

# WEST WILTSHIRE DISTRICT COUNCIL

## MINUTES

Minutes of the: **Cabinet**

Held on: **Wednesday 5 December 2007**

Held at: **Council Chamber, Bradley Road, Trowbridge**

Present:

Councillors: Payne (Leader), Conley, Davis, Eaton, Fortescue, March, Parks ,  
Phillips OBE, While and Wiltshire

Also present: Cllrs Brown, Carbin, Hedley, Jenkins, Martindale, Mounde,  
Newbury and J Osborn,

Officers: Chief Executive (AP), Head of Legal Services (NM),  
Head of Finance (IJ), Property and Commercial Services  
Manager (JF), Planning Policy and Conservation Services  
Manager (MR), Corporate Director (TD) and Member Support  
Officers (KH and AM)

### 165. Apologies

Cllr Parks is standing in for Cllr Mounde and has temporarily been appointed as the Portfolio Holder for Economy.

### 166. Minutes

The minutes of the meeting held on 7 November 2007 were approved as a correct record and signed by the Leader.

### 167. Declarations of Interest

Personal interest – Member may be affected by loss of significant allowances	Cllrs Conley, Eaton, Fortescue, March, Parks, Payne, Phillips OBE, and Wiltshire
Personal interest – Member may be affected by loss of significant allowances, also Member serves on the County Council.	Cllrs Davis & While
Prejudicial interest – Member is Chair of Wiltshire County Councils Regulatory Committee.	Cllr Davis

## 168. Notice of Motion

Cllr Osborn presented his Notice of Motion as follows:-

"That this Council considers that the Waste and Recycling Review has taken far too long to reach any definite conclusions. It seems unable to get to grips with the important issue of cardboard and plastic collection. Therefore this Council requires that a scheme incorporating such objectives be introduced by January 2008."

The Corporate Director (TD) presented a report which set out the timescale of the review and the consideration that had been given to cardboard and plastic collections.

### RESOLVED

#### That Cabinet

- (i) **Notes the progress of the review.**
- (ii) **Does not adopt the notice of motion.**

## 169. Announcements from the Leader

1. The Council won 15 awards at this years loo of the year award ceremony, more than any other council in the country. These included:-
  - Best public toilet provider in the Country
  - Best public toilet provider in England
  - A champions league standard of excellence award
  - Best semi automatic toilet in England

All ten of the Council's toilets won 5 star awards. The Cabinet congratulated all those involved in the success of the public toilets in West Wiltshire.

2. A press release had been issued today, 5 December 2007, that had identified Wiltshire as being as being one of the five proposals for unitary status to be taken forward.
3. As a result of a request, under the Freedom of Information Act, for additional information from Wiltshire County Council concerning the cost to the County of the reorganisation, the following was received:-

Year 2006-07	
Consultant fees	£82032
Submission document	£17010
Office and travel costs	£ 580
<b>Total</b>	<b>£99622</b>

Year 2007-08	
Consultant fees	£ 65408
Submission document	£ 3997

Office and travel costs	£ 9789
Communications	£ 10669
Promotion	£ 10169
Consultation	£ 17000
Legal	£ 1144
<b>Total</b>	<b>£118176</b>

#### **170. Sale of Land at Queens Street, Westbury (Key Decision)**

The Property and Commercial Services Manager presented a report on the proposed development of land at Queens Road Westbury for affordable housing. The Council owned part of the development site and approval to dispose of this land was sought.

#### **RESOLVED**

**That Cabinet**

**Approves the sale of the site and continues to give assistance to the WWSME with their relocation from the site. The financial cost of this assistance will be a maximum of £5000.**

#### **Key Decision Box**

Statement of reason for key decision	Capital value may exceed £250,000 at point of sale.
Options considered and rejected	See options section above.
Date of implementation	12 December 2007

#### **171. Waste Collection Review – Final Report (Key Decision)**

Cllr Conley presented the completed review of waste and recycling report and proposed a plan for its implementation.

Note: Cllr Davis declared a prejudicial interest in this agenda item, leaving the Chamber during the debate and vote.

#### **RESOLVED**

**That Cabinet**

- a) Agrees and adopts the Waste Review as providing the direction for the service in the period prior to local government reorganisation.**
- b) Agrees the implementation timetable as set out in appendix 1 of the report.**
- c) Approves the allocation of £30,000 to resource the implementation of the waste review.**

## Key Decision Box

Statement of reason for key decision	The recommended options will influence the Council's recycling performance and hence a corporate objective of recycling more waste. Some options may marginally increase waste collection and recycling costs.
Options considered and rejected	All four options recommended in the review are to be implemented.
Date of implementation	The draft timetable for implementation is shown in the table above.

### 172. Core Strategy Issues and Options Paper

The Deputy Leader – Planning, Councillor Phillips and the Planning Policy & Conservation Services Manager set out the detail of the Core Strategy Issues and Options paper which had been developed for public consultation.

The Leader of the Council congratulated the Planning Policy & Conservation Services Manager and his team for the quality of the report.

#### **RESOLVED**

#### **That Cabinet**

- **Notes the development of the evidence base and the results of initial Issues consultation.**
- **Approves the Issues and Options paper for public consultation.**
- **Approves the proposed consultation arrangements.**

### 173. Update on Local Government Reorganisation

Cllr Eaton updated Members on the progress with the Local Government Reorganisation as follows:-

- a. The Chief Executive had recently met with Andrew Murrison MP who had then met with the Local Government Minister John Healey to discuss the approval of a unitary authority.
- b. West Wiltshire District Council had received the Draft Orders for consideration and comment but had only been given three days in which to comment. A complaint had been made regarding this short time frame.
- c. Members were updated on the business of the informal first Implementation Executive meeting. Points raise included:

- All Members should receive papers five days before the meeting
- The letter received from the Consultant, Mr Ligo, should have been written on Wiltshire County Council headed paper.
- Any Substitute Members should only be allowed to vote when they are there in the capacity as a substitute for an absent Member
- Meetings are to held monthly at the Wiltshire County Council Chamber starting at 4.00pm.
- Nominated Council Officers will support Members.
- The Joint Implementation Board reports will be reported back to the Executive.
- The content of the Outline Work Programme lacked detail.
- Wiltshire County Council had proposed involvement in the recruitment and training of Members.
- An activity list for the Joint Scrutiny arrangements was presented.
- It was suggested that there should be a pre-meet before each Implementation Meeting for all District Council Members.

#### **174. Financial Monitoring to 31 October 2007**

Cllr While presented the report to inform members of the Council's financial position for the period ending 31 October 2007.

#### **RESOLVED**

#### **That Cabinet**

- **Noted the current financial position and the likely out-turn.**

#### **175. Write Off Report as at 31 December 2007**

Cllr While presented a report to inform members of the Council's proposed write-off of various debts as at 31 October 2007. The last write-off report was as at 31 May 2007.

#### **RESOLVED**

#### **That Cabinet**

- i) **Notes the action of the Section 151 Officer in writing off the debts under £500 totalling £49,626.47.**
- ii) **Approves the write off of the debts over £500 totalling £150,737.13.**
- iii) **Notes that the total amount of debt written off from the proposals above equals £200,363.60.**

#### **176. Performance Monitoring – Quarter 2 July – September 2007**

Cllr Davis presented the report that informed members of the Council's performance in the second quarter of 2007-08.

The Council monitors a range of national and local performance indicators. There is a hierarchy of performance monitoring at a corporate level, service plan level, and more detailed contract management level. The report provided a corporate high level overview of 29 key performance indicators which provide an indication of progress in each of the six Corporate Plan spotlight areas.

Cabinet reviewed the summary performance report and

#### **RESOLVED**

**That Cabinet**

- **Notes the general improvement in performance during quarter two for 2007- 08.**
- **Notes the new format of this report, following Cabinet's request on 3 October 2007.**

#### **177. Cabinet Forward Workplan January – May 2008**

Members were presented with a report outlining the Cabinet Forward Workplan for January to May 2008.

#### **RESOLVED**

**That Cabinet approved the Workplan for January to May 2008.**

#### **178. Date of Next Meeting**

The next meeting of Cabinet was scheduled for Wednesday 9 January 2008 at 7.00pm in the Council Chamber, at the Council Offices, Bradley Road, Trowbridge.

#### **179. Exclusion of the Press and Public**

#### **RESOLVED**

**That under Section 100A(4) of the Local Government Act 1972 the public including the press be excluded from the meeting during this item of business as it is likely, in the view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public and press were present during the item there would be disclosure to them of exempt information, as defined in paragraphs 3 and 5 of Schedule 12A to the said Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.**

**Paragraph 3 refers to 'Information relating to the financial or business affairs of any particular person (including the authority holding that information).' and paragraph 5 refers to 'Information in respect of which**

**a claim to legal professional privilege could be maintained in legal proceedings’.**

**180. Waterside Development (Key Decision)**

The Leader of the Council and the Chief Executive presented a report to Cabinet.

**RESOLVED**

**That Cabinet**

- **Notes that County Council has resolved to proceed with the Waterside Project and to enter into a development agreement with Modus.**
- **Approves the sum of up to £100,000 to be allocated as a contribution to outstanding fees for the Waterside Project and for the Chief Executive or relevant Director to be authorised to pay this amount to the County Council at an appropriate time as fees are incurred, subject to the Head of Finance, in consultation with the Finance Portfolio Holder, being satisfied that the fees are not attributable to County Council facilities and that the contribution represents value for money.**
- **Confirms the delegated authority for the Portfolio Holder for Economy together with the Chief Executive or relevant Director to sign the development agreement with Modus and the County Council on behalf of West Wiltshire District Council.**
- **Approves the recommendation in the confidential report.**

**Key decision box**

Statement of reason for key decision	The decision relates to a significant development and to the use of Council Land.
Options considered and rejected	A range of options have been considered through the UDF process and specifically through the development of the Waterside Project.
Date of implementation	Signing of the development agreement is forecast for November/December 2007.

(7.00 – 9.20pm)

These minutes were prepared by Andrew Mitchell, Member Support Officer, who can be contacted on Tel: 01225 776655 ext. 242

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