

Draft Minutes of the Meeting of the Executive held on Thursday 12th July 2007 in the Council Chamber, Council Offices, Monkton Park, Chippenham commencing at 7.00pm.

Present: Councillor R. L. Tonge in the Chair

Councillors R.M.H. Berry, A.M. Bucknell, R.A. Causer, V.H. Greenman, C.V. Ramsey, T.R. Sturgis and V.A. Vines

Non-Executive Councillors Present:

Councillors C.M.R. Boase, C. Crisp, S.K. Doubell, P. Doyle, J. Hartless, M.P. Hatton, R. Henning, P.J. Hutton, S. Parker, A. Phillips, C. Reid and A.J. Trotman

Officers Present: L. Bell (Deputy Chief Executive), D. Burbidge (Chief Executive), T. Daszkiewicz (Local Strategic Partnership Manager), P. Jeremiah (Legal Services Team Leader), J. Moody (Partnership Development Officer), L. Pullin (Policy and Democratic Services Assistant), D. Stirling (Asset, Design and Regeneration Team Leader), P. Timmins (Interim Section 151 Officer) and G. Wilson (Customer and Business Support Team Leader)

E24. Apologies for Absence

There were no apologies for absence received.

E25. Public Question Time/Receipt of Petitions

A number of questions were received from Mr P.G. Allnatt. Copies of the questions and the responses from the Executive were circulated at the meeting.

1. Corsham Railway Station.

Given the continuing ambiguity around the prospects for re-opening Corsham Railway station, including recent verbal support from a Government Defence minister, will the Leader of NWDC please re-affirm the Council's commitment to supporting the aspiration both in words and financially (both revenue and capital), albeit within the framework of the medium term financial plan? Can the Leader summarise what that commitment comprises?

2. Corsham Railway Station.

Given that *developers' financial contributions* to a future redevelopment scheme for Corsham Railway station is dependent upon a scheme being agreed and commenced according to a specified timetable and that in the event that a scheme does not get off the ground there is specific provision for alternative appropriate use for the aforementioned *developers' financial contributions* to be agreed with the developers, what action has been taken and is planned by the Council for this regrettable eventuality?



Response from the Executive to Questions 1 and 2

It is confirmed that Councillors Sturgis and Tonge attended a meeting at Corsham Town Hall on 8th June 2007 where representatives of Railtrack and Great Western were in attendance. NWDC will continue to do what it can to support the campaign.

In answer to the specific questions above:

1. *The land at Potley in the possession of NWDC for the station car park will be retained.*
2. *Regrettably the £600k allocated to the station project was removed from the Medium Term Financial Plan capital by the Liberal Democrat administration due to budget pressures. These pressures remain and until the finances of the Council are stabilised we are unable to comment on whether part or all of these monies can be reinstated.*
3. *Mr Allnatt is correct with regard to the developer's financial contribution. Under the terms of the S106 Agreement, the developer has covenanted to pay £252,000 to assist in the reopening of Corsham Station. However, if the station is not reopened for rail traffic by 31st January 2008 the money can be spent on sustainable transport projects or other community benefits within the vicinity of Corsham the need for which arises by virtue of the development. The obligation expires on 31st January 2018. No negotiations have taken place to date. The financial contribution can be called upon for alternative use at any time between 31st January 2008 and 31st January 2018. Clearly the station will not be reopened by 31st January so NWDC will open discussions with Corsham Town Council on this matter early next year.*

3. Car Parking in Corsham

What is the estimated budgetary income derived from abolishing the "free" parking period? When will the current policy be revoked and a "free" period reintroduced? How will the possible shortfall in income be accommodated within the revised budget?

4. Car Parking in Corsham

Is the Leader of the Council aware that some in the Corsham area, including members of the Chamber of Commerce, believe that:

- a. There is a total shortage of parking spaces in Corsham;
- b. In particular there is a shortage of medium and long stay parking spaces for employees (especially those on minimum wages, part time and charity shop staff)?
- c. Parking charges for employees journeying into the town are too high?

Does the Leader agree with these views and if so what does he propose to do about this situation, over what time and at what cost?

Response from the Executive to Questions 3 and 4

3. *The planned income to be derived from the first hour charges is £33,000. We are pleased that Somerfield is refunding for the first hour for their customers in Corsham and Chippenham. We are continuing discussions with the Chamber of Commerce and the Town Council.*

4. *We understand the difficulties with parking in Corsham and other Towns. The fact is that our towns were not designed for the huge increase in motor car ownership and the equally huge increases in population. The Car Parking Working Group is being reinstated to continue to look at these issues both operationally and strategically.*

5. Residents' Car Parking

Is the Leader aware that across the district in council run car parks some residents had enjoyed a degree of "residents' parking" and that certain concessions were made to maintain, in some measure, preferential arrangements for residents? Will these arrangements continue, what are they and what is the cost both administratively and opportunity costs in lost revenue?

6. Residents' Car Parking

What is the current state of development of a policy and an action programme for "on-street" residents' parking schemes throughout North Wiltshire?

7. Car Parking in Wootton Bassett

Is the Leader of Council aware that in the opinion of local County Councillor Toby Sturgis there is probably sufficient numbers of parking spaces in Wootton Bassett and that the current demand can be met by rationing through the charging regime? If he disagrees with councillor Sturgis what does he propose to do about the insufficiency?

8. Car Parking in Malmesbury

Similarly does the Leader believe there to be sufficient or insufficient parking spaces in Malmesbury and if the latter, what does he propose to do about it? Also, what is the current status of the legal dispute between the County Council and an adjacent business at the NWDC- run Cross Hays car park?

9. Car Parking in Chippenham and Calne

Similarly does the Leader believe there to be sufficient or insufficient parking spaces in Chippenham and Calne and if the latter, what does he propose to do about it?

10. Management of "off-street" and "on-street" (i.e. decriminalised parking offences) car parking.

- a. What is the total staff commitment for financial year 2007/2008? What is the total budgetary commitment financial year 2007/2008?
- b. Can you please analyse these totals in terms of man-hours and budget across "off street" and "on-street" parking (taking Cross Hays Malmesbury as "off-street" although technically it is "on-street")?
- c. What is the total length of public highway covered by the "on-street" (decriminalised) regime and what is the average number of man-hours per mile of "on-street" parking supervision available in North Wiltshire?
- d. Can you please give the revenue and capital sources and amounts for management of "off street" and "on-street" parking for the same period?
- e. Is it your intention to re-introduced "free parking" periods across other Council car parks? If so which ones and what is the impact of this upon the budgets identified in answer to question c.?

- f. Are “on-street” parking management, “off-street” parking provision or residents’ parking schemes part of the District council’s mandatory (Statutory) services? If not why is the council continuing with these services?

Response from the Executive to Questions 5, 6, 7, 8, 9 and 10

- *The costs and commitments will be reviewed by the Car Parking Working Group. Their papers will be open to public scrutiny.*
- *A great deal of work was done by the previous administration in respect to on-street parking and residents schemes in the form of the parking, access and transportation (PAT) consultation carried out whilst Mr Allnatt was a member of the Executive.*
- *Unfortunately the results of all of this work seem to have disappeared, so we are unable to capitalise on this information. This leaves us in a bad light with the public, who spent a considerable amount of time working with us, with raised expectations. If Mr Allnatt is able to locate this information and return it to the Council, we feel quite sure that the residents of North Wiltshire would be most grateful.*

Supplementary Question from Mr Allnatt

“I ceased to be the PAT champion when I joined the Executive. At that time I handed to the Chief Executive and then Leader, Councillor C. O’Gorman a summary of approximately 47 specific recommendations in relation to parking. Other material that I had was passed on to the new Lead Member. If required I will check my records to see if I still retain that information if it cannot be located by the Council? Also if required I would be happy to be co-opted onto the Car Parking Working Group.”

Response from the Chief Executive

I do not recall receiving the information detailed above, perhaps it was handed to the then Strategic Manager (Customer Services)? If Mr Allnatt could try and locate the papers and pass them on, the Council would be grateful.

11. Car Parking in Corsham and generally

Is the Council (its officers and Executive members) considering asking the business community to pay voluntarily towards the costs of re-introducing periods of free parking or for any other purposes? If the answer is "yes" what level of voluntary contributions is envisaged and what justification would there be for such a measure?

Response from the Executive to Question 11

11. *We are continuing to talk to the Chambers of Commerce.*

- *Councillor Allnatt will be aware that an additional £550k was included in the last administrations budget to cover the retention of the Wootton Bassett Leisure Centre and to fill a financial black hole.*
- *He will also know of the other financial pressures on this Council and that there is no instant solution. The Executive and other Members are working to identify savings and to make the changes to achieve them. We would welcome any constructive suggestions from any Member on areas of efficiency or savings.*

Petition Received

A Petition was received from Malmesbury Chamber of Commerce containing approximately 900 signatures to the following statement:

“We the undersigned request North Wiltshire District Council to reconsider, as a matter of urgency, their implementation of car parking charges for the Cross Hayes car park. In particular we want at least the first hour free. We hope the Council’s Executive will respond to the views that have been expressed by Malmesbury and District Chamber of Commerce and residents”.

Admin Note

The Petition will stand referred to the Car Parking Working Group who will give consideration to this request and then report back to the Executive.

E26. Questions from Non-Executive Councillors

Councillor P. Doyle asked the following question:

‘Wootton Bassett is grateful that the new administration has ensured Revenue funding for the continued operation of Lime Kiln Centre. Could the Council provide an update on future Capital funding to bring the Centre up to moderns standards, including disability access?’

Response from the Executive -

This will be considered by the Budget & Strategic Planning Working Group and the Leisure Provision Working Group in the context of the overall finances of the Council.

E27. Minutes

The Minutes of the meeting of the Executive held on 7th June 2007 (circulated with the Agenda) were considered.

Resolved that the Minutes of the meeting of the Executive held on 7th June 2007 be confirmed and signed as a correct record.

E28. Declarations of Interest

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

E29. Leader’s Announcements

The Leader made the following announcements:

1. Urgent Item of Business

“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 is the need to consider the

proposal by CLAG to reopen the Calne Leisure Centre for community use before the end of July 2007 prior to the decommissioning of the wet side as required by the Council's insurers I am of the opinion that, despite its non-inclusion on the agenda, the matter of Calne Leisure Centre should be considered as a matter of urgency and I am proposing that it be dealt with as an exempt item”.

The item will be considered after Agenda Item 19.

2. Late Items for the Executive Agenda

Due to the enormous amount of finance staff resources required to close the Council's accounts, report 11, the Revenue Budget Monitor report unfortunately was not available for Members until earlier this week and there was insufficient time and resources to prepare report 12 - Capital Budget Monitor. Accordingly this item has been withdrawn from the Agenda and will not be considered at the meeting.

The spreadsheet analysis of Financial Reserves and Balances 2008/11 (referred to Annex 2 of the report no 9 - Reserves Policy) has been circulated and copies are available on the desk below.

3. Questions from Non Executive members on specific Agenda Items

At the beginning of each agenda item for discussion, I will give an opportunity for any non Executive members present to ask any questions/make comments. Then the Executive members can ask any questions and debate the issue. No further questions from non Executive members will be received during this time.

4. Re-appointment of Executive Working Groups

Proposed Terms of Reference for the 5 Working Groups that are to be re-established also need to be approved - these have been circulated and copies are available on the desk below.

E30. Leisure Centre Update

Consideration was given to Report No. 7 (circulated with the Agenda), which provided an update to the Executive on the current position regarding leisure provision within the Council's Leisure Centres and suggested a way forward.

Issues discussed during consideration of this item included:

- On the revised version of the report that was circulated on 10th July the last Officer recommendation needed to be corrected to read 7 a and b and not 6:
- The views and intentions of the previous Executive when they made their decision on 8th February 2007;
- Concerns that the Lime Kiln Leisure Centre was only proposed to receive minimal improvement works;
- That the Leisure Provision Working Group would be giving due consideration to the future of all Leisure Centres; and

- The importance of the monitoring of the progress of the Leisure Centres under the interim management and that the Leisure Provision Working Group would refer any concerns to the Executive;

Resolved that the Executive;

- 1) Note the current position regarding leisure provision and monitoring arrangements.
- 2) Agree that the procurement of a future service provider should be undertaken as set out in Section 3 of the report.
- 3) Delegate to the Assets, Design & Regeneration Team Leader authority to select the most suitable tender to undertake enhancement and repair works within the centres as set out in Section 4 of the report.
- 4) Delegate to the Deputy Chief Executive authority, in consultation with the Lead Member to agree the terms of the prospectus referred to in paragraph 3.6 of the report.
- 5) Agree that the Leisure Provision Working Group should continue to meet to discuss and recommend the Council's objectives and priorities to the Executive as set out in paragraph 3.4 of the report.
- 6) Agree that the current budget allocated for leisure consultants, be used to develop a new Leisure, Culture and Sports Strategy as set out in 3.5 of the report and that authority be delegated to the Deputy Chief Executive in consultation with the Lead Member to appoint the consultants, within budget to undertake this work.
- 7) Agree to keep the Limekiln Leisure Centre open until a new facility on the east side can be further considered, subject to the budget shown in paragraph 5.7 of the report being identified.

E31. Amended Terms of Reference – Treasury Management and Investment Strategy Working Group

Consideration was given to Report No. 8 (circulated with the Agenda) which sought approval of the amended Terms of Reference for the Treasury Management and Investment Strategy Working Group

Resolved that the Executive approve the amendments to the Terms of Reference of the Treasury Management and Investment Strategy Working Group as set out in Appendix 1 to the report.

E32. Reserves Policy

Consideration was given to Report No. 9 (circulated with the Agenda) which set out for approval, a policy and strategy in relation to the Council's financial balances and reserves.

A spreadsheet analysis of financial reserves and balances for 2008/11 (referred to in Annex 2 to the report) was circulated at the meeting

Resolved that the Executive

- 1) Adopt the policy in relation to Balances and Reserves as provided at Annex 1 to the report in which the following change to the Council's Financial Procedure Rules was agreed;

“The use of balances and reserves is to be considered as follows:

- Up to the 'risk level' - the full Council
- Above the 'risk level' - the implementation of the full Council's policy, by the Executive;
- Specific Reserves (Earmarked Balances) - delegated to the S151 Officer of the Council.”

- 2) Approve the proposed strategy for the use of Balances and Reserves for the purposes of the development of the Financial Strategy for 2008/11 (Annex 2 to the report) and note that, in accordance with statutory requirements, it will be reviewed as part of the Council's annual budget setting process.

E33. Revenues Collection

Consideration was given to Report No. 10 (circulated with the Agenda) which updated Members on the amount of revenues collected in 2006/07 and proposed improvements

Issues discussed during consideration of this item included:

- That because the collection date for Council Tax was brought forward to the first of the month, this, and other improvements, would contribute to the increase in collection performance from 98% to 98.5% in 2007/08.

Resolved that

- 1) The report be noted.
- 2) Authority be delegated to the Deputy Chief Executive, in consultation with the Lead Member for Resources and Democracy to use funding of

up to £100K from reserves for a Spend to Save programme on revenues to transform performance.

E34. Revenue Budget Monitor 2007/08

Consideration was given to Report No. 11 (circulated on 10th July) which set out the Revenue Budget Monitor for Month 2 of the 2007-08 financial year, showing the financial position at the end of May 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:

- The importance of the recruitment of a Refuse Superintendent taking place as soon as possible.

Resolved that the Executive

- 1) Note the report which forecasts an underspend of £36k and the Government Initiatives as set out at Annex 6 to the report.
- 2) Agree to redeploy growth of £50k (for loss of income in planning that will now not occur) to fund redundancy costs.

E36. Capital Budget Monitor 2007/08

This item was withdrawn from the Agenda prior to the meeting and was not considered.

E37. Reappointment of Executive Working Groups

Consideration was given to Report No. 13 (circulated with the Agenda) which listed the Executive Working Groups for which appointments were required and asked the Executive to make the appropriate appointments.

Terms of Reference for the five proposed Working Groups were circulated at the meeting.

Resolved that

- 1) The Executive approves the re-establishment of the following Working Groups:
 - Area Committees Working Group
 - Budget & Strategic Planning Working Group
 - Car Parking Working Group
 - Customer Focus Working Group
 - Leisure Provision Working Group.

- 2) The Terms of Reference for the above Working Groups (**attached as Appendix 1 to these Minutes**) be approved.
- 3) Authority be delegated to the Chief Executive in consultation with the Group Leaders and relevant Lead Members to make appointments to the Working Groups as detailed in the Terms of Reference.

E38. Evaluation of the North Wiltshire Partnership

Consideration was given to Report No. 14 (circulated with the Agenda) which provided Members with the outcomes of the evaluation of the North Wiltshire Partnership (NWP), the Local Strategic Partnership (LSP) for the district.

Issues discussed during consideration of this item included:

- That the evaluation had identified issues with the structure of the North Wiltshire Partnership which could now be addressed to make improvements;
- Ways in which the work of the Partnership could be more positively communicated to raise awareness; and
- The positive efforts of the Councils Local Strategic Partnership Manager in assisting the Partnership.

Resolved that the Executive note the outcomes and recommendations of the evaluation of the North Wiltshire Partnership, as attached in Appendix 1 to the report, and agree that the Council supports the Partnership in implementing the evaluation recommendations.

E39. Introduction of Charges for compost Collection in Pewsham, Chippenham

Consideration was given to Report No. 15 (circulated with the Agenda) which updated the Executive on the position regarding the extended trial of non-chargeable compost collection service in Pewsham, Chippenham, which was introduced in the 1990's and to agree to the introduction of a charge for this service from 6th September 2007.

Issues discussed during consideration of this item included:

- Concerns over the implementation date;
- That the charges proposed relate to the cost of the collection, not the size of the bin;
- The ways in which the changes would be communicated to the residents;
- The implications of NWDC's agreement with Hills Waste;
- That the take up of the revised scheme should be monitored; and

- That any future pilot schemes of any nature within the district should have strict timescales.

Resolved that the Executive

- 1) Agrees to end the current free pilot-scheme for compost collection at Pewsham and introduce a chargeable service with effect from 6th September 2007.
- 2) Agrees to introduce a lower annual charge of £17 for the first 110 litre bin and £8 for any additional 110 litre bins at the same property in Pewsham to encourage the current users who have participated in the scheme to retain their existing 110 litre wheeled bins and continue to compost their green waste.

E40. Exclusion of the 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 items of business involve 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 - Disposal of Land at London Road, Chippenham	Paragraph 3
Item 18 - Disposal of Surplus Buildings and Land	Paragraph 3
Item 19 - Cromwell House and Car Park, Bumpers Farm, Chippenham, Lease Variation	Paragraph 3
Urgent Item 20 - Calne Leisure Centre	Paragraph 3

E41. Disposal of Land at London Road, Chippenham

Consideration was given to Report No. 17 (circulated with the Agenda) which sought authorisation to dispose of land at London Road, Chippenham to an adjoining landowner/developer on a conditional contract subject to the grant of planning permission.

Resolved that the Executive authorises the freehold disposal of land at London Road, Chippenham identified on the plan attached to the Report as Appendix 1 on the terms and at the price recommended by the Council's Retained Valuer, subject to planning permission being obtained as set out in Option 1 to the report.

E42. Disposal of Surplus Buildings and Land

Consideration was given to Report No. 18 (circulated with the Agenda) which gave details of various assets of the Council which could be disposed of for a capital receipt and sought authorisation to dispose of surplus land and buildings on terms to maximise best value.

Site maps of the proposed disposals of land were circulated at the meeting.

Issues discussed during consideration of this item included:

- That it would have been helpful to include as much detail as possible on the Agenda for those who are not entitled to read exempt papers;
- That Biddestone Parish Council and Calne Town Council could be re-approached to offer them the purchase of the land/buildings in their respective areas at the market rate.

Resolved that

- 1) Authority be given for the disposal of surplus land and buildings at Biddestone, Box, Calne, Chippenham, and Wootton Bassett as detailed in Appendix 1 to the report on terms to be agreed by the Assets, Design and Regeneration Team Leader in consultation with the Section 151 Officer, the Legal Services Team Leader and the Council's Retained Valuer.
- 2) The disposal of the surplus land and buildings at Biddestone and Calne, detailed in Appendix 1 to the report be deferred until Biddestone Parish Council have been given a further opportunity to acquire the land and buildings on the terms previously offered and Calne Town Council have been given a further opportunity to acquire the land and buildings at market value.

E43. Cromwell House and Car Park, Bumpers Farm, Chippenham – Lease Variation

Consideration was given to Report No. 19 (circulated with the Agenda) which sought authorisation to alter the lease of the Car Park adjoining Cromwell House, Bumpers Farm to widen the car park user clause to include B1 and B8 of the Use Classes Order 1987.

Resolved that subject to contract, the lease of the Car Park adjoining Cromwell House, Bumpers Farm, Chippenham be varied by extending the user clause to include B1 and B8 of the Use Classes Order 1987 as amended on terms to be agreed by the Legal Services Team Leader in consultation with the Council's Retained Valuer as set out in Option 1 to the report.

E44. Urgent Item – Calne Leisure Centre

Consideration was given to an Urgent Report No. 20 (circulated at the meeting) which considered a business plan proposal submitted by the Calne Leisure Action Group (CLAG) to re-open the White Horse Leisure Centre, Calne for community use.

Issues discussed during consideration of this item included:

- The background information and the up to date position;
- That CLAG has made an application to the Calne Area 5 Committee for £75,000 of capital funding – the application would be determined at a special meeting of the Committee on 18th July 2007;
- Issues over “match funding”; and
- The efforts of CLAG and the Calne community to re-open the Leisure Centre.

Resolved that

- 1) Authority be delegated to the Deputy Chief Executive (Customer & Environment) in consultation with the Section 151 Officer to release £60,000 to the Calne Leisure Action Group (CLAG) or such other body set up by CLAG to operate the Leisure Centre, subject to guarantee of repayment in the case of early closure.
- 2) Subject to the present licence of the Leisure Centre to John Bentley School being terminated or suspended, a lease of the White Horse Leisure Centre be granted to CLAG or such other body set up by CLAG to operate the Leisure Centre on terms to be agreed, by the Legal Services Team Leader in consultation with the Deputy Chief Executive (Customer & Environment), the Asset, Design and Regeneration Team Leader, the Section 151 Officer and Wiltshire County Council.
- 3) Should the Calne Area (5) Committee approve a capital grant to CLAG or such other body set up by CLAG for the purchase of gym equipment, that a one-off exception be applied to the current funding criteria policy to enable this to occur in

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this instance only, provided that any grant award is conditional on any equipment purchased by CLAG, or such other body becoming the property of North Wiltshire District Council should CLAG, or such other body set up by CLAG cease to be tenant of the Leisure Centre.

- 4) That authority be delegated to the Deputy Chief Executive (Customer & Environment) in consultation with the Lead Member and Leader of the Council to vary any of the arrangements referred to in recommendations 1 – 3 above provided that the variations do not result in additional cost to the Council or any additional risk.

The meeting commenced at 7.00pm and concluded at 8.40pm.

There were 4 members of the public present.