



THE EXECUTIVE

Corporate Services
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Minutes of the Meeting of the Executive held on Thursday 8th February 2007 in the Council Chamber, Council Offices, Monkton Park, Chippenham commencing at 7.30pm.

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, D. M. Moore, G. Offord and S. R. Walls

Non-Executive Councillors Present: Councillors M.P. Hatton, J.M. Read,
T.R. Sturgis, R.L. Tonge, C. Wannell and J. Webb

Officers Present: L. Bell (Strategic Manager - Community & Environment), D. Burbidge (Chief Executive), L. Dabson (Senior Customer & Business Support Officer), B. Gray (Sponsorship & Campaigns Officer), P. Jeremiah (Legal Services Team Leader), P. Langcaster (Press & Media Officer), S. Pangbourne (Strategic Manager - Corporate Services), D. Stirling (Asset, Design and Regeneration Manager), P. Southway (Recovery Team Leader), P. Timmins (Interim Section 151 Officer), G. Wilson (Customer and Business Support Team Leader), and S. Wright (Policy and Democratic Services Officer)

E160. Apologies for Absence

Apologies for absence were received from Councillor O.J. Thomas.

E161. Public Question Time/Receipt of Petitions

No questions or petitions were submitted.

E162. Questions from Non-Executive Councillors

No questions were submitted.



E163. Minutes

The Minutes of the meeting of the Executive held on 1st February 2007 (circulated with the Agenda) were considered.

Resolved that the Minutes of the meeting of the Executive held on 1st February 2007 be confirmed and signed as a correct record.

E164. Declarations of Interest

Executive Members

Name	Item	Type	Nature
P.G. Allnatt	17 - North Wiltshire Leisure Limited	Personal	Town Councillor
H.M. Dixon	17 - North Wiltshire Leisure Limited	Personal	County Councillor
S.K. Doubell	17 - North Wiltshire Leisure Limited	Personal	Town and County Councillor
D.J.E. Evans	17 - North Wiltshire Leisure Limited	Personal	Parish Councillor
R.J. Henning	17 - North Wiltshire Leisure Limited	Personal	Town and County Councillor
G. Offord	17 - North Wiltshire Leisure Limited	Personal	Town Councillor
C.O’Gorman	17 - North Wiltshire Leisure Limited	Personal	Town Councillor and involved in a local group relating to leisure centres
S.R. Walls	17 - North Wiltshire Leisure Limited	Personal	Town Councillor

Non Executive Members

Name	Item	Type	Nature
M.P. Hatton	17 - North Wiltshire Leisure Limited	Personal	Town Councillor and involved in a local group relating to leisure centres
T.R. Sturgis	17 - North Wiltshire Leisure Limited	Personal	County Councillor and Shareholder of North Wiltshire Leisure Limited
R.L. Tonge	17 - North Wiltshire Leisure Limited	Personal	Parish Councillor
C. Wannell	17 - North Wiltshire Leisure Limited	Personal	Town Councillor and School Governor

E165. Leader’s Announcements

The Leader, Councillor C. O’Gorman: “I intend to take Agenda Item No. 17 – North Wiltshire Leisure Limited before Agenda Item No. 7. It will therefore be necessary to consider the exclusion of press and public (Item No.16) prior to discussion on the item.

I will also be recommending that Agenda Items 12 – Affordable Housing Grant, Westcroft, Chippenham and 13 – Empty Homes Strategy 2007-2009 be deferred to the March meeting of the Executive”

E166. 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 meeting for the following item of business 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
Item 17 – North Wiltshire Leisure Limited - Update Report	Paragraph 3

E167. North Wiltshire Leisure Limited – Update Report

Consideration was given to Report No.17 (circulated on 8th February 2007) which gave details of the current financial position and the Recovery Plan submitted by North Wiltshire Leisure Limited.

Issues discussed during consideration of this item included:

- The recommendations of the Leisure Provision Working Group;
- Terms and conditions relating to existing contracts with North Wiltshire Leisure Limited and Wycombe Leisure;
- The business plans submitted by community groups in respect of the leisure centres recommended for closure;
- The financial implications including the costs of maintaining closed centres, revenue implications for other options of retaining more than 3 sports centres and funding from other sources;
- Legal implications relating to dual use centres; and
- The views of local councils and users of facilities.

An amendment to recommendation 3 was proposed and duly seconded seeking the retention of Wootton Bassett Sports Centre to be funded from revenue and capital savings. On being put to the vote the amendment was carried.

Administrators Note: Councillors Allnatt and Dixon requested that their abstention from voting on the above amendment be recorded.

A further amendment was made seeking the retention of all six sports centres and on being put to the vote was lost.

Administrators Note: Councillors Allnatt and Dixon requested that their votes in support of the above amendment be recorded.

An amendment was proposed to recommendation 6 requesting that discussion be continued with community groups and others on leisure provision in North Wiltshire.

Resolved

1. To reject options 1, 2 3 and 4 for the reasons set out in the report.
2. Agree option 5 as the way forward.
3. Authority be given to the Community & Environment Strategic Manager in consultation with the Team Leader for Legal Services to procure a new interim service provider, as set out in Option 5 to run the centres at Malmesbury, Chippenham, Corsham and Wootton Bassett without testing the market at this stage in line with the urgent situation and subject to funding from the following changes in the 2007-08 budget:

Revenue

- Defer the appointment of ASBO Officer for six months - £20,000
- Increase in car parking fees - £109,000
- Rudloe Centre, delete funding - £33,000

Capital

- Rudloe Centre, delete funding - £75,000
 - Housing, reduce funding - £48,000
4. That the Team Leader of Legal Services be given authority to negotiate and complete all the legal documentation necessary to enable the new interim provider to operate the leisure centres referred to in recommendation 3.
 5. That the Section 151 Officer, in consultation with the Lead Member be authorised to make the appropriate payments to North Wiltshire Leisure Ltd. or a contracted interim provider to enable the service to continue until 31st March 2007 within the agreed budget of £500k from Reserves.
 6. That the recovery plans that have been submitted from community groups to save the centres marked for closure in Calne, Wootton Bassett and Cricklade are not accepted in their current form. The plans do not meet the criteria

set by the Council, as there are no financial underwrites attached to any of these plans and would expose the Council to more unknown costs. That community groups be thanked for their time, effort and enthusiasm, in presenting rescue plans for the centres and discussions be continued with all interested parties regarding any financial assistance that may be available for the continued operation of the centres.

7. That the Team Leader for Asset, Design & Regeneration secure the premises agreed for closure in the event that North Wiltshire Leisure Limited are unable to resource this work, without undertaking any formal tendering procedure; and
8. The Community & Environment Strategic Manager and Team Leader for Legal Services draw up the necessary tender documentation to enable the Council to tender for the longer-term service provision. As part of this tender process, officers are asked to explore the possibility of working with a partner to build a new leisure facility on the east side of the District.

The meeting then returned to open session.

E168. Consideration of the Views of the Overview & Scrutiny Committee on the revised Capital and Revenue Budgets

Consideration was given to the minutes of the Overview and Scrutiny Committee (Report No.7) which set out the views of the committee on the revised Capital and Revenue Budgets.

Issues discussed during consideration of this item included:

- The role of Overview and Scrutiny Committee in the budget process.

Resolved that the views of the Overview and Scrutiny Committee be noted.

E169. Revised Capital Budget 2007/2010

Consideration was given to a report (Report No. 8) on whether amendments should be made to the revised Capital Budget in the light of comments of the Overview & Scrutiny Committee.

Resolved that the Executive note:

1. The £177k resources, now available from the 2006-2007 programme;
2. The capital strategy and spend to save criteria (Annex 1);

3. The Changes in spend and resources; in response to the consultation, since 14th December 2006 (Annex 2);
4. The draft modified Capital Programme for 2007-2010 (Annex 3) as amended by the decision relating to North Wiltshire Leisure Limited (Minute No. E.167/3 refers); and;
5. The capital resources available to fund the Capital Programme (Annex 4);
6. The affordable housing briefing paper (Annex 5); and

That the Executive:

7. Agrees the Capital Budget, Programme and Strategy 2007-2008; and
8. Recommends it to the Council meeting of 22nd February 2007.

E170. Revised Revenue Budget 2007/2010

Consideration was given to a report (Report No. 9) on whether amendments should be made to the revised Revenue Budget in the light of comments of the Overview & Scrutiny Committee.

Issues discussed during consideration of this item included:

- The role of the Budget and Strategic Planning Group in developing the budget proposals; and
- The implications of the decision on North Wiltshire Leisure Limited (Minute No. E167 above refers).

Resolved that the Executive note:

1. The base budget, cost pressures, business critical growth;
2. The proposed level of Council Tax;
3. The growth bids;
4. The statement of the Robustness of Budget Estimates and the Adequacy of Reserves (Annexes 1 & 2);
5. The results of the consultation process, and the recommendation of the 18th January 2007 Budget and Strategic Planning Working Group; and

That the Executive:

6. Agrees the recommendation arising from the Budget and Strategic Planning Working Group, and the subsequent 2007-2008 revenue budget and level of Council Tax, and following two year's forecasts for 2008-2010, for 2007-08 consisting of:
 - a) The net base budget of £18,217k and the income from Government, Council Tax and the Collection Fund (Annex 3);
 - b) The addition of Inflation (Annex 5), Cost Pressures (Annex 6), Business Critical Growth (Annex 7), Efficiencies (Annex 8), and Savings (Annex 9),
 - c) as amended by the expenditure of £407k set out in the Use of Surplus schedule (Table 13);
 - d) and the implementation for 12 months the following three projects, amounting to £205k:
 - the deletion of savings on the closure of,
 - all public conveniences £136k, and,
 - Town Council Information Points £24k
 - The funding of a one-off project, Cricklade County Way £45k
 - e) And the phasing of Bids 35, 42, amounting to £130k pa, to commence in 2008-09;
 - f) That the Executive agree that Bid 43 £65k be the first call on 2007-08 LAGBI funds, that are in excess of the budgeted £245k.
 - g) as amended by the decision relating to North Wiltshire Leisure Limited (Minute No. E.167/3 refers);
 - h) The unallocated inflation be held as a contingent budget, to be allocated by the Executive through the 2007-08 budget monitors;
 - i) The implications of the LABGI announcement be considered at a later meeting of the Executive;
 - j) The minimum level of Reserves be set at £3.5m for 2007-08;
 - k) A report be presented, before March 31st 2007, on the use of reserves in excess of the minimum level.

- l) The Council be recommended to increase the Council Tax by 5% for 2007-08, for its own purposes;
 - m) The levy requirements of Parishes be considered as part of the report to Council on February 22nd 2007;
 - n) That the Executive agree the mechanisms for exercising the control over salaries, as set out in Table 3 of Annex 11 (p 88), and calls for a further report on their implementation.
 - o) That the Executive agree to the policy changes, implied by the budget.
- 8 Recommend it to the Council meeting of 22nd February 2007.

Administrators Note: Councillor Allnatt requested that his vote against the above resolutions be recorded.

E171. Business Rate Relief

Consideration was given to Report No.10 (circulated with the Agenda) asking the Executive to review and determine the policy and procedure for awarding discretionary business rate relief.

Issues discussed during consideration of this item included:

- The implications for smaller village halls of reduced rate relief.

Resolved

1. That any policy and procedure changes identified as a result of this report are introduced from 1st April 2007.
2. (a) That the scheme of delegation to officers be amended to reflect the table set out in Column 2 of Para 2.1, in accordance with the rules and guidelines shown in column 5.

(b) That the percentage of Discretionary Relief awarded to the various categories identified ie. Sport, education, village hall etc be as follows:
 - Arts 80% (No saving)
 - Education 80% (No saving)
 - Social Clubs 50% (saving £4,562)
 - Sports Clubs 0% (saving £16,326 - should apply for CASC status)
 - Village Halls 0% (saving £604 (should apply for charitable status), or obtain 50% Small Business Rate relief)
 - Youth Club 80% (No saving)

- (c) That the 20% Top-up Discretionary Relief should continue to apply to Council Voluntary Service and be awarded to the Citizens Advice Bureau (additional cost for CAB £1,728). Any other organisation should make an application and the decision will be taken on its merits.
 - (d) That the 100% Rural Relief should continue to apply to village shops and post offices, rather than 50%.
- 3. That the Rural Settlement List (appendix 1) be approved; and
 - 4. Those Village Halls not currently registered be advised of the process and benefits of being registered as a charity.

E172. Corporate Plan Progress Update – October to December 2006

Consideration was given to Report No.11 (circulated with the Agenda) which provided an update and exceptions report on the delivery and performance of the Corporate Plan for the period October to December 2006.

Issues discussed during consideration of this item included:

- The incorporation of the views of Overview and Scrutiny in future monitoring reports.

Resolved that the exception reporting for delivery and performance of actions under the priority areas in the Corporate Plan for October to December 2006 be noted.

E173. Request for Affordable Housing Grant – Westcroft, Chippenham

Resolved that the report be deferred to the 15th March 2007 Executive meeting.

E174. Empty Homes Strategy 2007-2009

Resolved that the report be deferred to the 15th March 2007 Executive meeting.

E175. Community Area Awards Policy

Consideration was given to Report No.14 (circulated with the Agenda) outlining amendments to the Community Area Awards Policy recommended by the Task Group and to seek approval for a revised criteria for the 'Community Area Awards' for use by all five Area Committees in 2007/2008.

Issues discussed during consideration of this item included:

- Financial implications and links to the Corporate Plan.

Resolved that the amendments from the Joint Community Area Funding Advisory Body (Task Group), outlined in section 4 of the report and the associated appendices be accepted and adopted as the 2007/08 Community Area Awards Policy.

E176. Amendments to Car Parking Order

Consideration was given to Report No.15 (circulated with the Agenda) seeking amendments to the Off-Street Parking Places Order.

Issues discussed during consideration of this item included:

- The accuracy of the location plans appended to the report
- Future options for the site at Bristol Road, Chippenham.

Resolved that

1. Approval be given to the proposals to amend the Dunns Lane car park, Castle Combe by the addition in the Parking Order of an area for the parking of coaches as shown on the plan attached to the report at Appendix 1;
2. Approval be given to the inclusion of the Bristol Road parking area within the Parking Order as shown on the plan attached to the report at Appendix 2.
3. The Team Leader Legal Services be given authority to take all necessary steps to amend the North Wiltshire District Council (Off-Street Parking Places) (Consolidation) Order 2006 to give effect to these changes and also to the extension to the Station Road Car Park, Malmesbury, as previously approved and **as shown on an amended plan attached to these minutes..**
4. The Team Leader Legal Services be given authority to make any future amendments to the Off-Street Parking Places Order (including any necessary consultations and advertising) except where such amendments involve changes to parking or penalty charges, or variations to the areas of land to be included within the Order.

The meeting commenced at 7.00pm and concluded at 8.50pm.

There was 1 member of the public present.