

Draft Minutes of the Overview & Scrutiny Committee held on Thursday, 13th September 2007, in Committee Rooms A, B & C, Monkton Park, Chippenham, commencing at 7.00 p.m.

Present:

Chair: C.J. Caswill

Committee Councillors: S.K. Doubell, P.J. Doyle, J.M. Hartless, A.K. Hill, R.B. McGregor, S.G. Parker and M.L. Singlehurst.

Other Members Present: P.C.B. Coleman, B. Causer, R.L. Tonge and T.R. Sturgis.

Officers Present: S. Pangbourne (Deputy Chief Executive), P. Jeremiah (Legal Team Manager), D. Stirling (Assets, Design & Regeneration Manager) and J. Whittleton (Policy & Democratic Services Assistant)

O35. Apologies for Absence

Apologies were received from Councillors J.P.S.S. Thomson, C. Reid and P.C.B. Coleman.

O36. Membership

Councillor to be Replaced	Replacement	Political Group
P.C.B. Coleman	S.K. Doubell	Liberal Democrats

O37. Public Question Time/Receipt of Petitions

Public questions were received from Mr J. Belk concerning a recent planning application at Cocklebury Road, Chippenham. A copy of the questions are appended to these Minutes as Appendix 1.

Public questions were received from Mr B. Perrett concerning a recent planning application at Cocklebury Road, Chippenham. A copy of the questions are appended to these Minutes as Appendix 2.

The Committee decided to address the issues raised under Agenda Item 7, Cocklebury Road Developments. But allowed Councillor S.K. Doubell and T.R. Sturgis to respond before they left the chamber for that item.

Councillor S.K. Doubell stated that at the 1st August 2007 Development Control meeting, a recorded vote was taken, in which she voted against approval of the application.

Councillor T.R. Sturgis responded to Mr J. Belk's 5th point concerning the wooden 'penthouses'. He stated that he would stand by what he said at the Development Control meeting as the weight of the wooden penthouses compresses the buildings timber frames and lends structural stability. If the Penthouses were not added, the buildings stability may be compromised.

O38. Minutes

The Minutes of the meeting of the Overview & Scrutiny Committee held on 19th July 2007 were considered.

Resolved that the Minutes of the meeting of the Overview & Scrutiny Committee, held on 19th July 2007, be approved and signed as a correct record.

O39. Declarations of Interest

Name	Application /item	Type of Interest	Nature of Interest	Action
S.K. Doubell	Item 7 – Cocklebury Road Developments	Overview & Scrutiny Procedure Rules	Member of the Development Control Committee that considered the application	Left the Chamber for the duration of the item
T.R. Sturgis	Item 7 – Cocklebury Road Developments	Overview & Scrutiny Procedure Rules	Member of the Development Control Committee that considered the application	Left the Chamber for the duration of the item

O40. Chair’s Announcements

The Chair, Councillor C.J. Caswill:

Since the last meeting the Chair wrote to the three other District Council Scrutiny Chairs to discuss the possibility of coordinating approaches to scrutiny work. This has met with a disappointing response, but more progress appears to be being made at an officer level.

The Housing Advice Task Group will report to the Committee on Tuesday 23rd October 2007.

Progress is being made on developing communications from the Committee. An example of a scrutiny bulletin is included in the additional papers.

Councillor T.R. Sturgis and Councillor R.L. Tonge were thanked for their attendance.

In accordance with Section 100B(4) of the Local Government Act 1972 having regard to the special circumstances pertaining in this matter – namely, the need to consider a called in item ahead of the Committees next scheduled meeting, I am of the opinion that, despite its non-inclusion on the Agenda, the matter of Land at Bristol Road, Chippenham should be considered at this meeting as a matter of urgency”.

This item will be taken after Agenda Item 6 – Chair’s Announcements.

O41. Call in of Executive Decision E59 – Land at Bristol Road, Chippenham

Resolved that under Section 100A(4) of The Local Government Act, 1972, the public be excluded during consideration of this item on the grounds that this 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
Call in of Executive Decision E59 – Land at Bristol Road, Chippenham.	Paragraph 3

An additional plan was circulated at the meeting, a copy of which is attached to these Minutes as Appendix 3.

Issues discussed included:

- The reasons for the item being called in;
- That the additional plan made it clear that the Council would retain the land between the Hardenhuish Brook and the main road;
- The importance of making it clear that the land was to be disposed of to Chippenham Football Club, subject to their agreement that they be named in the Minutes; and
- That the local member(s) were not consulted.

Resolved

- 1) That the item be referred back to the Executive for it to be re-considered, with the following recommendations;
 - That the map, produced as additional information for the Overview & Scrutiny Committee be considered by the Executive when considering these recommendations.
 - That the original delegation be rescinded and that the transaction proceed by way of an option to grant a lease at market value subject to planning permission being obtained and finance being secured.
 - That the Executive decision on the lease should specify the organisation with which a lease is to be negotiated.

- That both the local ward members be kept informed of developments and that, in future, local ward members be kept informed of asset management issues which require Executive decisions and which affect their ward.

O42. Cocklebury Road Developments

Councillors S.K. Doubell and T.R. Sturgis left the chamber for the duration of this item.

Issues discussed included:

- The basis upon which officers deal with developers;
- The style of houses being built;
- Lessons to be learnt from the issue;
- That the implementation of the development otherwise than in accordance with the approved plans has angered the Monkton Park community;
- The absence of an effective traffic survey;
- That the system had not ensured that the Council's design requirements were implemented; and
- The need to ensure that the Council learns the lessons for its planning and design processes better in the future, bearing in mind the extra 6,000 new homes planned for Chippenham.

Resolved that the Development Control Team Manager be invited to the next Committee meeting to answer questions relating to how the Council deals with large planning applications and to give his views on possible improvements in public consultation and enforcement.

O43. Action Report

Consideration was given to Report No. 8 (circulated with the Agenda), which provided an update on actions from the meeting held on 19th July 2007.

Resolved that the Report be noted.

O44. Response from the Executive

Consideration was given to Report No. 9 (circulated with the Agenda) which asked the Executive to consider the recommendations of the Overview and Scrutiny Committee on the Council's involvement in health issues.

Issues discussed included:

- That future recommendations from this Committee to the Executive will need to be in report format so as to fully explain the rationale.

Resolved that the Portfolio Holder now covering health issues be asked to advise on the value of inviting health service leaders to answer questions from Councillors and suggest who it could be appropriate to invite.

O45. Climate Change Working Group/Salisbury DC

Consideration was given to Reports Nos. 10a and 10b (circulated with the Agenda).

The Executive Member for Waste & Sustainability (including climate change), Councillor T.R. Sturgis was in attendance to answer questions on the issue.

Issues discussed included:

- Issues being looked at by the officer group;
- That the Strategy has been put in abeyance due to resource issues;
- The success of 'AWARE' days and the planned seminar for local business;
- The contents of the Nottingham Declaration;
- The need for a statement saying what we currently do and what we are committed to do;
- The possibility of gaining fair trade status for the market towns; and
- That a wind turbine is going to be located at the depot.

Resolved

- 1) That the organisers of the business seminar be asked to raise the possibility of fair trade town status at the event.
- 2) That the Executive Member for Waste & Sustainability (including climate change) be asked to consider publicising what the Council is doing to mitigate the effects of climate change.
- 3) That the Executive Member for Waste & Sustainability (including climate change) be asked to consider the possibility of having links to other organisations (involved in climate change) from the Council's website.
- 4) That the Executive Member for Waste & Sustainability (including climate change) be asked to be mindful of opportunities to address the climate change issue when the cost of doing so is minimal.

- 5) Not to send a representative to the Salisbury District Council review as the Review is likely to be too wide.

O46. Update on Cleaner, Safer, Better Streets Actions

Consideration was given to Report No. 11 (circulated with the Agenda)

Issues discussed included:

- The importance of the Cleaner, Safer, Better Streets Actions in the Local Area Agreement; an
- HR issues have been ongoing for years.

Resolved that the relevant Deputy Chief Executive be invited to attend the next Committee meeting to answer questions on the second Action, particularly the resolution of HR issues and progress on grounds maintenance.

O47. Youth Strategy

Consideration was given to Report No. 12 (circulated with the Agenda) which asked for comment on the Draft Youth Strategy ahead of consideration by the Executive.

Issues discussed included:

- The need to address gang culture;
- The need for connection with other strategies, such as anti social behaviour reduction;
- That the action plan is yet to be produced;
- The need to promote a positive image of young people;
- Transport is one of the biggest local issues for young people

Resolved that the following comments be passed on to the Strategy authors; There is much to welcome within the Strategy which will be strengthened by an action plan. The Committee encourages the continuation of the Young People's Council and welcomes the suggestion of a transport pass for young people.

O48. Poorly Performing Performance Indicators

Consideration was given to Report No. 13 (circulated with the Agenda) which provided information on performance indicators (PIs) that, when compared with all district councils, are amongst the worst 25% of performers.

Issues discussed included:

- Pls relating to waste & recycling;
- Sickness statistics; and
- The speed and accuracy of processing benefits claims.

Resolved

- 1) That the Personnel, Licensing & Administration Report showing business area sickness statistics be circulated ahead of the next meeting.
- 2) That an update on BVPI 78a, 78b and 79a relating to benefits be produced with the next Performance Indicator Report if the Indicators climb out of the bottom quartile.

O49. Rural Unitary Task Group Terms of Reference

Consideration was given to Report No. 14 (circulated with the Agenda) to approve Terms of Reference for the Rural Unitary Task Group.

Resolved

- 1) That the Membership be increased five Councillors.
- 2) That the Terms of Reference be approved.
- 3) That Councillors C. Crisp and R. Sanderson be appointed to the Group and that Councillor P. Doyle be removed from the Group at his request.

O50. Household Waste & Recycling Task Group Terms of Reference

Consideration was given to Report No. 15 (circulated with the Agenda) to approve Terms of Reference for the Household Waste & Recycling Task Group.

Resolved that the Terms of Reference be amended to include reference to the House of Commons Select Committee Report and the need for an evidence based approach. That the Terms of Reference be approved subject to the change.
A copy of the revised Terms of Reference as appended to these Minutes as Appendix 4.

O51. Residents Parking – Chippenham

Resolved to look at the issue in detail at the next meeting and to ask for a more detailed report.

O52. Corporate Plan Progress Update April to June 2007

Consideration was given to Report No. 17 (circulated with the Agenda) which provided an update and exceptions report on the delivery and performance of the Corporate Plan for the period April to June 2007.

Resolved that the Committee notes the exception reporting for delivery and performance of actions under the priority areas in the Corporate Plan for April to June 2007.

O53. Member Teams Procedures

Consideration was given to Report No.18, circulated after the Agenda, which presented a draft additional Overview & Scrutiny procedure rule for consideration.

Issues discussed included:

- That some parts of the proposals are too prescriptive.

Resolved that the Committee Administrator be delegated to amend the procedure rule, in consultation with the Chairman, to remove the prescriptive elements in order for it to be considered by the October Council.

O54. A Programme of Work for the Overview & Scrutiny Committee

Consideration was given to Report No. 19 (circulated with the Agenda); the Committee's Work Plan.

Resolved that the Report be noted.

The meeting finished at 9.57pm.

There were 2 members of the public present.

Overview & Scrutiny Committee – 13th September 2007

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