

Draft Minutes of the Meeting of the Executive held on Thursday 15th March 2007 in the Council Chamber, Council Offices, Monkton Park, Chippenham commencing at 7.00pm.

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

Councillors H. M. Dixon, S.K. Doubell, D. J. E. Evans, R. J. Henning, O. J. Thomas and S. R. Walls

Non-Executive Councillors Present:

Councillors P.G. Allnatt, C. Crisp, J.A. Scott, T.R. Sturgis, R.L. Tonge, A.J.Trotman and J. Webb

Officers Present: P. Barnett (ICT Team Leader), L. Bell (Strategic Manager - Community & Environment), D. Burbidge (Chief Executive), J. Cogswell (Community Partnership Team Leader), M. Doran (Environmental Health Team Leader), P. Jeremiah (Legal Services Team Leader), J. O’Brien (Housing Team Leader), E. Orchard (Human Resources and Payroll Team Leader), D. Stirling (Asset, Design and Regeneration Manager), P. Timmins (Interim Section 151 Officer), G. Wilson (Customer and Business Support Team Leader), and S. Wright (Policy and Democratic Services Officer)

Administrators Note: The meeting was convened at 7.00pm and adjourned until 7.15pm

E197. Apologies for Absence

Apologies for absence were received from Councillors P.R. Davis, S.D. Meadows and G. Offord.

E198. Public Question Time/Receipt of Petitions

There were no public questions or petitions received.

E199. Questions from Non-Executive Councillors

There were no questions from Non-Executive Councillors.

E200. Minutes

The Minutes of the meetings of the Executive held on 15th and 19th February 2007 (circulated with the Agenda) and 6th March 2007 (circulated on 12th March) were considered.

Resolved that the Minutes of the meetings of the Executive held on 15th and 19th February and 6th March 2007 be confirmed and signed as a correct record.



E201. Declarations of Interest

Name	Item	Type	Nature
R.J. Henning	14 – Empty Homes Strategy	Personal	Owner of empty property
C. O’Gorman	14 – Empty Homes Strategy	Personal	Owner of empty property

E202. Leader’s Announcements

The Leader, Councillor C. O’Gorman: “In accordance with Section 11(2)(b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 having regard to the special circumstances pertaining in this matter which are the need to clarify the Council position in respect of Cricklade Leisure Centre subsequent to the Executive decision taken on 6th March 2007, I am of the opinion that, despite its non-inclusion on the agenda, the matter of Cricklade Leisure Centre should be considered as a matter of urgency”. The item was taken as part of Agenda Item No. 20.

E203. Revenue Monitor 2006/07 – Month 9

Consideration was given to Report No. 7 (circulated with the agenda) setting out the revenue budget monitor for Month 9 of the 2006/07 financial year, showing the financial position at the end of December 2006 and setting out the anticipated variations in income and expenditure that could impact on the Council by the end of the financial year.

Issues discussed during consideration of this item included:

- The budget monitor improvements (Annex 5) contained in the report; and
- Additional information to be incorporated in to future monthly and quarterly monitoring reports.

Resolved that

- (1) the report forecasting an over spend of £17,800, on improvement of £14,700 on the Month 8 reported position be noted;
- (2) the spending freeze be continued;
- (3) the expected outturn position of North Wiltshire Leisure Limited, and the likely use of a further £680K of reserves be noted;
- (4) the 20 ways of improving the revenue monitor be agreed (Annex 5 to the report), to include methods for monitoring progress (2.1 to 2.8 monthly; 2.12 to 2.17 quarterly; tick list annex in all monitoring reports; 2.18 to include project management), and notes that a separate report would seek agreement to Project budgets; and
- (5) agreement be given to Member training in respect of the budget on an annual basis;

E204. Revenue Budgets 2007/08 – Project Budgets

Consideration was given to Report No. 8 (circulated with the agenda) considering proposals to carry forward project budgets from the 2006-07 Revenue budget into the 2007-08 Revenue budget.

Resolved that

- (1) the 'project budgets', be carried forward from the 2006-07 Revenue budget into the 2007-08 Revenue budget, as set out at paragraphs 4.1 and 4.2 of the report; and
- (2) the Government Grants, specified at paragraph 6.1 of the report be automatically carried forward.

E205. Revenue Monitor 2006/07 – Month 10

Consideration was given to Report No. 9 (circulated on 13th March) setting out the revenue budget monitor for Month 10 of the 2006/07 financial year, showing the financial position at the end of January 2007 and setting out the anticipated variations in income and expenditure that could impact on the Council by the end of the financial year.

Issues discussed during consideration of this item included:

- Public Transport support payments to Wiltshire County Council.

Resolved that

- (1) the report forecasting an under spend of £87,000, an improvement of £104,800 on the Month 9 reported position be noted;
- (2) agreement be given to lift the spend freeze on non-pay items (Option 1); and
- (3) the Project budgets carry forwards. (paragraph 4.1 of this Report and Report 8 on the Agenda - Revenue Budgets 2007/2008 – Project Budgets) be noted.

E206. Revenue Budgets 2007/2008 – Use of Excess Reserves

Consideration was given to Report No. 10 (circulated with the agenda) considering proposals on the use of excess Reserves.

Issues discussed during consideration of this item included:

- The criteria for Spend to Save initiatives.

Resolved that the use of excess Reserves as set out in paragraph 3.2.4 of the report (Spend to Save) be approved, against the criteria proposed at paragraphs 3.3 and 3.4.

E207. Capital Monitor 2006/07 – Month 9

Consideration was given to Report No. 11 (circulated with the agenda) informing the Executive of the latest position and forecast outturn on the 2006-07 capital programme and agree a transfer of resources to 2007-10.

Issues discussed during consideration of this item included:

- The need to update the Executive Portfolio Holders in the report; and
- Details of the slippage attached at Appendix 4 to the report.

Resolved that Executive

- (1) notes the figures contained in Appendix 1 of the Report in relation to the Capital Programme for 2006/2007 and the contents of the Report;
- (2) notes the detailed information on Capital Resources in Appendix 2 of the report;
- (3) notes the Capital Risk Assessment contained in Appendix 3 of the report; and
- (4) notes the Slippage Table in Appendix 4 of the report.

E208. Capital Monitor 2006/07 – Month 10

Consideration was given to Report No. 12 (circulated with the agenda) informing the Executive of the latest position and forecast outturn on the 2006-7 capital programme and agree a transfer of resources to 2007-10.

Resolved that Executive

- (1) notes the figures contained in Appendix 1 of the report in relation to the Capital Programme for 2006/2007 and the contents of the Report;
- (2) notes the detailed information on Capital Resources at Appendix 2 of the Report;
- (3) notes the Capital Risk Assessment contained in Appendix 3 of the Report; and
- (4) notes the Slippage Table in Appendix 4 of the Report.

E209. Request for Affordable Housing Grant – Westcroft, Chippenham

Consideration was given to Report No. 13 (circulated with the agenda) seeking the Executive's approval for allocation of Affordable Housing Grant to provide homes for affordable rent, for older people, spinal injury rehabilitation and people with learning disabilities, at Westcroft in Chippenham.

Issues discussed during consideration of this item included:

- An addendum to the report (circulated 14th March) providing updated financial information and a revised recommendation.

Resolved that

- (1) the commitment of Affordable Housing Grant of £115,000 to enable the provision of 9 new affordable homes by Westlea Housing Association at Westcroft, Chippenham be approved; and
- (2) authority be delegated to the Legal Services Team Leader to agree a nominations agreement with Westlea Housing Association.

E210. Empty Homes Strategy 2007-2009

Consideration was given to Report No. 14 (circulated with the agenda) seeking the Executive's approval for the Empty Homes Strategy 2007/2009.

Issues discussed during consideration of this item included:

- Funding for housing renewal for the period 2003 to 2008; and
- The timescales and target dates for delivery of the Empty Homes Action Plan.

Resolved that the Empty Homes Strategy 2007-2009 including the future options and Action Plan be approved.

E211. The Fouling of Land by Dogs – North Wiltshire District Council Order 2007

Consideration was given to Report No. 15 (circulated with the agenda) requesting the making of a Dog Control Order under Section 55 of the Clean Neighbourhoods and Environment Act 2005 in respect of failure to remove dog faeces from designated land in the North Wiltshire District.

Issues discussed during consideration of this item included:

- Publicity and promotion initiatives to encourage responsible dog ownership;
- The enforcement of legislation, reporting of offences and issuing of fixed penalty notices;
- That Car Parking Enforcement Officers should not be used for enforcement of Dog Control Orders;
- The provision of dog bins in that the Council would not be providing new receptacles and owners would be expected to use existing bins;
- Public Health issues; and
- The role of Town and Parish Councils and potential partnership opportunities with the District Council.

Resolved that

- (1) the Environmental Health Team Leader be given delegated authority to publish notice in a local newspaper of the proposal to make an Order in the form set out in the Appendix to the report, requiring removal of dogs faeces from those areas of land in the North Wiltshire District detailed in the Schedule to that Order;
- (2) any objections, or representations received, be considered at a future meeting of the Executive;
- (3) in the event of no objections or representations being received, authority be delegated to the Legal Services Team Leader in consultation with the Environmental Health Team Leader to make the Order and to publish notice of the making of the Order in a local newspaper;
- (4) the level of fixed penalty be set at £75.00 with a reduction to £50.00 if paid within 14 days of the issue of a Fixed Penalty Notice; and
- (5)
 - (i) Requests for the Council to make any Dog Control Orders on behalf of Town or Parish Councils shall be supported with evidence to show that the Order is necessary and proportional to deal with the dog problem.
 - (ii) The Council shall waive the legal costs but be reimbursed by the Town or Parish Council the cost of advertising and signage.

E212. ICT Strategy

Consideration was given to Report No. 16 (circulated with the agenda) seeking Members' approval for the ICT Strategy 2007-12.

Issues discussed during consideration of this item included:

- Joint ICT initiatives and procurement with other Councils in Wiltshire; and
- The implementation of a telephony strategy.

Resolved that the ICT Strategy 2007-12 be approved.

E213. Local Area Agreement for Wiltshire

Consideration was given to Report No. 17 (circulated with the agenda) seeking approval to sign the Local Area Agreement and to signify commitment by agreeing to deliver actions included within the agreement.

Issues discussed during consideration of this item included:

- The delivery of the Healthier Communities 'block' within the LAA.

Resolved that

- (1) North Wiltshire District Council's commitment to helping deliver the activities listed within the Local Area Agreement be confirmed;
- (2) approval be given for North Wiltshire District Council to be a signatory to the Local Area Agreement for Wiltshire 2007-2010;
- (3) delegated authority be given to the Chief Executive in consultation with the Leader of the Council to sign the agreement; and
- (4) delegated authority be given to the Chief Executive to approve any final changes to the final draft required for approval by Government.

E214. New Pay and Display Parking Charges

Consideration was given to Report No. 18 (circulated 15th March) advising of feedback from consultation with landowners in respect of the car parks at Newlands Road, Corsham and Borough Fields, Wootton Bassett.

Issues discussed during consideration of this item included:

- The views of the Martingate Shopping Centre Management Company and Somerfields in respect of Corsham and agents acting on behalf of the leaseholder in Wootton Bassett;
- The revenue implications of raising parking charges in the towns including use of any additional monies generated;
- The legal position with regard to the car parks and the consultation process; and
- Maintenance responsibilities at the car parks.

Resolved That authority be delegated to the Strategic Manager - Customer Services in consultation with the Lead Member to make a final decision with regard to varying the pay and display charges at Newlands Road, Corsham and Borough Fields, Wootton Bassett following consultation with Somerfields.

E215. Exclusion of Press and Public

Resolved that under Section 100A(4) of The Government Act, 1972, the 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 defined in Part 1 of Schedule 12A of the said Act 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 20 – Leisure Provision in Calne and Cricklade	Paragraphs 1 and 3

E216. Leisure Provision in Calne and Cricklade

Consideration was given to Report No. 20 (circulated 15th March), containing exempt information, in respect of options for leisure provision in Calne and providing an update on negotiations on Cricklade Leisure Centre.

Issues discussed during consideration of this item included:

- Proposals submitted by John Bentley School including financial information circulated at the meeting and options for the future operation of White Horse Leisure Centre;
- Personnel implications relating to staff transferring via TUPE, the redundancy process/ timetable and pension implications;
- Financial implications in respect of White Horse Leisure Centre including funding from the Council and other potential funding streams;
- Legal advice received in respect of covenants and personnel issues; and
- Timescales for making decisions in respect of options for the future operation of both centres.

Resolved that

In respect of Cricklade Leisure Centre

- (1) The Council does not agree to the condition proposed by the Cricklade and District Community Association set out in paragraph 2.4 of the report; and
- (2) Notwithstanding resolution (1) above authority be delegated to the Strategic Manager - Community Services in consultation with the Leader to reach an agreement with Cricklade and District Community Association and such other relevant party for the continued operation of the Cricklade Leisure Centre, for a period of up to 12 months from 1st April 2007 subject to the Council's financial commitment and exposure to risk being limited to the levels previously agreed by Council and the Executive, and such agreement being reached by 21st March 2007.
- (3) In the event of the transfer of staff to Cricklade and District Community Association the Council agrees to underwrite the pension arrangements for those staff affected.

In respect of White Horse Leisure Centre, Calne

- (1) Not to support the proposal submitted by John Bentley School. On the basis that the proposal does not meet the criteria agreed by the Executive to consider proposals from Community Groups to take over the management of the centre. This proposal does not meet the criteria on the basis that primary use of the centre would be for the school to meet the education curriculum, which is the responsibility of Wiltshire County Council;
- (2) Not to support the option from John Bentley School and Athena Leisure Limited on the basis that this option continues to expose the Council and its employees to an unacceptable level of risk; and
- (3) Notwithstanding resolution (1) above authority be delegated to the Strategic Manager - Community Services in consultation with the Leader to reach an agreement with John Bentley School and such other relevant party for the continued operation of the White Horse Leisure Centre, Calne for a period of up to 18 months from 1st April 2007 subject to the Council's financial commitment and exposure to risk being limited to the levels previously agreed by Council and the Executive, and such agreement being reached by 21st March 2007.

In respect of both leisure centres

- (1) That authority be delegated to the Legal Services Team Leader in consultation with the Leader, Section 151 Officer and Asset, Design & Regeneration Team Leader to take all steps necessary to give effect to these Executive decisions.

The meeting commenced at 7.00 pm and concluded at 9.35pm

There was 1 member of the public present.