

Draft Minutes of the Meeting of the Executive held on Thursday 19th April 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:

Councillor T.R. Sturgis

Officers Present: L. Bell (Deputy Chief Executive Officer), D. Burbidge (Chief Executive), J. Cogswell (Community Partnership Team Leader), A. Inkpen (Principal Environmental Health Officer - Licensing), P. Jeremiah (Legal Services Team Leader), L. May (Policy and Democratic Services Assistant), S. Parker (Community Partnership Officer), D. Stirling (Asset, Design and Regeneration Team Leader), K. Tiley (Licensing Officer), P. Timmins (Interim Section 151 Officer),

E217. Apologies for Absence

Apologies for absence were received from Councillors G. Offord and J.P.S.S Thomson.

E218. Public Question Time/Receipt of Petitions

There were no public questions or petitions received.

E219. Questions from Non-Executive Councillors

There were no questions from Non-Executive Councillors received.

E220. Minutes

The Minutes of the meeting of the Executive held on 15th March 2007 (circulated with the Agenda) were considered.

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

E221. Declarations of Interest

There were no declarations of interest received in respect of any item on the Agenda.



E222. Leader's Announcements

The Leader made the following announcements:

1. On page 5 of the Agenda the page numbering for items 14, 15 and 16 is incorrect.
 - The page numbers for Item 14 should be crossed out.
 - The page numbers for Item 15 should read 91 - 98.
 - The page numbers for Item 16 should read 99 - 108.
2. Agenda Item 11 – Pages 52 and 53 (Appendix 4) of the Countryside and Open Space Strategy (part of the supporting papers that were circulated separately) should be replaced – copies are available on the front table.
3. Agenda Item 16 – A replacement Appendix 2 showing a clearer map of the Neighbourhood Policing Teams is available on the front table.

E223. Revenue Monitor 2006/07 – Month 11

Consideration was given to Report No. 7 (circulated with the Agenda) which set out the revenue budget monitor for Month 11 of the 2006/07 financial year, showed the financial position at the end of February 2007 and set out the anticipated variations in income and expenditure that could impact on the Council at the end of the financial year.

Resolved that

- (1) The report forecasting an under spend of £181,900, and improvement of £94,900 on the month 10 position be noted;
- (2) The spend freeze on pay items (Option 1) be retained;
- (3) The project carry forward of £128,500 towards the costs of Restructuring be agreed;
- (4) It be noted that two of the 20 items to improve the budget monitor (Annex 4 to the report) have been delivered; and
- (5) The remaining 18 items to improve the budget monitor be timetabled for the next meeting of the Executive.

E224. Capital Monitor 2006/07 – Month 11

Consideration was given to Report No. 8 (circulated with the Agenda) which informed the Executive of the latest position and forecast outturn on the 2006-07 capital programme and noted change to the Risk Assessment Table.

Resolved that

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

E225. Annual Treasury Management & Investment Strategy 2007/2008

Consideration was given to Report No. 9 (circulated with the Agenda) which set out the objectives of the Treasury Management & Investment Strategy and the policies in force, to enable their achievement.

Issues discussed during consideration of this item included:

- The need for there to be Councillors/Officers with financial expertise involved with the proposed Working Group that will be constituted to monitor the Council's Treasury Management and Investment Strategy; and
- That the Leaders of the main parties after the forthcoming elections be invited to join the Working Group.

Resolved that the Executive:

- (1) Note and adopt, the Annual Treasury Management & Investment Strategy.
- (2) Recommend the revision of Prudential Indicator 11 Upper Limit for Total Principal Sums invested for over 364 (per maturity date) to Council for approval [paragraph 4.4 of the report].
- (3) Constitute a Working Group, comprising of the Leaders of the two main parties, plus two other Councillors to monitor the Council's Treasury Management and Investment Strategy with the Terms of Reference to be drafted and presented to a future meeting of the Executive.

E226. Delegation to Officers

Consideration was given to Report No. 10 (circulated with the Agenda) which sought to amend the general Scheme of Delegation to Officers and specific delegations to Strategic Managers necessitated by the management restructure.

Resolved that the Executive agrees the following changes to the general Scheme of Delegation to Officers and specific delegations to Strategic Managers as follows:-

- (1) All delegations presently exercisable by the Community & Environment Strategic Manager are to be exercised by a Deputy Chief Executive.
- (2) All delegations presently exercisable by other Strategic Managers are to be exercised by a Deputy Chief Executive once each post is formally deleted from the establishment.
- (3) All delegations exercisable by a Deputy Chief Executive also to be exercisable by the Chief Executive.

E227. Countryside and Open Space Strategy and Play Strategy

Consideration was given to Report No. 11 (circulated with the Agenda) which sought approval for a revised Countryside and Open Space Strategy and for a draft Play Strategy.

An amended Appendix 4 to the Countryside and Open Space Strategy was circulated at the meeting.

Issues discussed during consideration of this item included:

- Whether there was a sufficient budget available to carry out the actions proposed in the Countryside and Open Space Strategy and whether it should be considered by the Spatial Plans Panel before it is published;
- Specific problems over open space land occupation in Pewsham;
- That the Strategy forms part of Supplementary Planning Guidance; and
- That all four District Councils were working on the preparation of Play Strategies and that a bid for BIG Lottery funding would be submitted in September 2007.

Resolved that the Executive:

- (1) Approve the review and amendment of the Countryside and Open Space Strategy 2004 – 2008 and gives delegated authority to the Asset, Design and Regeneration Team Leader to prepare a list of preferred contractors so that a contractor based maintenance regime can be implemented for all the Council managed play areas.

- (2) Approve the draft Play Strategy 2007 – 2012 as a working document for wider consultation and that adoption of the Play Strategy and agreement of the project portfolio for the lottery bid be delegated to the Asset, Design and Regeneration Team Leader in consultation with the Executive portfolio holder.

E228. The Gambling Act 2005 (Premises Licence Fees 2007 and Scheme of Delegation)

Consideration was given to Report No. 12 (a revised version was circulated on 16th April 2007) which sought approval to set the fees in relation to the Gambling Act 2005 and to adopt a scheme of delegation to ensure that all provisions of Gambling Act 2005 can be implemented.

Issues discussed during consideration of this item included:

- The present number of gambling premises in North Wiltshire.

Resolved that:

- 1) The level of fees as detailed in Appendix 1 to the report be adopted to take effect from the 21st May 2007.
- 2) The Scheme of Delegation as detailed in Appendix 4 to the report be adopted.
- 3) The Environmental Health Team Leader be appointed as an authorised person under the Gambling Act 2005.
- 4) The Environmental Health Team Leader be given the authority to designate other Officers as authorised persons under the Gambling Act 2005.
- 5) The Environmental Health Team Leader be authorised to exercise all inspections and enforcement powers granted to the Council as Licensing Authority in relation to the Gambling Act 2005 or Regulations made thereunder and to authorise other officers to exercise those powers.
- 6) The Environmental Health Team Leader be authorised to instigate prosecutions under the Gambling Act 2005 in consultation with the Legal Services Team Leader as listed in Appendix 5 to the report.

E229. Amendments to Car Parking Order

Consideration was given to Report No. 13 (circulated with the Agenda) which asked the Executive to consider representations received in response to proposals to amend the current Off-Street Parking Places Order.

Issues discussed during consideration of this item included:

- The representations received in relation to the proposed changes in Castle Combe, Chippenham and Malmesbury; and
- The concerns expressed by the Chippenham Football Club and the present poor quality of the parking area which could pose a safety risk.

Resolved that

- 1) The alterations to the current Off-Street Parking Places Order, approved at the meeting of the Executive on 8th February 2007 in relation to:
 - i) The coach parking area at Dunns Lane Car Park, Castle Combe and
 - ii) The overflow parking area at Station Road, Malmesburybe confirmed.
- 2) In respect of the parking area adjacent to the Football Club on Bristol Road, Chippenham, the decision to amend the current Off-Street Parking Places Order approved at the meeting of the Executive on 8th February 2007 be deferred but that this area continue to be maintained as at present.
- 3) The Team Leader Legal Services be authorised to make the new Orders, as previously approved.

E230. Request from Malmesbury Area 1 Committee – Car Parking Charges in Malmesbury

Consideration was given to Report No. 14 (circulated on 16th April 2007) which sought the Executive's approval to the request of the Malmesbury Area (1) Committee to change the Car Parking Charges in Malmesbury for the duration of bridge works at Cow Bridge, Malmesbury.

Issues discussed during consideration of this item included:

- The views of the Malmesbury Area 1 Committee and that it was understood that they wished for the charges in the Cross Hayes car park to be reduced and not the Station Road car park;
- That the Cross Hayes car park is owned by Wiltshire County Council and managed by North Wiltshire District Council;

- The costs of advertising the proposed changes to parking charges; and
- That a letter has been sent to Wiltshire County Council conveying the Malmesbury Area 1 Committee's request for ½ hour free parking in the Cross Hayes Car Park.

Resolved that

- 1) The charges for the Station Road Car Park in Malmesbury remain as at present;
- 2) Authority be delegated to the Senior Parking Officer in consultation with the Lead Member to negotiate with Wiltshire County Council in relation to amending the charges at the Cross Hayes Car Park in Malmesbury to allow ½ hour free parking for the duration of the works on Cow Bridge, Malmesbury

E231. Tackling Crime and Disorder and Anti Social Behaviour

Consideration was given to Report No. 15 (circulated with the Agenda) which presented the Executive with a request to agree specific Officer delegation for Local Authority powers that may be exercised in the pursuit of reducing crime and disorder.

Resolved that Executive agree that:

- 1) The Community Partnership Team Leader, in consultation with the Portfolio Holder for Partnerships and the Ward Member(s) be given delegated authority to give consent under section 31 of the Anti Social Behaviour Act 2003 in any part of the District where group dispersal powers are proposed by the Police in accordance with the powers conferred by Sections 30-36 of the Anti Social Behaviour Act 2003.
- 2) The Community Partnership Team Leader, after consultation with the Portfolio Holder for Partnerships, the Ward Member(s) and the Legal Services Team Leader be given delegated authority to authorise applications for Injunctions or stand alone Anti Social Behaviour Orders (under section 1 of the Crime and Disorder Act 1998). Any such action would also be taken in accordance with the Anti-Social Behaviour Protocol for Wiltshire's Community Safety Partnerships 2004.

E232. Neighbouring Policing at Area Committees

Consideration was given to Report No. 16 (circulated with the Agenda) which asked the Executive to invite the Area Committees in Area 1 (Malmesbury) and Area 5 (Calne) to work with local Neighbourhood Policing Teams to bring Neighbourhood Policing issues to a forum working with the Area Committees for a pilot period.

An improved Appendix 2 which showed the Neighbourhood Policing Areas was circulated at the meeting.

Resolved that the Executive agree:

- 1) That the Area Committees in Area 1 (Malmesbury) and 5 (Calne) be invited to work with local Neighbourhood Policing Teams to bring Neighbourhood Policing issues to an effective forum working with the Area Committees for a Pilot period to last no longer than 12 months.
- 2) That the findings of the Pilot and any recommendations for other Community Areas are reported to a meeting of the Executive by the end of March 2008.

E233. Tourism Destination Management Partnership & Destination Management Systems

Consideration was given to Report No. 17 (circulated with the Agenda) which provided members with an update on the progression of the new Destination Management Partnership that has been set up to be the lead body for tourism in Wiltshire and Swindon and to provide details of the proposed new Destination Management Computer System.

Issues discussed during consideration of this item included:

- That the proposed new computer system would allow bookings, etc and the sharing of information all over the Country;
- That the contract with Wiltshire County Council would last for 3 years; and
- It was hoped that by working closely together, duplication would be avoided.

Resolved that

- 1) That the progress of the Destination Management Partnership be noted.
- 2) Authority be delegated to the Assets, Design and Regeneration Team Leader, in consultation with the Legal Team Leader to agree and sign the contract with Wiltshire County Council for the Destination Management System.

E234. Exclusion of Press and Public

To consider and, if appropriate, pass the following resolution:

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
Item 19 – Cricklade Country Way	Paragraphs 1 and 5

E235. Cricklade Country Way

Consideration was given to Report No. 19 (circulated with the Agenda), which updated the Executive on the report submitted by Savills on the negotiations relating to the development of the Cricklade Country Way project.

Issues discussed during consideration of this item included:

- The concerns of local landowners;
- The tight timescales imposed by the Lottery funding; and
- That an outline planning application was to be considered by the Development Control Committee next week.

Resolved

- 1) It was agreed in principle to use powers of compulsory purchase under the Planning & Compulsory Purchase Act 2004 or any other enabling legislation in order to acquire an interest in any land or rights over land necessary to deliver the project in the event of negotiations to acquire such interests or rights being unsuccessful.
- 2) That a report on the progress of negotiations for the acquisition of land be submitted to the Executive in 6 months time.

The meeting commenced at 7.00pm and concluded at 8.10pm

There were no members of the public present.