

*North
Wiltshire
District
Council*

Corporate Services
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**OVERVIEW &
SCRUTINY
COMMITTEE**

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Minutes of the Meeting of the Overview & Scrutiny Committee held on Tuesday, 19th September 2006 in the Council Chamber, Level –1, Monkton Park Offices, Chippenham, commencing at 6.00 p.m.

Present:

Chairman: T.R. Sturgis

Committee Councillors: J.R. Ireland, S.D. Meadows, C. Reid, J.H. Rooke, J.P.S.S. Thomson, R.L. Tonge, S.R. Walls, J. Webb and J.M. Wood.

Other Councillors Present:

H.M. Dixon, N.M. Phillips and C. Wannell.

Officers Present:

P. Jeremiah (Team Leader – Legal Services), D. Burbidge (Chief Executive), D. Stirling (Asset, Design & Regeneration Manager) and J. Whittleton (Policy & Democratic Services Assistant).

O41. Apologies for Absence

None received.

O42. Membership

There were no changes of membership.

O43. Public Question Time/Receipt of Petitions

There were no public questions nor petitions received.

O44. Declarations of Interest

Name	Item	Type of Interest	Nature of Interest	Action
Councillor T.R. Sturgis	Agenda Item 6 - Consideration of Call In – Play Facilities Development and Management	Personal	Was responsible for the maintenance of a play area in Great Somerford	Remained in the Chamber
Councillor R.L. Tonge	Agenda Item 6 - Consideration of Call In – Play Facilities Development and Management	Personal	Is Chairman of Colerne Parish Council, a Parish where one of the play areas is situated.	Remained in the Chamber
Councillor C. Wannell	Agenda Item 8 - Consideration of Call In – Future of Public Conveniences	Personal	Member of Wootton Bassett Town Council, where conveniences are situated.	Remained in the Chamber
Councillor S.R. Walls	Agenda Item 8 - Consideration of Call In – Future of Public Conveniences	Personal	Member of Wootton Bassett Town Council, where conveniences are situated.	Remained in the Chamber

O45. Chairman’s Announcements

The Chairman, Councillor T.R. Sturgis.

URGENT BUSINESS - Appointment to the Budget & Strategic Planning Working Group

In accordance with Section 100B(4) of the Local Government Act 1972 having regard to the special circumstances pertaining in this matter – namely, that the first meeting of the Working Group is prior to the next ordinary meeting of the Overview & Scrutiny Committee, that Appointment to the Budget & Strategic Planning Working Group should be considered at this meeting as a matter of urgency.

REQUEST FROM COUNCILLOR J.R. IRELAND

I have received a request from a Councillor for the Overview & Scrutiny Committee to consider some allegations made regarding an on going development control matter. It was requested that the issue be discussed at this meeting as a matter of urgency.

I have contacted the parties involved and as yet we do not have sufficient corroborative information to consider the matter.

O46. Consideration of Call In – Play Facilities Development and Management

Consideration was given to Report No. 6, circulated with the Agenda, which set out the procedure for considering called in decisions and contained information relating to the Executive decision on Play Facilities Development and Management.

Issues discussed included:

- Whether the decision of the Executive constitutes a breach or change of policy;
- Incentives for Town and Parish Councils to take over play areas;
- The difference between capital and revenue expenditure;
- The Report on play areas to the Executive on the 21st June 2001;
- The need for a robust devolution policy;
- The potential implications of changing the policy inadvertently;
- Whether the decision was taken with knowledge of all the material facts; and
- Consultation with communities about the future of play areas.

Resolved

- 1) That the decision be referred back to the Executive for it to be reconsidered.
Reason: To consider whether the decision has breached adopted Policy.
- 2) To ask the Executive whether the Policy adopted on the 21st June 2001 has been rescinded or suspended.
- 3) To ask, if the Policy has been rescinded, what is the new Policy and is it District wide.
- 4) To recommend to the Executive that if they are minded to rescind the Policy, clarification is needed from Officers of the ongoing budgetary implications.
- 5) To recommend to the Executive that rules are set out for consultation in communities about play areas.
- 6) To recommend to the Executive that a package is put together to incentivise Town & Parish Council's to take on play areas.

O47. Exclusion of the Press & Public

Resolved that under Section 100A(4) of The Local 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 below and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information:

Agenda item/Report name	Paragraph of the Act / Schedule describing the exemption
Agenda Item 8 – Consideration of Call In - Future of Public Conveniences	Paragraphs 1 & 4

O48. Consideration of Call In – Future of Public Conveniences

Consideration was given to Report No. 8, circulated with the Agenda, which set out the procedure for considering called in decisions and contained information relating to the Executive decision on the Future of Public Conveniences.

Issues discussed included:

- Incentives for Town & Parish Councils to engage in discussions concerning operation of facilities;
- DDA compliance;
- The implications for Town & Parish Councils of TUPE and the obstacle to devolution that it presents; and
- The decision to close the conveniences in Station Road, Wootton Bassett.

Resolved

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

O49. Appointment to the Budget & Strategic Planning Working Group

Resolved that Councillor S.R. Walls be appointed as the Overview & Scrutiny representative to the Budget & Strategic Planning Working Group.

The meeting finished at 7.30pm.

There were 3 members of the public present.