standards Sub-Committee	26 July	1 - 2
Trowbridge HBJC	11 July	1 - 7
Warminster and Westbury	20 June	10 - 15
Westbury Area Seminar	26 July	12

RESOLVED:

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

94. Notices of Motion

No notices of motion, within the deadline for this meeting, had been received.

95. Questions from Members of the Council

Questions were received from Cllr Clark to Tony Frost, Chairman of the Standards Committee and to the Leader of the Council, Cllr Graham Payne. The replies were accepted by Cllr Clark.

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

96. Representatives on Outside Bodies – Reporting Back

The Chairman invited Members to report back on meetings of outside bodies they had attended as representatives of the Council.

The following reports were made:

Cllr Martindale – Wiltshire Racial Equality Council

Funding arrangements were being revised and a meeting would be held on 28 September to present a staged plan to meet the needs of funders. There was a request from Cllr Osborn to review the SLA with the WREC.

Cllr J Osborn – West Wiltshire Housing Society

Cllr Osborn said that there was an ongoing process of improvement within the Society and that the Board were now working better together.

Cllr Phillips OBE – South West Regional Assembly

The Government recently announced that it would disband the Regional Assemblies and transfer the work to the Regional Development Agencies by 2010.

South West Local Government Association

The Local Government Association has set up working parties to look at how committee meetings can be held in the regions to help make it more accessible.

97. Update on Local Government Reorganisation

The Chief Executive outlined the key points of the paper and drew members' attention to a one page summary of the 40 page consultation paper.

He said that the key points for discussion were the dates. Wiltshire County Council Cabinet had met and had recommended that the vesting date be April 2009 with the elections in May 2009.

He also updated the members on the joint arrangements that were being set up between the County Council and District Councils; the proposal was for a transition Cabinet with four County Council members and four District Council members. The proposed Cabinet had a far reaching remit and would look at things such as planning of services, staffing matters, terms and conditions as well as recommending the new authority's budget.

There would also be a joint implementation board and possibly joint scrutiny arrangements.

Cllr Payne requested that the recommendations as listed below be made known to the other Wiltshire district councils.

A debate ensued and it was

RESOLVED

This Council

- **requests the Leader and the Chief Executive to respond to the Government's consultation paper – 'An Approach to Implementation'**
- **Notes the contents of the consultation paper together with the County Council's emerging project planning arrangements.**
- **Notes the proposal for the Joint Executive referred to by the County as the Transition Cabinet and by the Government as a Joint Committee, and suggests that the new joint Cabinet should comprise eight members of Wiltshire County Council and eight members from District Councils**

- **Accepts the County Council's revised recommendation for a vesting day of April 2009 followed by elections in May 2009.**
- **Notes that the papers have now been filed for a judicial review of the Secretary of State's decision, or perhaps more precisely, her intended decision once the legislation has been passed.**
- **Requests that the new authority holds 50% of its meetings in the daytime and 50% in the evenings.**

Recorded vote: Cllrs Davis, J Osborn and Newbury requested that their abstentions from the above vote be recorded.

98. Approval of Final Leisure and Recreation Plan Document for Submission to the Secretary of State

The Planning Policy and Conservation Services Manager presented the report which sought Council's approval for a draft new development plan document for leisure and recreation.

RESOLVED:

That Council

- **Approves the preferred options consultation reports**
- **Approves the draft Leisure and Recreation Development Plan Document for submission to the Secretary of State for public examination**
- **Approves the draft Leisure and Recreation Development Plan Document as a material consideration for development control purposes.**

99. Amendments to the Constitution and Extension of the Scheme of Delegation

The Principal Lawyer presented the report which sought approval from Council to remove the references to Historic Buildings Joint Committees (HBJC's) from the Constitution and to give authorisation for the Planning Policy and Conservation Services Manager to authorise grant payments.

RESOLVED:

That Council authorises

- **the removal of references to HBJCs from the Constitution after expiry of the notice period; that is from 30 September 2007, and**
- **the Planning Policy and Conservation Services Manager to authorise grant payments, in consultation with the Portfolio Holder, up to a limit of £10,000 in any individual case.**

100. Objections to the Goods Vehicle Operators Licence Goods Vehicle (Licensing of Operators) Act 2005

Cllr Conley presented the report which sought Council approval to amend the Constitution to enable the Council to make representations on Goods vehicle Operators Licences by delegating authority to both the Development Control manager and the Environmental Health Service Manager.

RESOLVE:

That Council

Amends the constitution to delegate the power to make representations on Goods Vehicle Operators Licenses under the Goods Vehicles (Licensing of Operators) Act 1995 to both the Development Control Service Manager and the Environmental Health Manager in consultation with the appropriate Portfolio Holder(s).

101. Corporate Enforcement Policy

Cllr Conley presented the report which sought Council's approval for the new Corporate Enforcement Policy.

RESOLVED:

That Council

- **notes the report**
- **approves the Policy**

102. Appointment of Monitoring Officer

The Chief Executive presented the report which sought to appoint Tim Darsley as the Monitoring Officer on a permanent basis.

A debate ensued and it was

RESOLVED:

That the temporary position be maintained and the situation reviewed after the outcome of the judicial review is known.

Recoded Vote: Cllr Hawker requested that his abstention from the above vote be noted.

103. Cabinet Forward Workplan

The Leader presented the latest Cabinet Forward Work Plan.

RESOLVED:

That the Cabinet Forward Work Plan be received and noted.

104. Urgent Departure Decisions – Reporting Back

No urgent decisions had been made.

(7.00 – 9.30pm)

These minutes were prepared by Pam Sidgwick, Member Support Team Leader, who can be contacted on telephone number 01225 776655 ext. 204 or email psidgwick@westwiltshire.gov.uk