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**Minutes of the Council Meeting held on Tuesday 24 March 2009 at the Council Offices, Monkton Park, Chippenham**

**Present:**

Chairman.....Councillor IJ Henderson

Councillors DB Allen, C Berry, CJ Caswill, A Clements, PR Darby, JP Doubell, SK Doubell, P Doyle, GR Greenaway, H Greenman, MEM Groom, JL Hall, J Hartless, M Hatton, R Henning, A Hill, PJ Hutton, T Jones, J Lay, RB MacGregor, E Marston, S Meadowcroft, S Meadows, RL Miles, JA Phillips, N Phillips, C Ramsey, C Reid, P Roberts, W Roberts, JA Scott, J Scragg, M Singlehurst, S Still, TR Sturgis, JPSS Thomson, RL Tonge, A Trotman, V Vines, A Wannell and C Wannell.

**Officers Present:** P Jeremiah (Legal Services Manager), S McGregor (Assistant Chief Executive), E Orchard (Head of Human Resources) and M Todd (Senior Democratic Services Officer).

**C73. Apologies for Absence**

Apologies for absence were received from Councillors K Banks, C Boase, A Bucknell, P Coleman, S Parker, H Plenty and R Sanderson.

**C74. Minutes**

The minutes of the Council meeting held on 24 February 2009 were considered.

**Resolved** that the minutes of the meeting held on 24 February 2009 be confirmed and signed as a correct record.



**C75. Declarations of Interest**

Declarations of interest were received from the following Councillors:

<b>Name</b>	<b>Item</b>	<b>Type of Interest</b>	<b>Nature of Interest</b>	<b>Action</b>
Councillor D Allen	Boundary Changes	Prejudicial	Member of Chippenham Town Council	Left meeting while the item was considered
Councillor P Darby	Boundary Changes	Prejudicial	Member of Chippenham Town Council	Left meeting while the item was considered
Councillor S Doubell	Boundary Changes	Prejudicial	Member of Chippenham Town Council and Wiltshire County Council	Left meeting while the item was considered
Councillor M Groom	Boundary Changes	Personal	Member of Wiltshire County Council	Left meeting while the item was considered
Councillor R Henning	Boundary Changes	Personal	Member of Wiltshire County Council	Left meeting while the item was considered
Councillor A Phillips	Boundary Changes	Prejudicial	Member of Chippenham Town Council	Left meeting while the item was considered
Councillor N Phillips	Boundary Changes	Prejudicial	Member of Chippenham Town Council	Left meeting while the item was considered
Councillor J Scott	Boundary Changes	Personal	Member of Wiltshire County Council	Left meeting while the item was considered
Councillor J Scragg	Boundary Changes	Prejudicial	Member of Chippenham Town Council	Left meeting while the item was considered
Councillor T Sturgis	Boundary Changes	Personal	Member of Wiltshire County Council	Left meeting while the item was considered
Councillor J Thomson	Boundary Changes	Personal	Member of Wiltshire County Council	Left meeting while the item was considered
Councillor A Trotman	Boundary Changes	Personal	Member of Wiltshire County Council	Left meeting while the item was considered

**C76. Chairman's Announcements**

(a) Refreshments

The Chairman informed members that as this was the final meeting of North Wiltshire District Council, refreshments would be available in the Committee Rooms.

(b) Minutes

The Chairman informed members that the minutes of the meeting would be circulated and signed off on 31 March 2009.

(c) Vote of Thanks

The Chairman thanked all members and officers past and present for their hard work and support over the years for North Wiltshire District Council.

(d) Presentation

The Vice Chairman presented the Chairman, Councillor I Henderson, with a plaque and thanked him for his excellent Chairmanship over the last year. He also presented the Leader of the Council, Councillor R Tonge with an engraved glass and thanked him for his outstanding work and leadership.

**C77. North Wiltshire District Council**

The Group Leaders and various members paid tribute to the achievements of North Wiltshire District Council during its 35 years of existence. They thanked all members and officers past and present for their hard work and dedication to the work of the Council. North Wiltshire residents had been well served over the years and many successful projects had been delivered. Members were sorry to see the demise of the District Council but wished the new Wiltshire Council every success for the future.

**C78. Public Question Time/Receipt of Petitions**

(a) Boundary Changes – Chippenham Without Parish Council

Councillor Paul Reynolds and Bruce Matthews (Clerk) from Chippenham Without Parish Council asked the following questions:

“The Council will be aware that the Secretary of State recently announced a revision of Parish Council boundaries including the drastic reduction in the boundary of Chippenham Without Parish Council, bearing in mind that the majority of the affected population are against this decision and will be incurring a minimum additional council tax burden of £100 per residence on an annual basis, does the District Council agree that a request to the Secretary of State to defer this decision to enable it to be considered by the new Unitary Authority, would be a triumph for local democracy?

Does the District Council not agree, that in the period of severe economic crisis when businesses are closing and people are losing their jobs, to allow an additional council tax burden over the next five years of £1.2

million at present precept levels, to be inflicted on the residents of the Cepen Park Estates, is the wrong course of action and sends the wrong message on public sector profligacy to hard working families in Wiltshire?”

The Leader of the Council responded by stating that this matter would be debated under the Notice of Motion item at the end of the meeting and that members of the Parish Council were welcome to listen to the debate.

(b) Chain of Office

Councillor Brian Atfield from Cricklade Town Council asked what would happen to the Chairman's chain of office following the demise of the District Council?

The Chairman stated that he would return the Chain to officers on 31 March 2009 and it would be held either at Chippenham or Trowbridge.

Councillor Atfield responded by suggesting that the chain should be displayed at Chippenham Museum.

**C79. Question Time**

(a) Councillor R Henning – Minute No. C66 – Literature and Publications

Councillor Henning asked how the public would be made aware of the new protocol for planning decisions. There was a leaflet but it was not clear how planning applications could be called in to be considered by the Development Control Committee.

Councillor Sturgis responded by stating that applications could be called in by County Councillors and that all County, District, Town and Parish Councillors had been informed of the new procedure. There was also a leaflet, roadshows had taken place and information was available on the website.

(b) Councillor C Ramsey – Minute No. E124 – Community Area Awards Update

Councillor Ramsey asked whether the energy grant funding had all been spent.

The Leader of the Council responded by stating that all the funding had been spent and that about 25 projects had been completed. He congratulated the officers, Parish Councils and voluntary groups for enabling this work to take place.

(c) Councillor P Doyle – Minute No. E120 – Update re Icelandic Banks

Councillor Doyle asked for an update regarding the deposits made in Icelandic banks.

The Leader of the Council informed members that the latest LGA update stated that the next creditor meeting for Landsbanki would take place during the week of 30 March and that there were positive signs that depositors will be treated as having preferential creditor status under Icelandic legislation. If this were to be the case Councils are likely to

recover a very significant part of their deposits. With regard to the funds held with the Heritable Bank the administrators has advised that he expects to make a material payment to creditors.

(d) Councillor C Caswill – Minute No. D82 – Wiltshire College Planning Application

Councillor Caswill asked whether the planning conditions relating to the Wiltshire College application should have been publicly recorded rather than simply stating that the matter be delegated to the Development Control Manager.

The Chairman of the Development Control Committee, Councillor J Thomson stated that it was important for the conditions attached to planning permissions to be both detailed and comprehensive and that for this reason the matter had been delegated to the relevant officers to settle the precise terms of each condition before granting the planning permission. This was standard procedure.

**C80. Report on Implementation Executive Meetings**

An oral update was given by the Leader of the Council on the meetings of the Implementation Executive held on 26 February and 16 March 2009 as follows:

- Area Boards had been the main topic of discussion on 16 March. In particular the arrangements for the South of the County.
- The Salisbury vision had been discussed.
- The arrangements for the parishing of Salisbury and staffing for the new Council were also discussed.
- In response to a question the Leader confirmed that the IE would continue to monitor the progress of major projects such as Phelps Parade in Calne.

**C81. Questions on Notice from Councillors – Council Procedure Rule 14.2**

The following questions were received from Councillors under Council Procedure Rule 14.2:

(1) **By Cllr R MacGregor**

**Question to the Leader.**

Section 106 contributions from the Hartwell Garage and the Cattle Market planning applications amounts to £576384 and is to provide additional educational facilities. As the Monkton Park Primary School is oversubscribed due to these additional homes can the Leader of the Council confirm if and when these funds will be used to extend the facilities at Monkton Park Primary so as to provide more pupil places?

**Response**

**The education contributions have been paid to the Wiltshire County Education Authority and the allocation of the funds is their responsibility.**

**(2)By Cllr C Caswill**

**i) To the Leader**

How many North Wiltshire District Council staff are still waiting for decisions on their future jobs in the new Wiltshire Council, with only eight days of their employment with this Council to run?

**Response**

**As at the 19th of March there were 28 Not Knowns (reduced from 69) and 35 Not Matched.**

Councillor Caswill then asked a supplementary question. As 63 staff had no certainty of their position in seven days time what action will the Implementation Executive (IE) take to reduce this number as quickly as possible?

**Response**

**The Leader of the Council responded stating that all staff who had not been matched or did not know their position would have jobs on 1 April. It was important to ensure that each person was offered the right job. The IE received the current figures at each meeting so were continually monitoring the situation. Staff were being kept up to date on their situation.**

**ii) To the Leader**

What are the eventual capital and revenue sums which will have been transferred to the new Wiltshire Council between the beginning of this year and March 31<sup>st</sup>?

**Response**

**The projected position remains unchanged. It is anticipated that Capital Reserves of £10M and a General Fund balance of £7.5M will transfer. Until the year end accounts are finally closed these figures can only remain projections, however no major changes are expected.**

**iii) To the Leader**

1. As this District Council's last financial year draws to a close, will he remind the Council of the amount of additional revenue that was made available in the year as a result of the downward valuation of the required General Fund Reserve by the Executive ?
2. Similarly, how much additional revenue was made available by the revaluation of the pension fund?
3. And thirdly, how much additional revenue, beyond the provision in the previous Medium Term Financial Plan for 2008-9, was made available by the changes in the rules for the Local Authority Business Incentive Initiative?

**Response**

1. **No additional revenue was made available from the downward valuation of the General Reserve Fund. The Section 151 Officer lowered the minimum level that the General Fund should in his opinion be set at, but this did not enable this council to take advantage as LGR was already in place and reserves were to be controlled.**
2. **None. The reduction in Pension contribution costs was taken into account in setting the overall budget and contributed to this Council not seeking a high Council Tax increase. The cost saving equated to about £60K.**
3. **None – We are not aware of any changes in the rules for LABGI. This authority was a recipient of additional grant which was not expected, this was not used for revenue purposes and is part of the reason why the General Fund is at a higher level than anticipated.**

**iv) To the Leader**

1. What happened to the Chippenham Conservation Area statement between the time it was brought to the Area 3 Committee in December 2007 and its hasty approval by the final meeting of the Executive on March 5 2009?
2. Did he and his colleagues simply lose interest in it, in the same way that they allowed the planning framework for the centre of Chippenham to slip into oblivion without any adequate replacement?

**Response**

**I believe the document being asked about is the Chippenham Conservation Area Management Plan, not 'statement'. The report to the Executive on 5 March explains what happened between then and now. In short, the decision to go Unitary meant that the process of progressing Supplementary Planning Documents (SPDs) to the North Wiltshire Local Development Scheme was halted by the Head of Policy. .**

**The recent approval of the document as a 'material consideration' by the Executive is a big step forward. The recent approval gives an otherwise unpublished but completed draft document some status and includes a recommendation that the new Council takes the document forward for public consultation before eventually adopting it as an SPD to the Wiltshire-wide Local Development Scheme**

**No we did not lose interest; consultation has been taking place on a regular basis. It did not slip into oblivion; the new authority will continue this work for Salisbury and other towns.**

v) **To the Leader**

1. When did he become aware of the proposals for boundary changes which will bring parts of Chippenham Without and Calne into the purviews of the Town Councils?
2. At what point in time did his group require to propose the motion on this council's agenda?

**Response**

1. **At the same time as all other members during the meetings running up to the Council meeting on 25<sup>th</sup> April 2006. At that meeting the Conservatives proposed alternatives which were rejected by the Liberal Democrat majority.**
2. **The motion has come about at this time due to the very late decision from the Boundary Commission, the confusion about the effect on the precept and the very real concerns of the residents.**

vi) **To the Leader**

1. What can he tell the Council about progress on the sale of the land which includes the Bath Road car park and the Bridge Centre?
2. What representations if any, had he made before the end of February this year to the County Council or the Implementation Executive, about ;
  - (a) The future delivery of the services currently provided by the Bridge Centre?  
and
  - (b) Alternative car parking provision during and after the proposed redevelopment of the site?

**Response**

1. **All seven parties who were originally shortlisted in the Bath Road developer selection have been contacted concerning the scoring matrix and have been given an update on the current position, in accordance with the adopted European procurement framework.**  
**The difficult market conditions over recent months have led to a fall in occupier demand, in particular from the retail sector that previously expressed interest in this site. The result is that it has been decided to consider phased bids for the development of the site as well as bids for the entire site in a single phase as originally planned. This will enable the site to be developed in stages and take advantage of a strengthening market in due course.**  
**The evaluation criteria and clarification of what is expected in the bidding process was sent to all 7 parties late on Friday 21st March 09.**



**Bidders are able to comment upon the proposed evaluation criteria within the next 2 weeks (ending close of business on Friday 3rd April). The closing deadline for bids is noon Friday 8th May 2009**

- 2. Representations have been made as part of the handover of this project to the new Authority;**
  - (a) The County Council is in the process of negotiating the acquisition of replacement properties for the relocation of the Youth Service, Young Peoples Support service, and the Adult Training Centre from the Bridge Centre. It is anticipated that these relocations will require planning consent and possibly a new build on an alternative site.**
  - (b) Bidders are required to be explicit in their bid about how many car parking spaces will be provided. The bids will identify what the impact will be on the current parking provision on the site and temporary provision during construction and longer term parking solutions within the town.**

Councillor Caswill then asked a supplementary question. Would it be possible for the IE to convey the view that any youth facility replacing the Bridge Centre should be in the centre of town. The IE should also be aware that residents were concerned about the development and the parking facilities.

### **Response**

**Councillor Tonge responded by stating that he would convey this message to the IE and confirmed that Councillor S Doubell would be involved in the working group considering this redevelopment.**

#### **vii) To Councillor Greenman**

1. For how many housing units on the Great Mead / Cowleaze former cattle market site has this Council provided subsidies for their purchase by Housing Associations?
2. For how many housing units on the Market Mead former Hartwalls garage site has this Council provided subsidies for their occupation by Housing Associations?
3. In each case, what proportions of the currently occupied and / or available properties are now being managed by Housing Associations?

### **Response**

- 1. The Council supported the purchase of 23 homes by Sovereign and Westlea Housing Associations with £1,391,000 affordable housing grant (£60,478/unit).**
- 2. No affordable housing grant was used at the Hartwell Ford site.**
- 3. There will be 39% affordable housing on the Cattle Market site and 38% affordable housing on the Hartwell Ford site, when the sites are completed. The current ratios are as follows:**

**Cattle Market**

**Total as per permission** 256  
**Total completed** 167  
**In management by RSL** 94 = 56%

**Hartwell Ford**

**Total as per permission** 39  
**Total occupied/ completed** 39  
**In management by RSL** 15 = 38%

**C82. Notice of Motion – Council Procedure Rule 15**

Consideration was given to report no. 10 which set out a Notice of Motion submitted by the Leader of the Council in accordance with Council Procedure Rule 15.

**Boundary Changes**

The following motion (as altered from the original notice of motion with the consent of the meeting) was moved by Councillor RL Tonge and seconded by Councillor C Ramsey:

“This Council understands the concerns of the residents of Chippenham Without, Langley Burrell and parts of Calne and Bremhill who will be faced with an increased level of Council Tax as a result of the changes requested by the previous administration at Council on 25 April 2006, and only recently confirmed by the Secretary of State, and will inform the Secretary of State that the Council no longer supports the proposal.”

The following issues were discussed:

- The boundary changes had taken many years to come to fruition.
- 625 people in Langley Burrell had been consulted on the proposals and 98.9% of respondents had been against the proposals.
- Residents were concerned that they would have to pay an extra £100 Council Tax as a result of the changes.
- It was noted that some residents in the Calne area were in a similar position.
- There was some concern about the sustainability of Chippenham Without Parish Council if the changes took effect.
- If the changes did not take place then residents in other areas would have to pay more.
- The Council had been aware of the situation since 2006 but the Secretary of State had only recently made a decision.

Council Minutes – 24<sup>th</sup> March 2009

Councillor Caswill requested a recorded vote.

<u>For</u> (23)	<u>Against</u> (7)	<u>Abstention</u> (0)
Councillor C Berry	Councillor C Caswill	
Councillor A Clements	Councillor J Doubell	
Councillor P Doyle	Councillor J Hall	
Councillor G Greenaway	Councillor M Hatton	
Councillor H Greenman	Councillor R MacGregor	
Councillor J Hartless	Councillor S Meadowcroft	
Councillor I Henderson	Councillor C Reid	
Councillor A Hill		
Councillor P Hutton		
Councillor T Jones		
Councillor J Lay		
Councillor E Marston		
Councillor S Meadows		
Councillor R Miles		
Councillor C Ramsey		
Councillor P Roberts		
Councillor W Roberts		
Councillor M Singlehurst		
Councillor S Still		
Councillor R Tonge		
Councillor V Vines		
Councillor A Wannell		
Councillor C Wannell		

On being put to the vote the motion was **carried**.

The meeting started at 7.00 pm and finished at 8.40pm.

There were 8 members of the public present.

Signed.....

Date.....