

# **WEST WILTSHIRE DISTRICT COUNCIL**

## **MINUTES**

Minutes of the: **CABINET**

Held on: **WEDNESDAY 17 DECEMBER 2003**

Held at: **COUNCIL CHAMBER, BRADLEY ROAD, TROWBRIDGE**

Present:

Councillors: Phillips (Leader), Bower, Clark, Manasseh, Mounde, Newbury, Payne, While and Wiltshire

Also present: Councillors Brice, Brown, John Clegg, Cox, Cunliffe-Jones and Osborn

Officers: Acting Chief Executive, Head of Strategy, Head of Financial Services, Head of Commercial Services, Legal Services Manager, Planning Policy Manager, Housing Services Manager and Member Support Officer (AB)

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### **195 APOLOGIES**

There were no apologies for absence.

### **197 MINUTES**

The minutes of the meeting held on 19 November 2003 were approved as a correct record and signed by the Leader.

### **198 DECLARATIONS OF INTEREST**

No declarations of interest were made.

### **199 ANNOUNCEMENT FROM THE LEADER**

The Leader informed Members that he would be bringing forward agenda item 14 - Trowbridge Urban Design Framework - (minute number 202 refers) due to members of the public wishing to speak to this item.

### **200 UPDATES BY PORTFOLIO HOLDERS**

#### **Housing Strategy Policy Project Group**

Councillor Mounde informed Members that the first meeting of the Housing Strategy Policy Project Group had taken place on 16 December 2003. It was noted that CAB, Shelter, Persimmon Homes and Kavanaghs were all keen to take part in the formation of the new strategy which, it was anticipated, would be completed by 31 July 2004.

### **Bailey's Barn, Bradford on Avon**

Councillor Mounde referred to the development of 18 new affordable houses and flats at Bailey's Barn, Bradford on Avon, which had been officially opened the previous week.

### **Housing Private Finance Initiative**

The Corporate Team had received a presentation from Brian Watson, the consultant who had put together the Council's Housing Private Finance Initiative bid. The figures produced looked good and progress was continuing, with a presentation to the Internal Overview Committee in the new year.

### **Shopmobility**

Councillor Manasseh referred to Shopmobility which had recently closed down. The equipment had been purchased by Trowbridge Town Council and some of the chairs were being used for a mobility service until Christmas. The service was being run from Westworld in Timbrell Street.

### **Wiltshire Local Compact**

Councillor Clark informed Members that the Wiltshire Local Compact had been launched in Devizes on 12 December 2003.

### **Loo of the Year Award**

Councillor Wiltshire informed Members that the toilets at Bradford on Avon Station had won the award for best in England.

## **201     RECOMMENDATIONS FROM OVERVIEW COMMITTEES**

### **External Overview Committee - 12 November 2003**

The External Overview Committee at its meeting on 12 November 2003 had considered the matter of Policing in the District and made the following recommendations to Cabinet:

- (a) That the Council continues to support the work of its Community Safety Officer and her liaison with the Police, particularly with regard to tackling anti-social behaviour and matters associated with drug and alcohol abuse.
- (b) That this Council makes strong representations to the Wiltshire Police Authority with a view to retaining a Constabulary for Wiltshire.
- (c) That Wiltshire County Council be asked to review the target population for the youth work it supported and be asked what specific support it provided to the under 13's and pointing out that by supporting youths from an appropriate age group, it would help the youth and the communities in which they lived.
- (d) That this Council supports consultation and close co-operation with the Police regarding the new licensing regime.
- (e) To investigate partnership working to secure the continued operation of Police Support Officers to be co-ordinated at District level.

**RESOLVED:** That Cabinet supports the above recommendation, subject to (b) being amended to read as follows:

**"That this Council makes strong representations to the Wiltshire Police Authority and the Home Office, via its MP, with a view to retaining a Constabulary for Wiltshire"**

<b>NON KEY DECISION</b>
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**202    TROWBRIDGE URBAN DESIGN FRAMEWORK**

**Open Forum Speakers:**      **Robert Quarterly, Michael Williams, Len Turner and Doug Ross**

The Leader asked members of the Cabinet to approve a draft Trowbridge Urban Design Framework (UDF) as draft supplementary planning guidance for development control and public consultation purposes.

The purpose of the report presented was for the Council to positively move forward with an important stage in the Vision for Trowbridge. The consultants, Gillespies, had prepared a draft UDF and the Steering Group, comprising the District, County and Town Councils, the RDA and the Economic Partnership had formally signed off this work.

It was important to note at this stage that the report dealt solely with progressing the UDF through to supplementary planning guidance. It did not deal with any other issues relating to the UDF or the Vision for Trowbridge.

Another factor which was very important was to ensure the balance between guidance and prescription. It was important to ensure that flexibility was maintained. To achieve this, certain elements of the UDF were proposed for adoption as guidance which the District Council would expect planning applications to conform to, while other sections were proposed for adoption on the basis that they were illustrative and represented one possible solution for Trowbridge. Flexibility existed for developers to propose alternative solutions.

The Council, led by Cabinet, would need to consider in detail what future role it may wish to play in the delivery of the Vision for Trowbridge, both as a community leader and as a landholder within the town. These issues would be the subject of further discussions and reports to Cabinet. It was anticipated that these discussions would start early in the new year.

**RESOLVED: (a)      That the draft Trowbridge Urban Design Framework for the purposes of development control and for the purposes of public consultation be approved.**

**(b)      That the period of public consultation and the timetable to adoption as set out at paragraph 3.10 of the report presented be approved.**

## KEY DECISIONS

### 203 WEST WILTSHIRE HOUSING SOCIETY SET-UP COSTS

Councillor Mounde presented a report confirming the matters on which agreement had been reached to enable the dispute over set-up costs from West Wiltshire Housing Society (WWHS) to be resolved.

The agreed solution was as follows:

- ? WWHS would pay to WWDC by 31 March 2004 the set-up costs
- ? WWDC would pay to WWHS by 31 March 2004 the repair costs
- ? On or after March 2005, WWDC would pay to WWHS a sum equal to the set-up costs by way of grant funding to provide affordable housing over which WWDC would have nomination rights.
- ? Follow on actions:

WWHS would need to obtain final agreement on the proposal with its external auditors, tax advisors, Secretary of State and Cabinet.

WWDC would need to seek final agreement on the proposal with its External auditors, tax advisors, Secretary of State and Cabinet.

West Wiltshire District Council would seek the Secretary of State's consent to waive any interest due on the set-up costs.

In the interests of clarity the Leader and the Chair of WWHS would sign a document setting out this agreement.

This solution would help to further the Council's corporate objectives whilst removing the risks inherent in even the most robust of litigation. It also removed the need to fund litigation, which might result in legal costs for both sides totalling more than the sum in dispute. The consent of the Secretary of State was required to waive interest due on the set-up costs and the Council would seek such consent.

The Leader and Councillor Brice congratulated Councillor Mounde and the officers involved on reaching a conclusion to this matter.

**RESOLVED:**            **That the agreement reached, as set out in paragraphs 3 and 4 of the report presented, to resolve the outstanding dispute be endorsed, subject to a satisfactory legal agreement.**

Statement of reason for decision	To resolve the dispute between WWDC and WWHS
Options considered and rejected	To take legal action to recover the costs and the risks involved.
Date for implementation	Before 31 March 2004

Councillor Wiltshire reported on the Recycling Policy Project Group's (PPG) recommendations on implementing recycling schemes to meet Government targets.

The Council's statutory recycling targets were set at 10.27% for 2003/04 and 21% for 2005/06. Although the current recycling rate was around 7%, this should reach the 10% target for this year with the introduction of the co-mingled kerbside collections and the re-launch of paper recycling. However, there was a lot to do if the target of 21% was to be met in 2005/06.

The PPG had made the following recommendations:

#### **Kerbside box collection scheme**

This was currently being implemented in Trowbridge, Melksham and Melksham Without areas, as a result of funding from DEFRA for the first year. As further funding was available from DEFRA for 2004/05 and 2005/06, the PPG supported a new bid to introduce the scheme in Bradford on Avon, Westbury and Warminster during 2004/05.

#### **Compostable material recycling**

The PPG recommended that this should be implemented between April and July 2004 to those households participating in the kerbside co-mingled recycling collections. These people would already be benefiting from newspaper, cans, bottles and textiles being removed from the waste stream, thus reducing the amount of waste in the bin.

#### **Newspaper collections**

The previous newspaper collection scheme in Trowbridge and Melksham, which had been replaced by the kerbside box scheme, was transferring to Bradford on Avon, Westbury and parts of Warminster from 12 January 2004.

- RESOLVED:**
- (a) **That the strategy recommended by the Policy Project Group be agreed.**
  - (b) **That the bid submitted to DEFRA for £797,000 in 2004/05 and £393,000 in 2005/06, which includes capital for the purchase of two vehicles for the kerbside box scheme, kerbside boxes and wheeled bins, be endorsed.**
  - (c) **That Council be asked to consider the report presented at its February 2004 meeting.**

Statement of reason for decision	The government target for recycling in West Wiltshire is 21% by 2006. The recommendations in this report assist in achieving this target.
Options considered and rejected	In implementing the recommendations in the report this should provide the most cost effective recycling. Not implementing actions recommended will jeopardise the achievement of targets.
Date for implementation	From April 2004

## **205     WILTSHIRE SUPPORTING PEOPLE - LEGAL AGREEMENT**

Cabinet was asked to consider the legal agreement for Wiltshire Supporting People Partnership Board.

Under the Local Government Act 2000 and subsequent guidance issued by the Government, a Supporting People Partnership had been set up in Wiltshire to administer Supporting People Grant. The Partnership consisted of the County Council, the four Districts, health organisations and the Probation Service. It was now necessary for each member of the partnership to adopt a legal agreement regulating the conduct and organisation of the Partnership.

**RESOLVED:            That the legal agreement for Wiltshire Supporting People Partnership Board be approved.**

Statement of reason for decision	It is necessary for the Council to agree the legal framework and nature of the partnership between itself and other statutory authorities in the Council for the delivery of supporting people grant.
Options considered and rejected	Consideration was given to the inclusion of Swindon within the partnership. However, this did not fit in with government guidance. The type of agreement that has been prepared is largely dictated by government legislation and guidance.
Date for implementation	In order to enable the partnership to operate, it has already been acting within the spirit of this guidance. However, the agreement will not be formally effective until it has been approved by all partners and signed by each.

## **206     ESTABLISHMENT OF A HOME IMPROVEMENT AGENCY**

Cabinet was asked to give consideration to the contribution which the Council might wish to make towards the costs of a proposed Home Improvement Agency (HIA).

The Council's Housing Strategy 2003 - 2008 identified fifty top priorities for action, including the consideration of setting up an HIA for West Wiltshire. The report presented set out the advantages of such an initiative and how it related to current national policies. It demonstrated how the Council might provide resources to support the establishment of such an agency within the Supporting People Framework.

In order to bid for the necessary funding by 31 January 2004, Supporting People required a commitment of funding from each of the Agency's sponsors, one of which was the District Council. The Council had identified resources with a value of £46,000 for this purpose which could be met without incurring additional expenditure.

**RESOLVED:            That Cabinet:**

- (a)       confirms its support for the establishment of a Home Improvement Agency to serve West Wiltshire from 1 April 2004; and**

- (b) confirms its commitment to provide continuing material support for such an agency; and
- (c) indicates to Supporting People that the Council will provide direct funding of £15,000 plus support of £31,000 of imputed costs for 2004/05.

Statement of reason for decision	The establishment of an HIA will provide more resources for a higher level of service, within current budget. There will be a significant improvement in the support for elderly, disabled and low-income households in the private sector.
Options considered and rejected	We considered continuing with the status quo, but this failed to take advantage of additional resources on offer. The establishment of a new, independent HIA for West Wiltshire was ruled out as being contrary to government policy and ineligible for additional support.
Date for implementation	1 April 2003

**207     TRANSFER OF ELM GROVE RECREATION GROUND TO TROWBRIDGE TOWN COUNCIL**

Councillor Clark presented a report asking Cabinet to consider the transfer of the recreation ground adjacent to Elm Grove Farm, Trowbridge to Trowbridge Town Council.

The recreation ground extended to approximately 2.9 hectares and comprised an open recreation field within which was a small, enclosed and equipped play area for younger children. Trowbridge Town Council had expressed interest in acquiring the ground in order to attract external funding to improve its condition and extend its use.

As freehold owner of the site the Town Council was certain it would be able to attract external match funding from, among others, the Football Foundation, Sport England and the Foundation for Sports and the Arts. An application for external funding support from the District Council, even if the District Council could match fund, was less likely to be approved than an application from the Town Council in association with the local football leagues.

- RESOLVED:**
- (a) That Cabinet confirms its agreement in principle to the transfer of the ownership of the Recreation Ground adjoining Elm Grove Farm, Trowbridge to Trowbridge Town Council. The transfer agreement shall include covenants protecting the District Council's interest in the development potential of the site.
  - (b) That Councillors Clark and While, as relevant Portfolio Holders, be delegated to agree final terms and conditions relating to the transfer.

Statement of reason for decision	To secure investment in the recreation ground enabling greater use by the local and wider community.
Options considered and rejected	To register a service development bid for funding to match a bid for external support. The probability of securing external support was regarded as very slim.
Date for implementation	Seek to transfer as soon as possible after 1 April 2004

## NON KEY DECISIONS

### 208 **HOMELESSNESS - UPDATE**

Councillor Manasseh presented a report updating Members on the performance of the Homelessness Service.

During November there were no families in bed and breakfast. This position had been sustained over a number of weeks and illustrated the benefits of the housing delivered at Staverton Marina through Section 106 planning agreements.

As a result of this dramatic success Councillor Manasseh and the Housing Needs Manager had been invited to London by Lord Rooker, the Homelessness Minister, in order to congratulate the Council on its success.

Attention was now being turned to those single and vulnerable people who were still in bed and breakfast.

**RESOLVED:**           **That the report be noted.**

NOTE:           Councillor Brice referred to Action on Homelessness in Trowbridge which had been under threat of closure. This had now been lifted as it was joining forces with Alabare from Salisbury.

### 209 **WILTSHIRE STRUCTURE PLAN 2016**

Councillor Newbury presented a report asking Cabinet to approve the response of the District Council to the draft Structure Plan.

The Government was currently progressing a new Planning Bill, which would, when enacted, replace Structure Plans with a Regional Spatial Strategy (RSS). However, as this RSS was not expected to be adopted until mid 2007, the Structure Plan authorities were progressing a limited set of alterations to the Structure Plan to provide important strategic guidance between the date it was adopted (expected early 2005) until 2007.

The Structure Plan, when adopted, would provide the framework for a future review of the District Council's District Plan 1st Alteration. It was therefore important that the Council responded to this formal period of consultation.

**RESOLVED:**           **That the draft comments set out in appendix A of the report presented be endorsed as the Council's formal response to the Structure Plan authorities, subject to the following inclusion, as underlined, at Alteration No 9: Strategic Network Improvements:**



**The District Council:-**

**Supports the identification of a Melksham/Beanacre bypass...**

**210    PPG - CORPORATE COMMUNICATIONS STRATEGY**

Councillor Payne presented a report asking Cabinet to give consideration to establishing a Policy Project Group (PPG) to assist with the Council's Corporate Communications Strategy, with the following details:

?    **Remit**

The PPG would be asked to consider the communications needs of the District Council and its key audiences, and suggest how the Council might set and prioritise its communications objectives.

?    **Frequency of meetings**

The PPG would meet no more than three times.

?    **Membership**

Councillors Payne (Con) (Chairman), Davis (Con), Blakemore (Lib Dem), Marion Clegg (Chairman of Council) and Cox (Lab)  
Michael Williams (Chief Executive, Wessex Association of Chambers of Commerce)  
Rod Eldridge (freelance journalist)  
Gregory Coombs (Melksham Without Parish Council)

**RESOLVED:            That the setting up of a Corporate Communications Strategy Policy Project Group, with the remit, membership and time scale outlined above, be approved.**

**211    FINANCIAL MONITORING AS AT 30 NOVEMBER 2003**

Councillor While presented a report giving financial information for the period ending 30 November 2003.

**RESOLVED:            That the report be noted.**

**212    BUDGET 2004 - 2005 UPDATE**

Councillor While presented a report which provided details of the Local Government Finance Settlement and progress on the draft revenue and capital budgets.

The provisional settlement announced on 19 November was not good news for the Council. The increase in local authority support had reduced with the majority going to county councils. For districts the average settlement was 2.50% compared to 7.6% in the previous year. The "floors and ceilings" mechanism continued and 'ceiling' authorities had their grant entitlement withheld to fund 'floor' authorities that were guaranteed a minimum increase.

Based on the settlement a revenue budget shortfall of £400k was projected. This was after easing budget pressures, applying inflation increases and increasing the contingency fund and reserves. However, the Chancellor had made a further announcement on 10 December allocating an additional £340m of grant support and West Wiltshire received a further £250k, reducing the revenue budget shortfall to below £100k.

Although the additional £250k was welcome, the Council was still having £741k withheld under the 'floors and ceilings' mechanism and was actively lobbying for its full entitlement through the MP, LGA, SWRA, ODPM.

- RESOLVED:**
- (a) **That the progress on the draft revenue and draft capital programme be noted.**
  - (b) **That the action taken by the Leader and Head of Financial Services to make the case for our full grant entitlement be supported.**

**213     REVIEW OF CABINET FORWARD WORK PLAN**

Consideration was given to the Cabinet Forward Work Plan for the four-month period from January to April 2004.

**RESOLVED: That the Work Plan be noted.**

(7.02pm – 9.02pm)

These minutes were prepared by Anna Browne, Member Support Officer  
Telephone direct line 01225 770322 or email [abrowne@westwiltshire.gov.uk](mailto:abrowne@westwiltshire.gov.uk)

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