

DRAFT MINUTES SUBJECT TO APPROVAL AT NEXT MEETING ON 9th NOVEMBER 2006

Draft Minutes of the Meeting of the Executive held on Thursday 5th October 2006 in the Council Chamber, Council Offices, Monkton Park, Chippenham commencing at 7.00p.m.

Present: Councillor C. O’Gorman, Leader in the Chair

Councillors P. G. Allnatt, H. M. Dixon, S. K. Doubell, D. J. E. Evans, R. J. Henning, G. Offord and O. J. Thomas.

Non-Executive Councillors Present: Councillors S. M. Meadows, T. J. A. Northey, T. R. Sturgis, R. L. Tonge, A. J. Trotman, S. R. Walls and J. Webb.

Officers Present: D. Burbidge (Chief Executive), L. Bell (Community & Environment Strategic Manager), H. Braid (Policy & Democratic Services Officer), P. Jeremiah (Legal Services Team Leader), L. May (Policy & Democratic Services Assistant), J. Moody (Partnership Development Officer), E. Orchard (Human Resources Team Leader), S. Pangbourne (Strategic Manager Corporate Services), J. Parry (Housing Policy & Strategy Officer) and D. Stirling (Asset, Design and Regeneration Manager).

E55. Apologies for Absence

An apology for absence had been received from Councillor D. M. Moore.

E56. Public Question Time/Receipt of Petitions

Mr W. L. Stevens had submitted the following question in respect of a National Trust Proposal to Convert a Family Home in Lacock Village Centre into a Holiday Cottage

"In view of the proven serious housing shortage in this District including Lacock, would the Council please consider doing what it can to persuade the National Trust, which has also been proven to be the significant housing provider in the parish, to abandon the proposal to alter 2, High Street, Lacock, which is a three bedroom family home, to a holiday cottage?"

The Lacock community also fears that this is the “thin end of the wedge” and that if this policy were to continue , local people would be squeezed out to be replaced by weekenders and holidaymakers, as a promise by the National Trust to restrict holiday cottages to one only has not been kept elsewhere."

Mr Stevens also provided the additional note:

1. Information on housing need and “significant housing provider” taken from recent NWDC Housing Needs Report.
2. NWDC Planning Department received a local petition of 44 signatories objecting to the proposal and 13 letters of objection including one from Lacock Parish Council. Objections were for a variety of reasons including housing need, the effect on the community including the village school, changing a living community, and that it was contrary to the wishes of the donor.



3. The National Trust has received the rent for the property for 60 years with almost nil if any expenditure on repairs and maintenance.
4. There is no objection to the National Trust converting redundant buildings such as farm barns in the countryside to holiday cottages, but not a family home in the middle of a housing estate.

The following response from Councillor O. J. Thomas, Lead Member for Housing, was circulated at the meeting:

"Despite receiving 13 letters of objection, including objections from the Parish Council and the Tenants Association of the National Trust, and a petition signed by 44 people, planning permission is not required to change the use of a residential property into holiday accommodation. The current planning application is a listed building consent application related to the physical works proposed for the property.

I do however share the grave concern of local people, and intend to speak to the National Trust at the highest level, to explain that this Council is committed to retaining and developing local housing, to ensure the continued sustainability and vitality of the unique villages of North Wiltshire.

The Housing Team Leader has written to the National Trust regarding their change of policy in relation to the properties they own in Lacock pointing out the high affordable housing need in the parish and the significant contribution the National Trust properties make to meeting local needs. To date this has not lead to any change in policy. However, the Portfolio Holder is happy to agree to write again to the National Trust to express the concerns of the Council regarding their policy changes."

E57. Questions from Non-Executive Councillors

No questions had been submitted.

E58. Minutes

The Minutes of the meeting of the Executive held on 31st August 2006 (circulated with the agenda) were considered.

Resolved that the Minutes of the meeting of the Executive held on 31st August 2006 be confirmed and signed as a correct record.

E59. Declarations of Interest

Executive Members

Name	Item	Type	Nature	Action
ClIr C. O'Gorman	12 - Application to the Executive Capital Partnership Funding Scheme	Personal	Member of Calne Town Council	Remained in the meeting during consideration of this item.

Cllr G. Offord	11 - Homelessness Strategy 2006/2001	Personal	Employee of local Housing Association	Remained in the meeting during consideration of this item.
Cllr O. J. Thomas	Item 7 - Future of Public Conveniences Recommendations of the Overview & Scrutiny Committee	Personal	Member of Wootton Bassett Town Council	Remained in the meeting during consideration of this item.

E60. Leader's Announcements

The Leader made the following announcements:

1. Car Parking Strategy

The Lead Member for Car Parking has been setting up a new car parking working group now that decriminalisation of parking enforcement has been introduced. Letters have been sent to all parish and town clerks asking them to let the Council know of any particular issues on parking in their respective local communities. Replies have been requested for the first week in November.

It is also intended to set up a parking forum comprising representatives from town and parish councils and the town chambers of commerce.

A specification is also currently being developed for the submission of tenders from consultants to carry out research for the strategy.

2. AWARE Event

North Wiltshire District Council is organising a drop in event on Friday 27th October at the Neeld Hall Chippenham.

The event will be known as AWARE (A Way for All to Respect the Earth) and will aim to raise awareness on issues surrounding climate change.

It is anticipated that approximately 20 organisations will be taking part, by setting up stalls, running workshops and giving advice on a range of issues such as energy efficiency, renewable energy, micro-generation, locally produced food, reducing energy bills, water use and climate change generally.

The event will run from 10am to 4pm and will be open to members of the public to drop in for as long as they wish.

If any of you have some spare time on the 27th, why not pop into the Neeld Hall and show your support for a good cause.

Administrator's Note: Additional papers in respect of Agenda Items 7 & 8 had been circulated at the start of the meeting. To ensure that Members had enough time to read these papers, the Leader indicated that she would return to these items later in the meeting and would now move to Agenda Item 9.

E61. Signatories to the Council's Bank Accounts and Investment Portfolios

Consideration was given to Report No.9 (circulated with the agenda) which sought authorisation to appoint the new Chief Accountant post holder to become an authorised signatory to the Council's bank accounts and investment portfolios. Authorisation was also sought to remove the Interim Chief Accountant and the Finance Team Leader from the authorised signatory list as their contracts with the Council had ended.

Resolved that

- (1) The following changes to signatories on the Council's Bank Accounts and the Council's portfolios managed by Invesco Management Limited and Investec Asset Management Limited be approved:
 - (i) P. Hawley, Chief Accountant to be added to the approved bank signatory lists;
 - (ii) D. Ashton, Interim Chief Accountant to be removed from the signatory lists; and
 - (iii) D. Hodges to be removed from the signatory lists, apart from the pre-printed computer cheques, until the existing stocks are depleted, or a new supply is obtained with a current signatory's name.
- (2) The Council's list of approved bank mandate signatories to be as follows:
 - (i) N. Fenwick Strategic Manager Customer Services
 - (ii) P. Hawley Chief Accountant and Deputy Section 151 Officer
 - (iii) P. Jeremiah Monitoring Officer
 - (iv) E. Orchard Human Resources Team Leader
 - (v) S. Pangbourne Strategic Manager Corporate Services
 - (vi) D. Hodges for pre-printed computer generated cheques only; until such time as these are depleted, or a new supply with one of the above signatories is obtained.

E62. LIFT South West – A Regional Quality Improvement Strategy And Programme

Consideration was given to Report No.10 (circulated with the agenda) which informed Members of the progress in establishing LIFT South West (LIFT SW) as an improvement programme for the South West. The report also sought delegated authority for the Chief Executive to make decisions on the allocation of regional resources as part of the LIFT SW Executive Group.

Resolved

- (1) The progress made in establishing LIFT SW as an improvement programme for the South West be noted.
- (2) Authority be delegated to the Chief Executive to make decisions on the allocation of regional resources as part of the LIFT SW Executive Group.

E63. Homelessness Strategy 2006/2011

Consideration was given to Report No.11 (circulated with the agenda) which sought approval of the Homelessness Strategy 2006/2011

Resolved that the Homelessness Strategy 2006/2011 be approved.

E64. Application to Executive Capital Partnership Funding Scheme

Consideration was given to Report No.12 (circulated with the agenda) which sought consideration of an application for funding from the Executive Capital Partnership Funding Scheme. The applicant was Calne Town Council and the application was in respect of the development of the Beversbrook Playing Pitch Project.

The Mayor of Calne, Councillor Colin Viner, was in attendance to inform Members about the project.

Issues discussed during consideration of this item included:

- The benefits of the proposed sports facility for those who live in and around Calne.
- Clarification of the costs associated with the project.
- The length of time that had passed since community funding was awarded to the project by the Calne Area (5) Committee.
- The outcome of the funding application to the Football Foundation will be known by the end of October 2006.
- Calne Town Council did have contingency plans if the current funding applications are not successful.
- Calne Town Council will inform Councillors as to why reference to funding for access roads to the site is not referred to in the calculations.
- VAT is applicable to building costs as the buildings are not residential.
- The level of monies available in the Capital Partnership Funding Scheme.

Resolved that funding of £25,000 for the Beversbrook Playing Pitch Project be approved, subject to:

- (1) The balance of all funding being committed and in place to enable the full project to be delivered as detailed in the grant application
- (2) The grant being drawn down within 12 months of the award being made
- (3) The Council's funding being recognised in all future publicity relating to the project
- (4) Agreement by the applicant to undertake a thorough evaluation of the project.

E65. Update on the Outcomes of the Wiltshire Wildlife Trust Evaluation

Consideration was given to Report No.13 (circulated with the agenda) which updated Members on the progress being made to implement the recommendations identified in the evaluation of the Council's partnership with Wiltshire Wildlife Trust.

Resolved that

- (1) The report be noted.
- (2) Officers continue to implement the review recommendations.

E66. Area Committee Task Group – Terms of Reference and Appointment

Consideration was given to Report No.14 (circulated with the agenda) which sought approval of the Terms of Reference for an Area Committee Task Group and appointment of the Councillors to the Working Group.

Resolved that

- (1) The Terms of Reference for the Area Committee Task Group (as attached at Appendix 1 to these Minutes) be approved.
- (2) The Lead Member for Partnership Working be appointed to the Area Committee Task Group.
- (3) The Group Leaders of the Liberal Democrat Group and the Conservative Group be asked to each appoint one Member to the Area Committee Task Group.

E67. Climate Change Working Group Terms of Reference and Appointment

Consideration was given to Report No.15 (circulated with the agenda) which sought approval of the Terms of Reference for a Climate Change Working Group and appointment of the Councillors to the Working Group.

Issues discussed during consideration of this item included:

- It was important to ensure that the work of the Overview & Scrutiny Committee in respect of the Carbon Trust did not duplicate that of the Climate Change Working Group.
- The aim of the Working Group to bring all aspects of climate change work at the Council together to ensure a comprehensive approach.
- The possibility of the Working Group meetings being opened up to interested parties such as Friends of the Earth.
- Members of the Working Group will be consulted as to suitable dates and times for meetings.

Resolved that

- (1) The Terms of Reference for the Climate Change Working Group (as attached at Appendix 2 to these Minutes) be approved.
- (2) The following Councillors be appointed to the Climate Change Working Group:

Councillor J. Webb
Councillor S. K. Doubell
Councillor S. B. Meadowcroft
Councillor A. M. Bucknell
- (3) A letter be sent to the Leader of the Independent Group to request a Member be appointed to the Climate Change Working Group.

E68. Future of Public Conveniences – Recommendations of the Overview & Scrutiny Committee

At its meeting on 31st August 2006, the Executive resolved the following:

- (1) The seasonal closure of 5 public conveniences, as detailed in paragraph 3.2 (3) of Report No.24, be deferred and additional budget (approximately £18,000) be vired from elsewhere within the Revenue accounts or from reserves.
- (2) Negotiations with Wootton Bassett Town Council concerning the transfer of the Station Road facility, closure of Borough Fields and related issues be continued.

- (3) Wootton Bassett Town Council be asked to undertake a consultation exercise to justify the closure of Borough Fields.
- (4) A report be presented to the Executive meeting on 5th October 2006, providing an update as to the progress of negotiations with Town and Parish Councils in respect of devolving public conveniences.
(Minute E54 refers.)

This decision was "called-in" in accordance with Council Procedure Rule 41. Following its consideration of the decision on 19th September 2006, the Overview & Scrutiny Committee did not refer it back to the Executive, but did make the following recommendations:

- (1) That the Executive define the period of deferral, in relation to the seasonal closure of the 5 public conveniences.
- (2) That consideration should be given to developing clear guidelines for all communities being offered facilities, with a clear cut off date for any decisions.
(Minute O48 refers.)

The Executive was asked to consider the recommendations of the Overview & Scrutiny Committee. Consideration was also given to responses to the recommendations (circulated at the meeting).

Issues discussed during consideration of this item included:

- The closure of the 5 public conveniences, if still provided by the District Council, will be final in October 2007.
- The refurbishment costs for the Station Road conveniences at Wootton Bassett.
- The costs associated with the ongoing upkeep of the public conveniences.
- The letters to be sent to the Parish Councils will make it clear that a statement of principle is required by 3rd November 2006 and not a detailed agreement.
- A further report in this matter is to be made to the Executive meeting of 9th November 2006.

Resolved that the responses to the recommendations of the Overview & Scrutiny Committee (as attached at Appendix 3 to these Minutes) be agreed.

E69. Play Facilities Development and Management – Recommendations of the Overview & Scrutiny Committee.

At its meeting on 31st August 2006, the Executive resolved the following:

- (1) The Council's freehold interest in the play area adjacent to the former Malmesbury Outdoor Pool site be disposed of to Malmesbury Town Council for a consideration of £1.00, but otherwise subject to contract, which shall require the imposition of a covenant not to use the site for any purpose other than as a play area. The transfer to take effect on completion of the construction and laying out of the new play area and to include the payment to

Executive Minutes – 5th October 2006

the Town Council of the commuted sum of £7,000 for future maintenance of the play area

- (2) Further discussions with Parish or Town Councils on devolution or disposal of any other play areas and open spaces be continued.
- (3) Authority be delegated to the Assets, Design and Regeneration Team Leader to implement the upgrading and maintenance of play areas subject to the provision of budgetary limits in the Capital Planned Preventative Maintenance programme and revenue maintenance funds.
- (4) Authority be delegated to the Asset, Design and Regeneration Team Leader to establish and submit a play space strategy for the district and to engage with other stakeholders and in consultation with the Lead Member(s) on the submission of a grant application to the Big Lottery Fund.
- (5) A report be made back to the Executive in April 2007 on the actions taken.

This decision was "called-in" in accordance with Council Procedure Rule 41. Following its consideration of the decision on 19th September 2006, the Overview & Scrutiny Committee referred the decision back to the Executive for consideration as to whether the decision has breached adopted policy.

The Overview & Scrutiny Committee asked:

- (1) Whether the Play Facilities Development and Management Policy adopted on 21st June 2001 has been rescinded.
- (2) If the policy has been rescinded, is the new Policy District-Wide and what is the new Policy.

The Overview & Scrutiny Committee also made the following recommendations to the Executive:

- (1) If the Executive is minded to rescind the Council's policy on Play Facilities Development and Management, clarification is needed from Officers of the ongoing budgetary implications.
- (2) That rules are set out for consultation in communities in play areas.
- (3) That a package is put together to incentivise Town & Parish Councils to take on play areas. (Minute O47 refers.)

Consideration was given to the report considered by the Executive on 31st August which had been reproduced as Report No.8 (circulated with the agenda) and to the responses made to the questions of the Overview & Scrutiny Committee (circulated at the meeting).

Issues discussed during consideration of this item included:

- The requirements of the call-in procedure.
- The response to the issues raised by the Overview & Scrutiny Committee will be reported back to that Committee.

- The various policies and strategies already in place which impacted upon the provision of play areas, such as the National Play Strategy.
- The planned consultation for the proposed future Play Space Strategy and the consultation that may have already been undertaken by various Town and Parish Councils.
- A RoSPA inspection of all play areas in the North Wiltshire District is to be undertaken in November 2006.
- Community contributions from developers are held in a single budget and then allocated as required.

Resolved

- (1) That the decision of Executive made on 31st August 2006 in respect of Play Facilities Development and Management, set out at Minute E52, be endorsed.
- (2) The existing devolution policy on play facilities be suspended for the period of one year.
- (3) A report be made to the Executive on the proposed future Play Space Strategy, including a review of the existing devolution policy on play facilities.

E70. Exclusion of Press and Public

Resolved that in accordance with Regulation 21 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the press and public be excluded from the remainder of the meeting on the grounds that the following item of business involves the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 as follows and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Agenda item/Report name	Paragraph(s) of the Act / Schedule describing the exemption
Agenda Item 17 - Proposal to Undertake a Review of the Senior Management Structure of North Wiltshire District Council	1, 2 & 4

E71. Proposal to Undertake a Review of the Senior Management Structure of North Wiltshire District Council

Consideration was given to Report No.17 (circulated with the agenda) which informed Members of the proposal to undertake a review of the Senior Management Structure of North Wiltshire District Council.

Executive Minutes – 5th October 2006

This report had been considered the Council's Personnel, Licensing & Administration Committee at its meeting on 25th September 2006, which resolved:

- (1) The Chief Executive undertake a review of the management and staffing structure of the Council, concentrating initially on the senior management structure, in consultation with a Task Group consisting of the Leader, the Chairman of Personnel, Licensing and Administration Committee, the Chairman of the Overview and Scrutiny Committee and two members of the Chief Executive's Appraisal Committee, or their designated substitutes, supported by approved consultants and the Human Resources Team Leader.
- (2) The review is to be focussed on the Council's aim to be a customer focussed organisation and that the project is to be phased to cause the least disruption to the organisation and be managed with full communication with staff and Unison.
- (3) A Task Group be established to work with the Chief Executive in relation to resolution (1) and act as a steering group during the course of the review.
- (4) The Chief Executive be authorised to appoint The Tribal Group and A. W. Gray Consulting Limited to work together to advise, to develop options and make recommendations to the Task Group in respect of the organisational review.
- (5) The Task Group be authorised to agree Terms of Reference for The Tribal Group and A. W. Gray Consulting Limited.

(Minute P40 refers.)

Issues discussed during consideration of this item included:

- Any future structure has to be fit for purpose, facilitate effective partnership working and be able to adapt to any possible move towards unitary arrangements.
- The focus of the review is to be upon customer focus.
- The Task Group will be agreeing the brief for the work of the consultants.

Resolved that the resolution of the Personnel, Licensing & Administration Committee, as at Minute P40, be endorsed.

The meeting commenced at 7.00pm and concluded at 8.20pm.

There were 2 members of the public present.