

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **CABINET**

Held on: **WEDNESDAY 10 MARCH 2004**

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, Marion Clegg, Cunliffe-Jones, Knight, Osborn, Repton

Officers: Chief Executive, Corporate Officer (Democratic Services), Corporate Officer (Policy), Head of Strategy, Head of Financial Services, Head of Regulatory Services, Planning Policy Manager, Leisure Manager, Community Development Team Leader, Planning Officer and Member Support Officer (AB)

247. ANNOUNCEMENT

The Leader welcomed Andrew Pate, the new Chief Executive, to his first meeting of Cabinet.

248. OPEN FORUM

Members of the public made open forum presentations in respect of the following:

District Plan 1st Alteration Proposed Modifications – Report of Consultation – Mrs Gilbert, Mr Storey, Mr Gliddon, Mr May, Mr Prior, Mr Tout and Mr Morland – minute number 263 refers.

Southwick Country Park – Mrs Stacey and Mrs Giles – minute number 259 refers.

249. APOLOGIES

There were no apologies for absence.

250. MINUTES

The minutes of the meeting held on 11 February 2004 were approved as a correct record and signed by the Leader.

251. DECLARATIONS OF INTEREST

Councillor While declared his interest in minute number 259 - Southwick County Park – and left the Chamber during consideration of this item.

Councillor Wiltshire declared his general interest in minute number 263 - District Plan 1st Alteration Proposed Modifications – Report of Consultation.

Councillor Clark made the following declarations:

He had been lobbied in respect of minute number 255 - Trowbridge Town Centre – Transport Improvements.

In respect of minute number 257 – District Wide Grant Applications 2004/05 - he had been lobbied by the Citizens' Advice Bureau and other parties, and had a personal interest in this item as he had had previous business dealings with Smartmove, an arm of Action on Homelessness.

In respect of minute number 263 - District Plan 1st Alteration Proposed Modifications – Report of Consultation – he had been lobbied by Pegasus Planning Group and other parties, and had chaired the Hilperton Parish Council meeting at which the objection to MOD58 had been formulated. He undertook to consider this item with an open mind.

252. ANNOUNCEMENT FROM THE LEADER

The Leader made the following announcement:

Receptions

A Reception was being arranged to introduce the new Chief Executive to the mayors and chief officers of the five town councils in the district. Cabinet members would also be invited.

A short Reception would be held prior to Council on 21 April 2004 for Members to celebrate the 30th anniversary of the formation of the authority. It would start at 7.00pm with Council following at 7.30pm. Members of the Corporate Team would be invited.

253. UPDATES BY PORTFOLIO HOLDERS

Arts in West Wiltshire

Councillor Clark reported that the Wiltshire Youth Arts Partnership had secured in excess of £19,000 from the National Foundation of Youth Music for a music technology project, for young people who were at risk and/or were not currently participating in music activity.

Local Strategic Partnership

Councillor Bower reported that the conference held on 1 March 2004 had been successful. A further conference would be held on 7 July 2004 when a draft Community Strategy should be in place.

Planning Delivery Grant

Councillor Newbury reported that the Council had been successful in securing £414K of grant for 2004/05.

Internal Audit Tender

Councillor While informed Members that KPMG had emerged as the successful tenderer for the Council's internal audit service. The contract was for three years, commencing on 1 April 2004 and was within existing budget.

Banking Services Tender

Councillor While informed Members that the contract for banking services had been awarded to HSBC for an initial period of five years from 1 April 2004.

IT Working Group

Councillor While reported that a working group to discuss the Council's IT requirements had had its first meeting that afternoon. The conclusions of the group would be available within the next two months.

Communications Policy Project Group

Councillor Payne reported that the Communications PPG was investigating the possible use of a webcam for Council meetings. A report would be brought back to Cabinet in due course.

Center Parcs

Council Wiltshire updated Members on the outbreak of gastro-enteritis at Center Parcs near Warminster. Details were available on the Council's website.

'Food Police'

Councillor Wiltshire congratulated Andy Keyford, Environmental Health Officer, on his appearance in the BBC TV programme 'Food Police'

254. RECOMMENDATION FROM EXTERNAL OVERVIEW COMMITTEE

The External Overview Committee, at its meeting on 3 March 2004, considered the West Wiltshire Wide Citizens' Advice Bureau (CAB) and received a presentation on the work of CAB by the Bureau Manager.

In considering the presentation and Council officer report, the Committee made the following recommendations to Cabinet:

That Cabinet

- (a) gives its continued and further support to the work of the West Wiltshire Wide Citizens' Advice Bureau (CAB)
- (b) ensures that CAB is advised about the funding programme in preparation for next year's budget
- (c) promotes to the parish councils the work of CAB and encourages parish councils to support the work of CAB by providing financial support to them.

RESOLVED: That Cabinet supports the above recommendation.

KEY DECISIONS

255. **TROWBRIDGE TOWN CENTRE – TRANSPORT IMPROVEMENTS**

Cabinet was asked to consider the Council’s response to consultation on transport and environmental improvements in Trowbridge and to consider the District Council’s position with regard to the disposal of land to facilitate these improvements.

Wiltshire County Council was developing a programme of transport and environmental improvements in Trowbridge town centre. The improvements focused on the area bounded by Fore Street, Hill Street, the Conigre and Manvers Street.

The proposals aimed to enhance the town centre environment and to improve conditions for pedestrians, cyclists and bus users, while maintaining an efficient traffic movement and access for all road users. The scheme also aimed to create good links between the new developments on the old Usher’s site and the town centre.

In respect of the disposal of the District Council’s land, if a financial consideration reflecting full market value was required it would be necessary to assess future development potential, which was likely to be limited. A decision to give the land to the County Council would facilitate earlier implementation of the proposals and was permitted where environmental improvements were secured. Such a decision should be subject to a reciprocal undertaking from Wiltshire County Council concerning equivalent development land in their ownership required to facilitate environmental improvements elsewhere within the ‘Vision’ area.

- RESOLVED:**
- (a) **That the proposals for the transport improvements in the Fore Street, Hill Street, Conigre and Manvers Street area of Trowbridge be supported.**
 - (b) **That the disposal of the District Council’s land shown at appendix C in the report presented at nil consideration be agreed, subject to a reciprocal undertaking by the County Council with regard to other land in their ownership.**
 - (c) **That the points set out in section 5 of the report presented be submitted to Wiltshire County Council as the District Council’s response to this consultation exercise with the following addition to the 2nd bullet point:**

“and consideration be given to allowing taxi access through bus gates”
 - (d) **To refer to Vision for Trowbridge Steering Group the adequate provision of taxi ranks in Trowbridge.**

Statement of reason for decision	The disposal of land is a decision for Cabinet to enable the project to proceed.
Options considered and rejected	Cabinet could take a decision not to dispose of the land or could consider disposal of the land at open market value.

Date for implementation	Following the Cabinet's decision the County Council will be informed. The works will then be carried out as part of the County Council's timetable for this scheme.
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256. **DESIGN GUIDE SUPPLEMENTARY PLANNING GUIDANCE**

Cabinet was asked to approve draft design guidance as draft supplementary planning guidance for development control and public consultation purposes.

The draft design guidance for new development in West Wiltshire, which comprised two documents, had been produced by officers, following extensive internal consultation with different departments of the Council and with Members by way of a policy project group (PPG).

The formal adoption of these documents in their final form should take place after the responses from the public consultation had been considered by the Council. The following timetable was proposed:

17 March 2004	Public consultation starts
28 April 2004	Public consultation finishes
Early May 2004	Consideration of responses and amendments by PPG
2 June 2004	Consideration by Cabinet
23 June 2004	Adoption by Council

- RESOLVED: (a) That the core document "Design Guide Principles" be approved as draft supplementary planning guidance for development control and public consultation purposes.**
- (b) That the subsidiary document "House Alterations and Extensions" be approved as supplementary planning guidance for development control and public consultation purposes.**
- (c) That the period of public consultation and the timetable to adoption as set out in paragraphs 3.7 and 3.8 of the report presented be agreed.**

Statement of reason for decision	Detailed guidance is needed to supplement the broad design policies contained within the District Plan.
Options considered and rejected	To rely on the broad design policies in the District Plan to control detailed design matters at planning application stage.
Date for implementation	Once approved draft SPG immediately becomes a material consideration following 5 days from this meeting.

257. **DISTRICT WIDE GRANT APPLICATIONS**

Councillor Clark presented a report which summarised the key grant applications received for 2004/05 and sought Cabinet's approval for funding.

The report set out applications for grant aid from throughout the district which were being recommended for funding of £5,000 or more. The report included an application

to support the Landfill Tax Credit Scheme, which required delegated powers to fund projects across the district. Grant applications for less than £5,000 had been approved by Councillor Clark and the Community Development Team Leader.

RESOLVED:

(a) That responsibility for Viridor landfill tax credits grants be allocated to Wiltshire Enterprises Viridor Steering Group.

(b) That the following district wide grants be approved:

Wiltshire & Swindon Community Foundation	£5,000
Wiltshire Racial Equality Council	£5,000
Village Hall Grant	£9,500
Community First	£15,000
West Wiltshire Wide Citizens' Advice Bureau	£50,000
Action on Homelessness	£7,000
Voluntary Action West Wiltshire	£10,000

(c) That an additional £7,000 be awarded to the West Wiltshire Wide Citizens' Advice Bureau with the source of this funding to be agreed by the Corporate Portfolio Holder, Councillor While.

Statement of reason for decision	The organisations recommended for grants provide important services to the community of West Wiltshire
Options considered and rejected	Alternative allocation of grants.
Date for implementation	1 April 2004

258. FINANCIAL SUPPORT TO ARTS ORGANISATIONS AND PROJECTS 2004/05

Councillor Clark presented a report seeking Cabinet's approval for financial support and arrangements in excess of £5,000 to arts organisations and projects from the arts development budget.

It was noted that the projects and organisations seeking funding did contribute significantly to the Council's corporate objectives by providing access to a wide range of recreation and leisure opportunities.

RESOLVED: (a) That financial support for 2004/05 for the following be approved:

Arc Theatre	£6,200
Wiltshire Music Centre	£7,750
Wiltshire Youth Arts Partnership	£5,000
Rural Arts Wiltshire Scheme	£5,500

(b) That these be minimum levels for 2005/06, subject to annual reviews.

(c) That the Arts Development Officer continues to work with other partners including the Arts Council to evaluate and investigate ways of securing the future of the Rural Arts Wiltshire Scheme beyond March 2005.

Statement of reason for decision	Financial support to these arts organisations and projects significantly contribute to the cultural life of West Wiltshire, providing access to a wide range of arts/leisure opportunities.
Options considered and rejected	Providing an alternative funding level was considered, particularly given the budgetary pressures in 2004/05. Whilst an increase would provide more long term stability, a reduction in funding levels would have a detrimental effect on the arts/leisure opportunities available to the residents of West Wiltshire.
Date for implementation	These organisations will immediately be notified of the decision. Service/partnership agreements will then be arranged specifying terms and conditions of funding arrangements.

NON KEY DECISIONS

259. **SOUTHWICK COUNTRY PARK**

Consideration was given to a report updating Members on the current position in respect of Southwick Country Park and its longer term future.

It had already been agreed that a recreational needs survey be commissioned to give the Council a fully informed view of what was required in the way of playing fields – the number of additional sports pitches required, what sports they were required for and where they needed to be located. This information would help the Council decide if Southwick Country Park should provide sports pitches.

Several possibilities for use were mentioned in the report including the creation of an arboretum, development of a Saxon village and as a site for West Wilts Show.

Members of Cabinet were asked to contribute any thoughts they might have on how the Park could be used and these suggestions would then be investigated and a further report submitted making recommendations.

- RESOLVED:**
- (a) **That Members provide any further suggestions they have for the future of Southwick Country Park to the Corporate Officer (Democratic Services) within the next two months.**
 - (b) **That all the current and received proposals be investigated with a comprehensive report back to Cabinet once the result of the recreational needs assessment is known.**
 - (c) **That each proposal be assessed against the following criteria:**

need, public support/number of people benefited, cost, environmental impact (landscape, fauna and flora), equalities, sustainability, community safety and financial benefits (if any).

260. BEST VALUE REVIEW OF ENVIRONMENTAL HEALTH

Councillor Wiltshire presented a report which informed Cabinet of the Best Value Review of Environmental Health and also sought endorsement of the key recommendations.

The Review had been carried out by the three environmental health service managers and covered the extensive and diverse range of services provided. The review drew a number of positive conclusions and also recognised some areas where improvements could be made.

**RECOMMENDED:
TO COUNCIL** **That Cabinet, in noting the Best Value Review of Environmental Health, recommends it to Council for approval.**

RESOLVED: (a) **That recommendations 1 – 7 in section 2 of the report presented, be endorsed, subject to recommendation 1 being amended to read as follows:**

“The improvement plan be agreed, with the involvement of the new Chief Executive, to provide the framework for the future development of the service. The plan has short term and medium/long term elements.”

(b) **That the short term improvement plan at appendix 1 of the report presented be endorsed.**

261. HOMELESSNESS UPDATE

Councillor Manesseh updated Cabinet on the performance of the Homelessness Service.

The number of applicants who had been accepted as homeless had remained the same as the previous month. However, the total number of homeless applicants had reduced again and this was mainly due to increased preventative work by the Homelessness Section. As predicted the Council had successfully reduced its Bed and Breakfast expenditure to a total of £8,600, compared to £107,000 in August 2003.

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

262. COTSWOLD AREA OF OUTSTANDING NATURAL BEAUTY (AONB) MANAGEMENT PLAN

Councillor Newbury presented a report requesting Cabinet to adopt the Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan.

Under the CROW Act 2000, Area of Outstanding Natural Beauty (AONB) local authorities were required to publish management plans for their AONB areas before 1 April 2004. . The purpose of the plan was to set out the strategy, management policies and actions to improve AONB conservation and enhancement.

The north west corner of West Wiltshire District lies within the Cotswolds AONB and the Council is one of 17 local authority members of the Cotswolds AONB Partnership.

The preparation of a single management plan for the whole Cotswolds AONB has been co-ordinated by the Partnership and the adoption of the plan would allow the Council and the other AONB partners to fulfil their statutory obligations

- RESOLVED:**
- (a) **That the Cotswolds AONB Draft Management Plan be adopted in order for the Council to meet its statutory obligation by 1 April 2004.**
 - (b) **That Cabinet required a report giving options for resourcing the Council's representation on the Cotswolds Conservation Board.**

**263. DISTRICT PLAN 1ST ALTERATION PROPOSED MODIFICATIONS –
REPORT OF CONSULTATION**

Councillor Newbury presented a report giving the responses received to Proposed Modifications and to recommend adoption of the Plan by Council.

On 30 October 2003 the Council approved proposed modifications to the West Wiltshire District Local Plan 1st Alteration. A period of public consultation was then held between November and December 2003.

During this time 892 duly made representations were received. Of these, 517 representations were expressions of support and 375 were objections.

The major objections raised were:

- (a) the safeguarding of the County Council's preferred eastern route for a Westbury bypass
- (b) the safeguarding of a Hilperton Relief Road through the Hilperton Gap
- (c) the identification of town policy limits, particularly at Westbury
- (d) the Council's preferred approach for the delivery of affordable housing
- (e) the phasing mechanism for the release of greenfield sites.

It was not considered that the Council needed to hold a further Inquiry into any of the objections as they did not raise matters which were not at issue in the earlier stages of the Plan preparation. Nor was it recommended that any further modifications which materially affected the contents of the Plan were made.

- RECOMMENDED TO COUNCIL:**
- (a) **That the recommended responses to each of the duly made objections, as set out in appendix 1 of the report presented, be approved.**
 - (b) **That no further modifications materially affecting the contents of the Plan be made.**
 - (c) **That further minor modifications and any other necessary editorial changes be approved for incorporation into the West Wiltshire District Local Plan 1st Alteration.**
 - (d) **That the contents of the representations of support and the contents of the representations not duly made, as set out in appendices 2 and 3 of the report presented, be noted.**

- (e) **That a Notice of Intention to Adopt the West Wiltshire District Local Plan 1st Alteration be published and the Council proceeds to adopt the Plan after 28 days of the publication of that Notice.**
- (f) **That Mr Francis Morland's representations be accepted as duly made and that draft responses to Mr Morland's objections be prepared and submitted to Council on 21 April 2004.**

264. WORKING WITH TOWN AND PARISH COUNCILS AND THE WIDER COMMUNITY

Councillor Clark presented a report which proposed and sought approval for a new structure for working and relating with parish councils and the wider community.

Currently the structure was based around area committees, area community meetings and an annual Parish Forum. With the removal of responsibility for planning decisions to a central committee in July 2003, area committees were left without a clear purpose. It was agreed that this was an ideal time to consult with parish, town and district councillors as well as other interested parties and the outcomes were presented to Council in October 2003.

The report presented was an updated version of that presented to the January Cabinet meeting and addressed some of the main concerns that were raised at that time. Consultation on the new structure had taken place with parish councils, service managers and the County Council.

**RECOMMENDED
TO COUNCIL:**

That a framework be developed for working and relating to parish councils, town councils and the wider community as outlined in the report presented, based around five key groups/meetings:

- ? **Parish and town councils**
- ? **Parish forums**
- ? **Area parish clusters**
- ? **Five Community Area Partnerships (recognising other relevant partnerships, neighbourhood groups and organisations)**
- ? **Five District Council Area Seminars**

Council should recognise that it will take time for external partnerships to be firmly established and that this will govern the time scale for when the proposed framework will be fully operational.

265. IT IN POST OFFICES

Consideration was given to a report on the implications of providing IT facilities in post offices.

At its meeting on 19 November 2003 Cabinet considered a report on post offices and

resolved to ask the Community Initiatives and ICT sections to explore the practicality and cost of providing IT facilities in post offices to:

- ? attract people into post offices
- ? improve community access to IT
- ? give people access to Council information and services

The report presented gave the details of the initial findings following consultation with post offices.

RESOLVED: (a) That, in light of the following:

- ? **There is no available funding from the District Council;**
- ? **There is little support from the post offices for the idea;**
- and**
- ? **Post Office Counters will not permit anything that may compromise ‘over the counter’ business opportunities,**

the District Council does not develop this proposal as it stands.

(b) Officers keep a watching brief on funding opportunities which may make it possible to develop a pilot project.

266. FINANCIAL MONITORING 2003/04

Councillor While presented a report giving financial information for the period ending 31 January 2004.

RESOLVED: (a) That the report be noted.

(b) That a capital virement of £61K for Microsoft licences be approved.

267. REVISION OF HISTORIC BUILDINGS JOINT COMMITTEE CONSTITUTIONS

Cabinet was asked to consider the reconstitution of the Historic Buildings Joint Committees within the district.

Under the Local Government Act 2000, when a member authority of a joint committee changes its constitution, then the joint committees involved need to reconstitute their constitutions. In November 2001, Wiltshire County Council, which was a member of each of the three historic buildings joint committees, reconstituted and in doing so withdrew its representatives and funding from all three committees. The committees were not reconstituted at this time and, accordingly, all the grants that have been awarded since November 2001 are technically not legal expenditure.

On this basis the Council needs to reconstitute the three committees by removing the references to Wiltshire County Council from the constitutions. This reconstitution will take effect from the date of this Cabinet meeting and separate meetings have been arranged with each of the committees to give retrospective approval to the grants that have already been agreed since November 2001.

RESOLVED: That the reconstitution of each of the historic buildings joint committees that operate within the District be endorsed.

268. REVIEW OF CABINET FORWARD WORK PLAN

Cabinet received its Forward Work Plan for the period April to July 2004.

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

PPG - Review of the Constitution – April 2004

(7.00pm – 9.30pm)

These minutes were prepared by Anna Browne, Member Support Officer
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