

**KENNET DISTRICT COUNCIL  
MEETING OF THE COUNCIL**

Minutes of the meeting of the the Council held in the Council Chamber,  
Browfort, Bath Road, Devizes on Tuesday 26<sup>th</sup> July 2005 at 2.15 pm.

**PRESENT:** Councillor P.W. Richardson - Chairman

|                              |                               |
|------------------------------|-------------------------------|
| Councillor K.R.F. Beard      | Councillor C.P. Humphries     |
| Councillor J.A. Booth        | Councillor D.T.B. Hunter      |
| Councillor G. Brewer         | Councillor J.J. Kunkler       |
| Councillor P. Brown          | Councillor A. Molland         |
| Councillor D. Campbell       | Councillor J.D.Ody            |
| Councillor T.M. Carr         | Councillor R.T. Parsons       |
| Councillor P.L. Colling      | Councillor Mrs. N.G. Rawlins  |
| Councillor R.S.E. Cummins    | Councillor A. Skittrall       |
| Councillor A.P.J. Duck       | Councillor A.H. Still         |
| Councillor P. Evans          | Councillor C.R.W. Stone       |
| Councillor Mrs. S.M. Findley | Councillor Mrs. M.S.N.Taylor  |
| Councillor L.H. Grundy       | Councillor B.J.Twigger        |
| Councillor Mrs. E. Hannaford | Councillor P.N. Veasey        |
| Councillor Mrs. A Hayhoe     | Councillor Mrs. P. Winchcombe |
| Councillor C.P.G. Hoddinott  | Councillor A.S. Wood          |

**APOLOGIES FOR ABSENCE:**

Councillor Mrs. N. Carter  
Councillor W. Cavill  
Councillor A. Connolly  
Councillor N. Fogg  
Councillor Dr. J.P.M. Reid  
Councillor D.J. Willmott

**PART 1**

**Items considered whilst the meeting was open to the public**

**11. MINUTES**

The minutes of the annual meeting of the Council held on 10<sup>th</sup> May, 2005 were approved as a correct record and signed by the Chairman.

**12. DISCLOSURES OF INTEREST**

There were none.

**13. ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL, LEADER OF THE COUNCIL AND CHIEF EXECUTIVE**

The Chairman made the following announcement:-

1. Chairman's Charity Step Up

The Chairman reported that the Charity Auction held at Devizes Town Hall had been well attended by members, guests and the public and had raised £2,800 for the charity. The Chairman thanked all those for their efforts, including those members of staff who had put so much time into the charity and those who had raised individual sums for the charity amounting to £62 and £170 respectively by taking part in sponsored events. So far over £3,000 had been raised for the charity already.

There were no announcements from the Leader of the Council or from the Chief Executive.

**14. QUESTIONS BY MEMBERS OF THE PUBLIC**

There were no questions from members of the public.

**15. COMMUNITY DEVELOPMENT EXECUTIVE COMMITTEE 7<sup>TH</sup> June, 2005.**

The minutes of the meeting of the Community Development Executive Committee held on 7<sup>th</sup> June, 2005 were submitted by way of report. Arising therefrom:

1. Minute No 13 - Decriminalised Parking Enforcement

On consideration of the recommendations contained in this minute it was

**RESOLVED THAT**

- a) Kennet District Council undertake decriminalised parking enforcement.
- b) Delegated authority be given to the Solicitor to the Council to enter into an N.P.A.S. Section 101 Joint Committee Agreement (Local Government Act 1972).
- c) A representative and substitute representative (who must both be elected members of the Council) who shall serve on the special Parking Area Joint Committee, be nominated by the Council.

- d) The Solicitor to the Council is instructed to provide details of the legal Title of the Council to the Environment and Amenity Services Manager to forward on to Wiltshire County Council.
- e) Kennet District Council use the £60 parking contravention notice discounted to £30 for payment within 14 days and incremented to £90 for payment after the issue of a charge certificate.

## **16. PLANNING POLICIES EXECUTIVE COMMITTEE - 26<sup>TH</sup> MAY, 2005**

The minutes of the meeting of the Planning Policies Executive Committee held on 26<sup>th</sup> May, 2005 were submitted by way of report. There were no matters arising.

## **17. RESOURCES EXECUTIVE COMMITTEE - 28<sup>TH</sup> JUNE, 2005**

The minutes of the meeting of the Resources Executive Committee held on 28<sup>th</sup> June, 2005 were submitted by way of report. Arising therefrom:-

1. Minute No. 4 - Notice of motion from Councillor Mrs. Taylor proposing that meetings of Kennet District Council should be held in the evening

On consideration of the recommendation contained in this minute it was

### **RESOLVED**

**THAT** the notice of motion put forward by Councillor Mrs. M.S.N. Taylor proposing that meetings of Kennet District Council should be held in the evenings be defeated.

**NOTE:** Councillor Mrs. M.S.N. Taylor and Councillor G. Brewer wished their vote against this decision to be recorded.

2. Minute No. 5 - Notice of motion from Councillor Wood proposing that in the event of the South West Regional Assembly being wound up, this Council will not accept any responsibility for the pension rights of the Board and its employees and that the Chief Executive of the S.W.R.A. be so advised.

On consideration of the recommendation contained in this minute it was

### **RESOLVED**

**THAT** Councillor Wood's notice of motion proposing that "in the event of the South West Regional Assembly being wound up, this Council will not accept any responsibility for the pension rights of the

Board and its employees and that the Chief Executive of the S.W.R.A. be so advised” be defeated.

3. Gershon - Efficiency Strategy

A member of the Council queried the small number of members that had attended the Efficiency Strategy meeting and seminar and asked why this was so.

The Leader of the Council indicated that it was not always possible for members to make provision to attend every seminar and meeting organised by the Council.

**18. OVERVIEW AND SCRUTINY MANAGEMENT BOARD - 12<sup>TH</sup> JULY, 2005**

The minutes of the meeting of the Overview and Scrutiny Management Board held on 12<sup>th</sup> July, 2005 were submitted by way of report. There were no matters arising.

**19. REGULATORY COMMITTEE MEETINGS**

The minutes of the meetings of the Regulatory Committee held on 21<sup>st</sup> April, 3<sup>rd</sup> May (site meeting), 19<sup>th</sup> May, 9<sup>th</sup> June and 30<sup>th</sup> June, 2005 were submitted by way of report. There were no matters arising.

**20. HUMAN RESOURCES COMMITTEE - 16<sup>TH</sup> JUNE, 2005**

The minutes of the meeting of the Human Resources committee held on 16<sup>th</sup> June, 2005 were submitted by way of report. There were no matters arising.

**21. NOTICE OF MOTION - COUNCIL PROCEDURE RULE NO. 11**

Councillor G. Brewer had submitted the following notice of motion:-

**THAT** Kennet District Council

1. Recognises that microgeneration (that is the generation of energy by householders installing micro-units in their own homes) is a new and exciting way of helping to deal with energy problems and of helping to deal with energy problems and of engaging and involving people as consumers and citizens in important issues of climate change and reducing carbon dioxide emissions.
2. Looks forward to the Government’s microgeneration strategy due to be published later this year under section 82 of the Energy Act and hopes that the Government will set challenging but achievable targets for microgeneration overall and for the

different methods of microgeneration (such as micro-wind, micro combined heat and power (CHP), solar thermal photovoltaics) as have been called for by the Micropower Council.

3. In particular, welcomes the introduction of Microgeneration Bill into Parliament by Alan Simpson MP (Labour), Andrew Stunnell MP (Lib Dem) and Peter Ainsworth MP (Conservative) on 7<sup>th</sup> April, noting that it will
  - a) Require the Government to set national targets;
  - b) Enable local authorities to set such targets as they deem appropriate;
  - c) Extend permitted development status to the installation of microgeneration subject to specifying safeguards relating to visual and noise effects;
  - d) Require utility companies to purchase at a reasonable rate any surplus electricity generated by householders via microgeneration;
  - e) Require future revisions of Building Regulations to consider the desirability of promoting microgeneration in new buildings as appropriate; and
  - f) Enable householders who generate electricity by microgeneration to have access to “renewables obligation certificates”.

**And therefore resolves to**

1. Support for the Bill and
2. Urge the Government to support the Bill; and
3. Urge local MPs to be present in Parliament to back this Bill when it is debated in the House of Commons; and
4. Inform the local press and Micropower Council of this resolution.

The Notice of Motion was moved and seconded and in accordance with Council procedure rule number 11 stood referred without debate to the Community Development Executive Committee for consideration and report.

**22. RECYCLING**

The Council considered the report of the Director of Resources on recycling.

The Council was informed that the report sought approval for a capital programme supplementary estimate for recycling in the current financial year in order to be able significantly improve the Council’s recycling performance, both in the current year and in 2006/2007. It was confirmed that there were significant financial

and manpower implications arising from the report and the implications were set out in the report detailing the costs involved.

In order to achieve the targets required it was necessary to bring forward the purchase of specialist recycling vehicles for collecting recyclable waste.

The Council's recycling champion indicated that the Council was well on the way to increasing its recycling from 15% to 22% and, although it would miss the 25% target this year, would be well placed to exceed targets in future years. He congratulated the officers on the deals negotiated and commended the report to the Council.

The officers answered various questions from members and it was

## **RESOLVED**

### **THAT**

1. The Council approve the acceleration of the introduction of kerbside collection of mixed recyclables from July, 2006 to October, 2005, and consequent upon the decision that the Council approve a capital supplementary estimate of £285,000 for the purchase of three side loading refuse collection vehicles.
2. The Council approve the appointment of four additional drivers and eight additional loaders in order to provide this service from October, 2005.
3. The remaining proposals in the report be included in Service development plans for 2006/2007.
4. The draft Kennet waste, recycling and reduction strategy be amended to take account of the proposals in the report.

## **23. BEST VALUE PERFORMANCE PLAN**

The Council considered report number C/12/05 by the Policy Support Manager concerning the sixth annual Best Value Performance Plan.

Members were reminded that they had already received copies of the Best Value Performance plan circulated to them at the beginning of July.

Members were also reminded that it was a statutory requirement to adopt the plan and it was

**RESOLVED**

**THAT** Council adopts the Best Value Performance Plan for 2005/2006.

**24. LOCAL GOVERNMENT ACT, 1972 SECTION 85(1) -  
COUNCILLOR DR. J.P.M. REID**

Members were reminded that Councillor Dr.J.P.M. Reid had been suffering a recent bout of ill health and that, because of it, it was possible that he would be come disqualified as a Councillor for failing to attend the meeting for a continuous period of six months, starting with his last attendance at Council on 19<sup>th</sup> April, 2005.

The Council was informed that under the terms of Section 85(1) of the Local Government Act, 1972 the Council could pass a resolution that in the circumstances of the Councillor's illness and inability to attend, the six month rule should not apply. Although the six months would not expire until 19<sup>th</sup> October, 2005 it would be necessary for this meeting to pass such a resolution if it so desired as it would be too late to do so at the meeting scheduled for 25<sup>th</sup> October, 2005.

**RESOLVED**

**THAT** the Council approve by reason of illness, the failure of Councillor Dr. J.P.M. Reid to attend meetings for the period up to 19<sup>th</sup> October, 2005 after which the six month attendance rule would again begin to run.

**PART 2**

**Items considered whilst the public were excluded from the meeting**

**None.**

Chairman  
25<sup>th</sup> October, 2005