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THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THE MEETING

Minutes of the Council Meeting held on Tuesday 27th June 2006 at the Council Offices, Monkton Park, Chippenham, commencing at 7.00pm.

Present:

Chairman.....Councillor P.R. Davis

Councillors D.B. Allen, P.G. Allnatt, A.R. Baines, H.R. Barton, T.A.P. Briggs, N.S. Bryant, A.M. Bucknell, C. R. Coleman, C. Crisp, A.L. Davis, H.M. Dixon, S.K. Doubell, D.J.E. Evans, P.G. Green, V.H. Greenman, G.R. Greenaway, M.E.M. Groom, M.P. Hatton, I.J. Henderson, R.J. Henning, J.R. Ireland, A.S.R. Jackson, H.T. Jones, R.B. MacGregor, S.D. Meadows, D.M. Moore, T.J.A. Northey, C. O’Gorman, G. Offord, N.M. Phillips, J.M. Read, C. Reid, P.S. Roberts, J.H. Rooke, M. Rousell, S. L. Scruton, T.R. Sturgis, O.J. Thomas, J.P.S.S. Thomson, R.L. Tonge, A.J. Trotman, S.R. Walls, J. Webb and J.M. Wood.

Officers Present: D. Burbidge (Chief Executive), P. Jeremiah (Team Leader Legal Services), W. Oulton (Policy & Democratic Services Officer).

C17. Apologies for Absence

Apologies for absence were received from Councillors S.R. Coy, K.A. Dixon, N.T. Maidment, J.A. Scott and C. Wannell.

C18. Minutes

The Minutes of the Annual Council meeting held on 23rd May 2006 were considered.

Resolved that the Minutes of the Annual Council meeting held on 23rd May 2006 be confirmed and signed as a correct record.



C19. Declarations of Interest

The following declarations of interest were made:

Name	Item	Type of Interest	Nature of Interest	Action
Cllr C. O’Gorman	Item 16 f – Chippenham Hub Club	Personal	Chairman of Sports Partnership	Remained in the chamber for consideration of this item
Cllr A.S.R. Jackson	Item 16 e – Outside Bodies	Personal	Member of NWLL Board	Remained in the chamber for consideration of this item

C20. Chairman’s Announcements

The Chairman made the following Announcements:

(A) Name of top mystery band for North Wiltshire Festival 2006 to be announced

Excitement is building with just 4 weeks to go before the North Wiltshire Festival 2006. The main headline band is all set to be announced at 08.10am on Wednesday 28th June in the breakfast show of local radio station GWR-FM. The Festival organisers are remaining tight-lipped about who will be heading up the event but they are promising a band who have had enormous success for over 20 years with some of the most well-known hit songs from the 80’s, selling millions of records world-wide... look out for the announcement on Wednesday!

(B) Think Before You Park!

North Wiltshire District Council will be taking over the enforcement of parking restrictions from Wiltshire Police from the 4th September 2006. The campaign to raise awareness of these revised parking regulations is aimed at getting motorists to ‘Think before you park!’ a leaflet detailing the changes will be sent to all households in July and information can now be found on the council’s website.

(C) The Good Food Cottage prosecuted

North Wiltshire District Council has successfully carried out a prosecution after Mr. Chui of The Good Food Cottage pleaded guilty to two offences of carrying on licensable activities without authorisation. At Chippenham Magistrates Court, on Monday 19th June, Mr. Chui of The Good Food Cottage pleaded guilty to two offences of carrying on licensable activities without the necessary authorisation. One offence related to the sale of alcohol and the other to the provision of late night refreshments. Mr. Chui was fined a total of £750, £600 for the first offence and £150 for the second one, together with costs of £225.53. Well to all of those involved in this prosecution, particularly Kerry Tiley, for preparing a case that was obviously unanswerable.



(D) Chairman's Charities

Two charities have been chosen for this year. Guide Dogs for the Blind Association and Hearing Dogs for Deaf People.

(E) Respect for People

More than 400 employees and members have successfully undertaken the Respect for People Equalities and Diversity awareness training. Congratulation to everyone. This will help everyone value the diversity of our customers in North Wiltshire.

(F) Councillor D. Darby

Councillor P.G. Allnatt commended Councillor D. Darby's many years of service to the community as a Councillor in North Wiltshire.

(G) Wiltshire Combined Fire Authority

Wiltshire Combined Fire Authority had produced its business plan which could be downloaded from their website and hard copies were available on request.

(H) Council Meetings

The Chairman expressed his wish that Members would conduct themselves with the appropriate amount of civility and that during his tenure as Chairman he would be asking Members to remain silent when another Member was addressing the Chamber.

C21. Public Question Time/Receipt of Petitions

There were no public questions nor petitions received.

C22. Question Time

(A) Councillor I.J. Henderson – E221 – Pg 85

Councillor I.J. Henderson asked whether any consideration was being given to a programme of regular and consistent street cleaning of small housing estates within many rural parishes, some of which lie just outside town boundaries?

Councillor S.K. Doubell as Lead Member for Environment stated that a Focus group for street cleansing was reviewing the schedules had not yet reported but assured the Member that the issue would be considered and that Members would be kept informed.

(B) Councillor T.J.A. Northey – C103 – Pg 63

Councillor T.J.A. Northey stated that a Mr T. Bate had submitted a question to the Leader via the website asking what statutory authority was Councillor D.M. Moore referring to when she stated that "The effect of proposals on Council Tax is specifically excluded from the deliberation process". Cllr Northey asked the Leader what the reply was.

Councillor O'Gorman stated that she would provide a written answer.



(C) Councillor T.J.A. Northey – C103 – Pg 63

Councillor T.J.A. Northey asked whether the Leader was aware that Chippenham Without Parish Council had made an official complaint. Please can she inform the Council what action was being taken in response.

Councillor O’Gorman stated that she would provide a written answer.

Councillor P.G. Allnatt undertook, as Lead Member for Corporate Governance to discuss the matter with Councillor Northey.

(D) Councillor T.R. Sturgis – O186 – Pg 104

Councillor T.R. Sturgis asked whether the Leader agreed with Councillor D.J.E. Evans, the Lead Member for Car Parking, that the Car Parking Strategy would be considered by the Overview & Scrutiny Committee prior to it’s consideration by the Executive.

The Leader Councillor C. O’Gorman stated that it would.

C23. Local Government and Housing Act 1989 – Allocation of Seats

Consideration was given to Report No. 7 (circulated with the Agenda) which advised the Council regarding the allocation of seats to political groups.

Resolved that the allocation of seats be as follows:

	Lib/Dem	Cons	Lab	Ind	Total
Overview and Scrutiny	4	5	1	1	11
Development Control	7	7	0	1	15
Personnel, Licensing & Administration	4	4	0	0	8
Appointments	3	3	0	0	6
Appeals	3	3	0	0	6
Final Accounts & Audit	2	2	0	0	4
	23	24	1	2	50

C24. Appointments to the Council’s Standing Committees

Consideration was given to Report No. 8 (circulated with the agenda), which enabled the Council to amend as necessary the membership of the Council’s Committees.

Resolved that Councillor S.R. Coy replace Councillor A.S.R. Jackson on the Overview & Scrutiny Committee.

C25. Local Plan 2011 – Inspectors Report

Consideration was given to Report No. 9 (circulated with the agenda), which sought formal adoption of the North Wiltshire Local Plan 2011 under the requirements of the Planning and Compulsory Purchase Act 2004 and as set out in the Town and Country Planning (Transitional Arrangements) (England) Regulations 2004.

Resolved that this Council adopt the North Wiltshire Local Plan 2011 pursuant to Regulation 9 of the Town and Country Planning (Transitional Arrangements) (England) Regulations 2004 and that all procedural requirements so specified be completed.

C26. Best Value Performance Plan 2006/07

At a meeting on 15th June 2006, the Executive considered the Best Value Performance Plan for 2006/07 and made recommendations to Council (Minute E7refers).

An amended Appendix One of the Best Value Performance Plan was circulated at the meeting.

Councillor C. O’Gorman proposed and Councillor G. Offord seconded that the Best Value Performance Plan for 2006/07 be adopted as amended.

Councillor T.R. Sturgis proposed and Councillor R.L. Tonge seconded an amendment that the Council request that the Overview & Scrutiny Committee set up a task group to consider the decline in Performance Indices and report back at the earliest opportunity

Having been put to the vote the amendment was lost.

Councillor C.O ’Gorman proposed and G. Offord agreed to amend their substantive motion to include that Council request that the Overview & Scrutiny Committee appoint a task group to consider performance management, with Terms of Reference to be agreed by the Committee together with a timetable for reporting.

Having been put to the vote the following resolution was passed:

Resolved

- (1) That the Best Value Performance Plan for 2006/07 be adopted as amended; and
- (2) That Council request that the Overview & Scrutiny Committee appoint a task group to consider performance management, with Terms of Reference to be agreed by the Committee together with a timetable for reporting.



C27. Development Control Protocol

Consideration was given to Report No. 11(circulated with the agenda), which recommended the approval of amendments to the Council Procedure Rules attached as Appendix 1, following the consideration of a protocol by the Development Control Committee on 17 May 2006 relating to Development Control matters and Development Control Committee meetings.

Resolved to approve the amendments to the Council Procedure Rules attached as Appendix 1 to Report No. 11.

C28. Protocol for Advisory Bodies

Consideration was given to Report No. 12 (circulated with the agenda), which proposed changes to the Protocol for Advisory Bodies.

Resolved that the Protocol for Advisory Bodies attached as Appendix One to Report 12 be approved subject to the following amendments:

- (1) That the second bullet point under the heading Membership be amended to read 'In each case the membership of the Body shall normally be limited to not more than seven;
- (2) That the third bullet point under the heading Membership be amended to read 'Non-members can be appointed to Advisory Bodies provided that they undertake to observe the Council's Code of Conduct.

C29. Protocol for Member/Officer Relationships

Consideration was given to Report No. 13 (circulated with the agenda), which proposed changes to the Protocol for Member/Officer Relationships.

Resolved that the Protocol for Member/Officer Relationships attached as Appendix One to Report 12 be approved.

C30. Pathways for Change

Consideration was given to Report No. 14 (circulated with the agenda), which discussed a response to the Pathways to Change consultation as appropriate.

Resolved a letter be sent to the Chairman of the Primary Care Trust in the following terms:

That at their meeting on the 27th June 2006 North Wiltshire District Council considered the Pathways for Change consultation but could not agree a comprehensive response as it had not yet received response to the questions put to representative of the Trust at the meeting of the Overview & Scrutiny Committee on the 22nd June 2006.

In view of this Members thought it appropriate because of the timescale, to summarise key issues of concern for Members and the community as follows:



- Concern that Impact assessments of options had not been undertaken and consequently the effect on communities, particularly those in more rural areas, had not been adequately considered.
- Moving of services into the field of social care, which was means tested, away from the field of primary care was contrary to the principle of ‘free at the point of delivery’ upon which the National Health Service was established.
- Leaving the community to fill the gap left between primary and social care would lead to more vulnerable people failing to receive any care at all.
- Lack of clarity about which services would be delivered under each of the options and that assurances were needed that new services would be put in place prior to the cutting of existing services.

The Council acknowledges the difficult task the PCT faces in trying to provide a new framework in healthcare against a backdrop of historic under funding and any solutions to the concerns raised would be appreciated.

C31. Questions from Councillors – Council Procedure Rule 14

(a) Councillor R.L. Tonge – Confidential Papers

A question was received in accordance with Procedure Rule 14. The question and response were circulated at the meeting.

Councillor R.L. Tonge asked in supplement whether the Leader agreed that by criticizing the management of NWLL three times in the press article referred to she had undermined work done by officers and the members of the Leisure Provision Board and made their task harder?

The Leader Councillor C. O’Gorman stated she had been misquoted.

(b) Councillor R.L. Tonge – Election Literature

A question was received in accordance with Procedure Rule 14. The question and response were circulated at the meeting.

Councillor R.L. Tonge asked in supplement whether the Leader agreed with the advice given in Liberal Democrat election campaign guidance?

The Leader Councillor C. O’Gorman stated that she had not seen the guidance.

(c) Councillor T.R. Sturgis – Best Value Performance Plan

A question was received in accordance with Procedure Rule 14. The question and response were circulated at the meeting.

Councillor T.R. Sturgis asked in supplement whether the Leader agreed that question 1) had been adequately answered?

Councillor P.G. Allnatt in his role as Lead Member for Corporate Governance stated that Councillor T.R. Sturgis would get a written response.

C32. Notices of Motion – Council Procedure Rule 15

(a) Councillor T.R. Sturgis – Chippenham Hospital

Councillor T.R. Sturgis withdrew his motion.

(b) Councillor C. O’Gorman – Chippenham Hospital

Councillor C. O’Gorman withdrew her motion.

(c) Councillor C. O’Gorman – ID Cards

Resolved that North Wiltshire District Council do not affiliate to this lobby group.

(d) Councillor S.K. Doubell – Waste Issues

Resolved North Wiltshire District Council calls upon:

Her Majesty’s Government to:

- Initiate talks with manufacturers, whilst legislating for a reduction in the amounts of unnecessary packaging of consumer goods.
- Legislate to make all plastic packaging recyclable

Admin Note: Legal Services Team Leader to check current legislative arrangements and amend letter as necessary.

The Department for Environment, Food and Rural Affairs to:

- **COMPOSTING.** Recognise the contribution made by individual households of home and community composting. To urgently take steps to devise a formula, which allows these two important diversions from the waste stream to count with the other figures, which make up this Councils targets for recycling.
- **TRADE WASTE.** With a view to reducing the waste going to landfill, discuss and put in place incentives for all local authorities to recycle trade waste, this to include builders waste which accounts for a large percentage of commercial waste

(e) Councillor R.L. Tonge – Outside Bodies

Resolved that consideration of this motion be deferred pending a report by the Team Leader for Legal Services on this subject for consideration by Council.

(f) Councillor D.B. Allen – Chippenham Hub-Club Bid

Resolved that North Wiltshire District Council supports in principle Chippenham Sports Club's bid to become a 'Hub Club'.

(g) Councillor P.G. Allnatt – Local Government Re-Organisation

Resolved that any consideration of the issues surrounding Local Government Re-Organisation prior to the publication of the Local Government White Paper was premature.

C33. Report on Special Urgency Decisions

Consideration was given to Report No. 17 (circulated with the agenda), informed the Council of Key Decisions taken by the Executive in circumstances of special urgency since the last report was prepared on 10th April 2006.

Resolved that the report be noted.

The meeting ended at 10.05pm
There were 2 members of the public present.

Signed (Chairman).....

Date.....