

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **CABINET**

Held on: **WEDNESDAY 11 FEBRUARY 2004**

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

Present:

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

Also present: Councillors Brown, John Clegg, Marion Clegg, Davis, Hames, Osborn, Rosier and Wells

Officers: Acting Chief Executive (part), Corporate Officer (Democratic Services), Head of Financial Services, Planning Policy Manager, Leisure Manager, Technical and Professional Services Manager, Planning Officer and Member Support Officer (AB)

228 APOLOGIES

There were no apologies for absence.

229 MINUTES

The minutes of the meeting held on 14 January 2004 were approved as a correct record and signed by the Leader.

230 DECLARATIONS OF INTEREST

Councillor Manasseh declared that he had been lobbied by the Citizens Advice Bureau on certain issues.

231 ANNOUNCEMENTS FROM THE LEADER

The Leader announced that a small working group, to include representation from each political group, would be set up to consider making amendments to the Constitution and a report brought back to Cabinet. He would be consulting group leaders in due course.

232 UPDATES BY PORTFOLIO HOLDERS

Comprehensive Performance Assessment

Councillor Bower informed Members that the Inspectors' report would be available by noon on the 16 March 2004 and would include the ranking given to the Council. He thanked the lead officers for their hard work.

Councillor Payne requested that thanks to all staff, in particular the Head of Strategy and the Best Value Officer, be recorded.

Local Strategic Partnership

Councillor Bower informed Members that he would be attending a Local Strategic Partnership conference on 1 March 2004.

Affordable Housing Seminar

Councillor Mounde reported that a successful seminar had been held on 9 February 2004. He confirmed that the ODPM would be talking to the Housing Services Manager on 23 February in respect of the Council's Private Finance Initiative bid and would make an announcement in mid March.

Environment Agency

Councillor Wiltshire informed Cabinet that the decision by the Environment Agency in respect of Lafarge's application to burn recycled liquid fuel had been delayed until 30 April 2004, as the Agency was waiting for a response from the PCT.

Accredited Environmental Health Practitioners

Councillor Wiltshire congratulated Rachel Kent and Lucy Rivett on becoming chartered environmental health practitioners.

233 RECOMMENDATIONS FROM OVERVIEW COMMITTEES

There were no matters referred to Cabinet from Overview Committees

KEY DECISIONS

234 THE BUDGET 2004/05

Open Forum Presentation – Sarah Cardy on behalf of the Citizens Advice Bureau

Councillor While presented a report informing Cabinet of the projected budget for 2004/05. The report detailed the revenue budget, capital programme, fees and charges and the level of reserves.

The local government finance settlement confirmed that West Wiltshire had received an increase of approximately 7%. However, the Council continued to have grant entitlement withheld under the "floors and ceilings" mechanism. A further £753k had been withheld which, when taken with £714k in the previous year, meant that the Council had lost out by over £1.4m over two years. The Council was actively lobbying for its full entitlement through its MP, the LGA, the SWRA, the ODPM and local town and parish councils.

The revenue budget had been put together using 2003/04 as the start point and adjusting for changes arising from budget monitoring, inflation, budget pressure points and growth, which had partly been offset by service review savings. This gave a net budget for 2004/05 of £11.439m. The Council's reserves were estimated to be £1m at 31 March 2004 which was in line with the revised risk-based estimate.

The draft medium term financial plan considered at the last Cabinet meeting showed that budgets would be challenging, although projections showed that single figure Council Tax increases were achievable.

NOTE: Under the General Fund Summary for Planning it was agreed that £2,000 from the 2004/05 target for the Development Control Service would be transferred to the 2004/05 target for the Conservation & Listed Buildings Service.

RECOMMENDED TO COUNCIL: That Cabinet agrees the overall budget for each service and the projected General Fund revenue budget of £11.439m for 2004/05 and recommends a Council Tax level Band D of £122.38, an increase of 4.5%, to Council on 25 February 2004.

RESOLVED:

- (a) That the Fees and Charges for 2004/05 as detailed in appendix 2 of the report presented be approved.
- (b) That each capital project and the capital programme of £4.1m for 2004/05 as shown in appendix 4 of the report presented be agreed.

Statement of reason for decision	Requirement of Constitution
Options considered and rejected	Councillors had opportunities to consider alternatives at various budget meetings
Date for implementation	17 February 2004

235 **TREASURY MANAGEMENT POLICY 2004/05**

Councillor While presented a report asking Cabinet to consider a report advising of changes to the requirements for Treasury Management.

Treasury Management was the responsibility of the Head of Financial Services, working within the constraints of the Treasury Management Policy Statement. A new code of practice was issued by CIPFA last year and was adopted by Cabinet at its meeting of 18 June 2003. The Office of the Deputy Prime Minister had also recently issued draft guidance on Local Government Investments.

The report advised of the latest amendments required to comply with the code, latest guidance and best practice and sought Member approval for several policy documents. All documents had been prepared in accordance with CIPFA guidance with input from SECTOR, the Council's external treasury management advisors.

RECOMMENDED TO COUNCIL:

- (a) That Cabinet, in noting the Treasury Management Policy Statement, recommends it to Council for adoption.
- (b) That Cabinet, in agreeing the Treasury Management Strategy Statement and Annual Investment Strategy 2004/05, recommends them to Council for adoption.

Statement of reason for decision	Statutory requirement
Options considered and rejected	Best practice using standard documentation
Date for implementation	17 February 2004

236 AFFORDABLE HOUSING SUPPLEMENTARY PLANNING GUIDANCE

Councillor Newbury presented a report giving details of a draft guide for the delivery of affordable housing in West Wiltshire through the planning system. This guidance had been produced by officers, following consultation with the Council's Preferred Development Partners and neighbouring authorities.

The draft guidance included information on definitions, housing need, the basis for negotiations, the preferred approach to delivery, alternative approaches to delivery, commuted sums and model planning obligations.

In order for the document to be adopted as draft Supplementary Planning Guidance, it had to be approved by the Cabinet and made subject to a six week period of public consultation. The final guidance could be amended should the Council consider that the consultation had raised valid issues which needed to be addressed in the document.

- RESOLVED:**
- (a) That the draft affordable housing supplementary planning guidance 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 in paragraph 3.8 of the report presented be approved.**

Statement of reason for decision	To be taken into account in the consideration of planning applications. Draft supplementary planning guidance (SPG) should be subject to District Council approval.
Options considered and rejected	To rely on general planning policy to deliver affordable housing in West Wiltshire
Date for implementation	Once approved draft SPG immediately becomes a material consideration.

237 SALE OF LAND AND PREMISES (TROWBRIDGE, MELKSHAM, WARMINSTER & BOWERHILL)

Councillor While presented a report requesting Cabinet to consider proposals to dispose of surplus land and premises at:

Trowbridge – final portion of the Council's former Home Close Farm land holding
Bowerhill, - land leased to Avon Rubber
Melksham – 16a Union Street
Warminster. – The Old Fire Station, The Close

The Asset Management Group supported the proposals and any capital receipts arising from these disposals would be directed towards supporting corporate objectives.

- RESOLVED:**
- That approval to sell the land and premises identified in the report presented, on terms that the agents acting in the disposals regard as representing best possible consideration for the Council, be confirmed.**

Statement of reason for decision	The land and premises are currently under performing assets and their disposal will generate useful receipts that can be directed towards supporting corporate objectives.
Options considered and rejected	To repair and let the building premises. To retain the land at Bowerhill
Date for implementation	As soon as possible

238 **RECREATIONAL NEEDS ASSESSMENT**

Councillor Clark presented a report requesting authority from Cabinet to proceed immediately with a Recreational Needs Assessment.

A Recreational Needs Assessment assessed the need for recreational facilities and services within the district, the current levels of provision and what further provision was required to meet those needs. The Public Open Space Policy Project Group was recommending that such an assessment was required to give the Council the information needed to develop a strategy for providing open space, including sports pitches, in West Wiltshire in the future. The initial feedback from the CPA Inspection had suggested that the Council should review recreational needs in the broadest sense, including the arts.

Cabinet also wished to consider the future of Southwick Country Park. One of the options suggested was to locate additional sports pitches in the Park and it would therefore be best to have the results of the Recreational Needs Assessment before deciding if this was the best situation.

Councillor Payne requested a report back to Cabinet in respect of Southwick Country Park. The Leader confirmed that this report would be presented to Cabinet in March 2004.

- RESOLVED:**
- (a) **That Cabinet agrees the commissioning of a broadly based Recreational Needs Assessment as soon as practical.**
 - (b) **That Cabinet agrees to allocate £30,000 in the budget for 2004/05 to cover the costs of the Assessment.**
 - (c) **That the contract for the Assessment ensures that no payments under the contract need to be made prior to the start of the 2004/05 financial year.**

Statement of reason for decision	To undertake the Recreational Needs Assessment at the earliest opportunity.
Options considered and rejected	To delay the start of the Assessment until the new financial year
Date for implementation	As soon as possible

NON KEY DECISIONS

239 SWIMMING POOL WATER TEMPERATURES

Councillor Clark presented a report asked Cabinet to give consideration to the Council's policy regarding pool water temperature at the Council's swimming pools.

This matter had previously been considered by Cabinet on 12 March 2003 when Members had declined a request to examine the potential for raising the pool water temperature at any of the Council's swimming pools. Since the production of that report there had been several developments which needed to be brought to Members attention:

- The temperature for the one warm water session per week run by Bath Sports Centre had been reduced in line with the industry and was now only guaranteed to be raised to 30c rather than 34c as previously.
- Discussions were taking place with representatives of the West Wiltshire Carers' Support Network which was looking into the need/demand for special warm water hydrotherapy sessions for people with learning difficulties and physical disabilities. Depending on the level of demand then the opportunity to access the hydrotherapy pool at Larkrise School may be explored.
- DC Leisure had been asked to carry out a basic appraisal to see if it was possible to raise the temperature at the district's smallest pool, in Westbury, once a week. The advice given was that the pool heating system could increase the pool temperature by a few degrees but the air heating and ventilation system was already operating at maximum level. It would be unwise to raise the pool temperature without being able to increase the air temperature within the pool hall as the environment should be comfortable for those swimming and to avoid condensation within the hall which could have a detrimental effect on the fabric of the building.

Members felt that all possibilities should be explored as there may be a demand for this type of facility other than from people with physical and mental disabilities.

- RESOLVED:**
- (a) **That officers continue to play a positive role working with West Wiltshire Carers' Support Network and the possible provision of warm water hydrotherapy sessions at Larkrise School.**
 - (b) **That a further report be brought back to Cabinet in June 2004.**
 - (c) **In light of the findings identified within the report and the Cabinet report of 12 March 2003, there be no change to the Council's current policy.**

240 FINANCIAL MONITORING 2003/04

Councillor While presented a report giving financial information for the period ending 31 December 2003.

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

241 QUARTERLY PERFORMANCE MONITORING

Councillor While presented a report giving a quarterly update on key performance indicators and all other performance indicators by exception.

RESOLVED: **(a) That the monitoring information for the quarter ending 31 December 2003 be noted.**

NOTE: Councillor Wiltshire asked that the possibility of producing a “trendline” graph be explored.

242 WRITE-OFFS

Councillor While presented a report informing Members of the position as at 31 January 2004 in respect of write-offs.

RESOLVED: **(a) That the action of the Section 151 Officer in writing off the debts under £300 totalling £121,637.56 be noted.**

(b) That the write off of the debts over £300 totalling £653,406.85 be approved.

(c) That the total amount of debt written off from the proposals above equals £775,044.41 be noted.

243 CRANBOURNE CHASE AND WEST WILTSHIRE DOWNS AREA OF OUTSTANDING NATURAL BEAUTY MANAGEMENT PLAN 2004 - 2009

Councillor Newbury presented a report asking Members to endorse the Cranbourne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty Management Plan.

As a local authority, under the CROW Act, the Council was required to produce a Management Plan by 1 April 2004. The purpose of this Plan was to set out the strategy, management policies and actions to improve AONB conservation and enhancement. It would be reviewed at five yearly intervals and an annual report would be produced each year describing AONB work and achievements.

RESOLVED: **That the Cranbourne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty Management Plan be endorsed, in order that it may be ready for formal publication by 1 April 2004**

244 COTSWOLDS AREA OF OUTSTANDING NATURAL BEAUTY: ESTABLISHMENT OF A COTSWOLDS CONSERVATION BOARD

Councillor Newbury presented a report requesting Cabinet’s support for the proposed Establishment Order for the creation of a Cotswolds Conservation Board.

Whilst Members agreed that support should be given to creation of the Board, consideration was given to the fact that the Council represented only 0.5% of the total area covered by the Cotswolds AONB. Members suggested that there may be more

efficient ways of representing the Council's interests on the Board in the future.

- RESOLVED:**
- (a) **That Cabinet consents to the making of the proposed Establishment Order for the creation of a Cotswolds Conservation Board.**
 - (b) **That a report be brought back to Cabinet giving options for resourcing the Council's representation on the Board.**

245 EAST MELKSHAM DEVELOPMENT BRIEF POLICY PROJECT GROUP

Consideration was given to a report by the Planning Policy Manager which sought Cabinet's approval to set up a Policy Project Group to prepare a Development Brief for the proposed housing site east of Melksham.

- RESOLVED:**
- (a) **That a Policy Project Group (PPG) be appointed to undertake the work programme in accordance with the time scale set out in the report.**
 - (b) **That the membership of the PPG be as follows:**
 - **chaired by the Planning Portfolio Holder**
 - **three members nominated from Northern Area Committee**
 - **representatives from Melksham Town and Melksham Without Parish Council**
 - **representatives from the proposed developers of the site**
 - **Officers of the Council to attend meetings of the group**

246 REVIEW OF CABINET FORWARD WORK PLAN

Cabinet received its Forward Work Plan for the period March to June 2004.

RESOLVED: That the Work Plan be noted with the following amendments:

Southwick Country Park – March 2004

(7.00pm – 8.55pm)

These minutes were prepared by Anna Browne, Member Support Officer
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