

Minutes of the Council Meeting held on Tuesday 30th January 2007 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, K.A. Dixon, S.K. Doubell, D.J.E. Evans, P.G. Green, G.R. Greenaway, V.H. Greenman, M.E.M. Groom, M.P. Hatton, I.J. Henderson, R.J. Henning, J.R. Ireland, A.S.R. Jackson, H.T. Jones, N.T. Maidment, S.B. Meadowcroft, S.D. Meadows, D.M. Moore, T.J.A. Northey, C. O’Gorman, G. Offord, N.M. Phillips, C. Reid, P.S. Roberts, J.H. Rooke, M. Rousell, J.A. Scott, T.R. Sturgis, O.J. Thomas, J.P.S.S. Thomson, R.L. Tonge, S.R. Walls, J. Webb and J.M. Wood.

Officers Present: P. Hawley (Chief Accountant), P. Jeremiah (Team Leader Legal Services), S. Pangbourne (Strategic Manager Corporate Services), L. Robertson (Spatial Plans Team Leader) and J. Watling (Policy and Democratic Services Team Leader)

C73. Apologies for Absence

Apologies for absence were received from Councillors S. R. Coy, P.J. Goldstone, R.B. MacGregor, S.L. Scruton, A.J. Trotman, C. Wannell and D. Burbidge (Chief Executive).

C74. Minutes

The Minutes of the Council meeting held on 17th January 2007 were considered. Subject to the addition of the following declaration of interest,

Name	Item	Type of Interest	Nature of Interest	Action
Councillor J. M. Wood	6 – Local Government White Paper	Personal	Member of another Council	Remained in Chamber during consideration of this item

it was resolved that the Minutes of the Council Meeting held on 17th January 2007 be confirmed and signed as a correct record.



C75. Declarations of Interest

There were no declarations of interest.

C76. Chairman's Announcements

There were no Chairman's announcements.

C77. Public Question Time/Receipt of Petitions

There were no public questions or petitions received.

C78. Question Time

A) Councillor Allnatt - E131 page 579, E116 pages 568 to 570 and C62 page 543 all with reference to NWLL

"Is the Leader aware of Web site of James Gray M.P., in which he states in terms that he has persuaded the Sports Minister Richard Caborn to agree that James may write so that Richard can then write another letter to North Wilts District Council and Sport England?"

Is the Leader also aware that according to media reports of James Gray he has contacted a commercial provider with a view to running the Leisure Centres identified for closure and that he had already been reported as having said that a commercial partnership was probably the solution?

Does the Leader agree with me that at a time when the cross –party Leisure Working Group, including councillor Tonge, and the officers are actively engaged in considering the future of NWLL when some form of tendering process may well be involved, that it is misguided and inappropriate for James to be intervening in this way? Does the Leader also consider that it is doubly inappropriate at a time when she and the Council has been encouraging community groups to deposit proposals with the Council by Thursday of this week?

Will the Leader please write to James and explain why the manner of his intervention might be a useful publicity stunt for him but is actually counterproductive to achieving the aim which many of us wish for?

Could she perhaps use the words of Councillor John Thomson, and I quote, 'It's a great shame that James doesn't come and talk to us about what we are planning before he makes a press release.' "

The Leader confirmed that she was aware of the comments attributed to James Gray MP and she was concerned to make the media and others aware of the tremendous amount of work being undertaken behind the scenes. She offered to contact James Gray MP again.

B) Councillor Allnatt - E131 page 580 and C63 pages 544 and 545 reference to NWLL.

“Given that the Working Group meets this week and the pressing timetable for the 2007/08 budget how will the Working Group give effect to the resolution which is clearly aimed at the families of youngsters such as Miss Whinfrey?”

The Lead Member Councillor D. Moore confirmed the Working Group would be meeting shortly to try to secure the future provision of leisure within the district but the Group would not be in a position to provide any detailed information until further financial information had been considered.

C) Councillor Allnatt “C64 pages 547 and 548 and O94 pages 589 and 590. With reference to NWLL

“If ,as Councillor Toby Sturgis says, he was unaware of the rules of the Constitution of NWLL why did he have to resign late in the day from NWDC’s Leisure Provisioning Working Group?”

What was the point of him being a nominal shareholder if he could not exercise some influence for good over the affairs of NWLL? Does he agree that the recommendation of the Working Group, subsequently agreed by the Executive, was the right one?

Regarding the meeting of Overview and Scrutiny is he satisfied that the Executive Committee has dealt adequately with the resolved points 1 to 6?

Why did the committee not call upon the Executive to reverse its decision on the 23rd November?

Does he now agree with me that my statement on the 23rd November that NWDC would end up paying for NWLL’s salary bill through to March has been proved correct?

Councillor Toby Sturgis agreed to provide a written answer to Councillor Allnatt.

D) Councillor Allnatt - O84 page 585 O&S Work Plan

“Can Councillor Sturgis please clarify whether the meeting scheduled for 7th February will consider the process leading to the Executive’s recommended Revenue and Capital budget for 2007/08 or the actual content thereof and will Overview and Scrutiny make any recommendations to Executive meeting on the 8th February and/or the Council meeting 22nd February?”

Councillor Sturgis confirmed that the meeting scheduled for 7 February would be looking at the process, and the soundness of its make up, and not the detailed figures.

E) Councillor Webb – E129 page 577 sustainable strategy for Wiltshire Page

“Mention is made of the Local Area Agreement in this item, which I would like to support as a commendable piece of work, especially in the way that it recognises the Military as an essential part of the make up of Wiltshire.

The LAA does point out that we do need to do more work to fully engage the Military with the community.

How on earth are we supposed to do this when the Government's new requirement of Voter Identifiers for postal and proxy voters include service personnel.”

In reply, The Leader of Council agreed with Councillor Webb's sentiments and offered to write to the three local Members of Parliament, drawing their attention to the inadequacies of the situation.

F) Councillor N. Phillips – E128 page 577 Partnership with North Wiltshire CAB

“What is the explanation as to why, when North Wiltshire District Council no longer have the Citizens Advice Bureau giving its housing advice, the North Wiltshire District Council Homelessness section is so busy, somewhat under-staffed due to illness and unable, it seems, to retain Homelessness Officers with targets out of the window?”

Councillor O. Thomas agreed to give a written reply.

G) Councillor T. Sturgis – E123 page 574 Revenue Monitor

“Can the Leader confirm none of these savings have contractual obligations, and no amendments have been made?”

The Leader agreed to give a written reply, which, in view of a further question by Councillor Sturgis regarding timing, she would do so before the budget meeting later in the week.

C79. A Local Development Scheme for North Wiltshire – Second Revision 2007-10

Consideration was given to Report No. 7 (circulated with the Agenda) amending the previous Local Development Scheme approved by Council on 5th December 2006 in the light of the decision by the Bowood Estate not to continue its participation in a local development document.

Members expressed their concern that the removal of the Bowood involvement appeared to have resulted in additional costs and work pressures, but the Spatial Plans Team Leader answered members' questions, clarifying the way in which the figures had been prepared, and in particular when and why they had been updated since the original.

The Lead Member, Councillor S. Walls said he appreciated members concerns regarding increased budget requirement, and reiterated the comments of the Spatial Plans Team Leader regarding the tight timetable and the requirement to gather further evidence and research, the costs of which had been included in the later budget figure.

Councillor J. Scott referred to the District Wide Gypsy and Traveller Needs Survey, which had been due for completion in 2006, and Councillor O, Thomas confirmed it was her wish for a presentation to be made to members on this in February.

Councillor Sturgis suggested that there were a number of drafting errors such as dates which needed correction before the revised scheme should be issued.

After further discussion of the issues raised, it was

Resolved, subject to the removal of proofing errors to be undertaken by the Spatial Plans Team Leader in association with the Lead Member, the Council approve the Second Revised Local Development Scheme 2007 – 2010 Version 3.6 for submission to the Secretary of State.

C80. Budget Consultation Feedback

Consideration was given to Report No. 8 which provided Council with feedback from recent budget consultations to help inform setting of the budget for 2007/08. This had included the Peoples Voice Questionnaire, Area Committees, the Council's website and a Member Policy Day held earlier in January. Local businesses had also been invited to let the Council have views on the budget proposals.

The Leader explained that there had been a large increase in participation on budget consultation compared to last year and that the feedback was bring presented to Council at its January meeting to allow members time to consider it before agreeing the budget for 2007/08 - and beyond - on 22 February.

The business community (through the Wessex Chamber of Commerce) had been consulted separately but feedback is not yet available. Any views raised will be circulated to all members when received.

In response to a question, the Leader of the Council agreed to discuss with officers the progress of the information relating to the Council's Pledges.

Resolved to note the budget consultation feedback, for consideration when making decisions on the budget for 2007/08 in February 2007.

C81. Annual Prudential Indicators Statement

At its meeting on the 18th January 2007 the Executive considered and approved the Annual Prudential Indicators Statement, subject to further information to be reported to Council on four indicators (3,4,5 & 7).

Members discussed this report in some detail, and the Chief Accountant, P. Hawley, answered questions. He also undertook to make further enquiries of the Public Works Loans Boards relating to penalty clauses in the event of early termination of any loans.

Resolved that the Prudential Indicators be agreed.

C82. Local Government and Housing Act 1989 – Allocation of Seats

Consideration was given to Report No. 10 advising the Council regarding the allocation of seats to political groups having regard to recent political changes.

Resolved that the allocation of seats be revised with effect from 1 February 2007 as follows:

	Lib/Dem	Cons	Lab	Ind	UKIP	Total
Overview and Scrutiny	4	4	1	1	1	11
Development Control	7	7	0	1	0	15
Personnel, Licensing & Administration	3	4	0	1	0	8
Appointments	3	3	0	0	0	6
Appeals	3	3	0	0	0	6
Final Accounts & Audit	2	2	0	0	0	4
	22	23	1	3	1	50

C83. Appointments to the Council's Standing Committee

Consideration was given to Report No. 11 amending the membership of the Council's Committee due to political changes taking into account the nominations of the Political Groups as required by law.

Resolved that the following adjustments be made to the membership of committees

Committee	Party	Councillor
Overview and Scrutiny	Reduce Conservative allocation from five to four places; allocate one new place to UKIP	Councillor Ireland to remain on O&S, but as UKIP party nominee

Personnel, Licensing & Administration	Reduce Liberal Democrat allocation from four to three seats and allocate one seat to Independent	Councillor Jackson to stand down, and Councillor Allnatt to be Independent nominee. Councillor Roberts to be fourth Conservative nominee in place of Councillor Ireland
---------------------------------------	--	---

C84. Questions from Councillors – Council Procedure Rule 14

- (a) Councillor M. Rousell – Budget for bus passes and tokens

A question was received in accordance with Procedure Rule 14, as follows:

“I am concerned about the number of pensioners using bus passes and tokens in my area. The busses are thronged with people taking advantage of the subsidy. Could the Leader tell us what budget was allocated for this, what the expenditure is to date, what the forecast is for the full year and could she indicate her confidence in this forecast.”

Councillor D. E. Evans responded as Lead Member for Equalities and Diversity, Car parking and decriminalisation, and Transport and Older people as follows.

"Thank you Councillor Rousell for your question.

The free bus pass for older and disabled people provides an important contribution to the quality of life for those who have difficulty accessing services in the district. The scheme is a national initiative to improve the health and wellbeing of disabled and older people particularly those on limited means or who do not have their own transport who can visit friends, the shops and other facilities. It is an important contribution to qualifying people to be able to continue to live independently.

In answer to the question about the financing of the scheme, the budget for 2006/7 is £508,950. Most of this budget was provided by a central government grant. Transport consultants forecast that the actual expenditure by the end of the financial year will be £506,300 to reimburse bus operators. Since the free bus pass replaced the half priced bus pass in April 2006, there has been an increase in the number of passes issued from 4073 to 8086 for identical periods up to the 24th January each year. Improvement in the processing of bus pass applications and reduction of abuse of the scheme has been achieved by this council through digitisation of photo identification.

Disable and older people who have difficulty travelling on public transport can request token to the value of £18 instead of the free bus pass. The number of requests have reduced from 10,659 to 7756 for5 the same period. The budget for token for 2006/7 is £135,800 and it is expected that the actual expenditure will be £20,000 – well below the budget.

We are advised by transport consultants that the advice about the expected expenditure on free bus passes is robust given the uncertainty of predicting the take up of concessionary travel.

It may be of interest that in 2008 the government intends to extend the scheme for bus travel nationally."

The question and response were circulated at the meeting.

Councillor M Roussel asked if sufficient budget had been set aside for the extension nationally of the scheme, but Councillor Evans replied that this would have to be taken into account when setting the budget for 2007/08. He also explained that although the budget for 2006/07 was £508,950, approximately £440,000 of this was met by government grant.

C85. Notices of Motion – Council Procedure Rule 15

Notice of motion was received in the following terms from Councillor J. Webb:

This Council should amend the proposed new no smoking area around the Monkton Park building to exclude the public footpath that goes from the entrance way into the Monkton Park site, down the steps & into Monkton Park.

I suggest this for two reasons;

1. Public footpaths are not the responsibility of this Council, making our smoking ban unenforceable on the pathway.
2. This is just the type of confused thinking the tabloid press in London adores.

The Chairman of the Personnel, Licensing and Administration committee, Councillor D. Allen, replied as follows:

“The Personnel, Licensing and Administration Committee approved a new Smoking Policy in November 2006. The new policy will be implemented from April 1, 2007 and will have a positive effect on the health of Members and employees.

The policy will impact on employees of the Council, Members, contractors and other organisations that operate from the Monkton Park offices and at Parsonage Way. The no smoking area around the Monkton Park offices is an important element of the new policy, as it will ensure that those who have to conform to the policy will not smoke within close proximity of the offices.

It was for this reason that PLA thought it appropriate to include the footpath which runs from the front of the office into the park within the no smoking area

Although we would hope that members of the public will respect the spirit of the new policy, the Council will not be in a position to enforce the policy with those not directly affected, unless they were to smoke within the footprint of the offices.

It is pleasing to report that eight employees have made a commitment to give up smoking since the new policy was agreed and are attending weekly stop smoking sessions. In recognition of taking positive action to improve the health of Members and employees the Council will receive the platinum smoking award as part of the healthier Wiltshire campaign.”

Members accepted that it would be difficult to enforce that part of the no smoking zone in question, and upon being put to the vote it was

Council Minutes – 30th January 2007

Resolved to adhere to the previous decision of the Personnel, Licensing and Administration Committee to include the steps leading down to Monkton Park and the public footpath in the proposed no smoking area.

The meeting started at 7.00 pm and finished at 9.05 pm.

There were two members of the public present.