

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **CABINET**

Held on: **WEDNESDAY 2 JUNE 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, Marion Clegg, Osborne and Viles

Officers: Chief Executive, Corporate Director (PW), Head of Finance, Head of Human Resources, Head of Regulatory Services, Member Support Manager, Register and Support Team Leader and Best Value Officer

298. APOLOGIES

No apologies for absence were received.

299. MINUTES

The minutes of the meeting held on 5 May 2004 were approved as a correct record and signed by the Leader.

300. DECLARATIONS OF INTEREST

See Minute No. 8 below.

301. ANNOUNCEMENT FROM THE LEADER

There were no announcements from the Leader.

302. UPDATES BY PORTFOLIO HOLDERS

Local Strategic Partnership

Councillor Bower informed members that the recently held seminar regarding the West Wiltshire Local Strategic Partnership had been successful. A new structure had been agreed, which included a Board of 13 members with two spare additional seats. Two of the seats on the Board were allocated to West Wiltshire. In addition to the

Board, there would be a co-ordinating group of 6 with the work carried out by a number of task and finishing groups.

The proposed structure was being finalised at the next meeting of the Board later in June and would then presented to the Conference in July.

The Chief Executive added that there was a Public Service Agreement (PSA) between Central Government and the County Council worth £9 million over a three year period; whilst this related to the work at County level, West Wiltshire would have an important role to play in contributing to the achievement of the targets.

KEY DECISIONS

303. NEW CLEANSING AND GROUNDS MAINTENANCE CONTRACT

Consideration was given to a report prepared by Peter Woodcock, Corporate Director and Councillor Wiltshire that set out information to assist members of the Cabinet to decide the quality of service and other issues relating to the proposed contract for Cleansing and Grounds Maintenance.

Councillor Wiltshire informed members that the Parks and Open Spaces Policy Project Group (PPG) had considered the standard of service the Council required. The PPG had suggested that it should be higher than the current standard of service, and preferably significantly higher. The Group also suggested that tenderers be asked to say what level of service they could provide for a fixed price – that was the price fixed by the Council, and regarded as affordable.

Recent analysis had shown that the significantly improved level of service would increase the cost by approximately £320k per year. Consequently this had not been included as a recommendation. The recommendation was that tenders were sought on a slightly improved service, and against a fixed cost (options 3 and 5 as set out in the paper). However, it seemed likely that the Council's budget for the next year was going to be very tight so it was suggested that Cabinet did not finally decide the amount in option 5 until the medium term strategy had been prepared in July.

This did not require an amendment to the recommendation, but did mean option 5 as set out in the report should be amended to read:

“Option 5 – Fixed Price: Ask tenderers to submit a proposal which sets out the standard of service they can provide for a fixed sum. £1.25m per year is suggested, which would result in a modest increase in the standard of the service. However this figure should need to be confirmed by Cabinet once the Medium Term Financial Strategy is agreed in July”.

The paper recommended that the Council submitted an in-house bid. There were a number of factors which supported this approach, including the ability to change the level of service and costs as and when the Council wished, avoiding costs associated

with using a contractor, and promoting morale within the Cleansing and Grounds Maintenance Team.

Members discussed various aspects of the contract and it was agreed that the following matters should be addressed:-

- the inclusion of options for Town/Parish Councils to enhance the level of service in their parish. These Councils would be expected to fund any enhanced service from their own budgets
- The importance of putting in place arrangements for performance monitoring to ensure that the required level of service was being undertaken and putting in place incentive schemes to ensure that performance targets were met.
- Ensuring that provision was made for retaining income should the contractor fail to perform in accordance with the specification.

- RESOLVED:**
- (1) **That we ask for two tenders from each potential contractor for option 3 and option 5.**
 - (2) **That the Council makes an in-house bid.**
 - (3) **That a small group of members be established to evaluate the tenders and report back to Cabinet in July 2004.**

Statement of reason for key decision	To clarify how the Council will proceed with the letting of a contract for cleansing and grounds maintenance across the District.
Options considered and rejected	As set out in the options section of the report. Whether there should be an in-house bid. How many tenders to ask each contractor to provide.
Date of implementation (not less than five days after date of decision)	Five days after the date of the Cabinet meeting.

NON-KEY DECISIONS

304. CHOICE BASED LETTINGS

Consideration was given to a report prepared by Kate Beckinsale-Smith, Register and Support Team Leader and presented by Councillors Manesseh and Mounde, which updated Cabinet on development of a Choice Based Lettings Scheme.

Councillor Mounde advised members that since consideration of this matter by Cabinet at its meeting on 14 January 2004, further research had been carried out regarding such a scheme. He reminded members that Central Government required by 2010 a greater level of choice in lettings systems, that this scheme would benefit

all those concerned locally with the administration of lettings, and that, while there would be greater transparency of what housing was available, this scheme would not increase the housing pool.

Investigations to date had shown Choice Based Lettings Schemes to be a fairer system. It put the onus on the applicant to place their interest in a property with it generally being awarded to the longest registration date. The Council's current policy did not take into account length of time on the register and applicants could wait an unknown length of time. The policy looked mainly at need and this could still be taken into account with a banding and priority card system.

The Housing Associations operating in the District were invited to a meeting on 7 May to set the objectives and timetable for the development of the scheme. The group agreed to consider forming a common housing partnership with set aims and objectives. The group had agreed to work quickly on this.

The work was attracting a good deal of support from our partners, particularly West Wiltshire Housing Society who had been very anxious to work with the Council in developing and implementing a successful scheme and would be providing staffing support.

The positive response received puts the Council in a good position to move forward and begin development of the scheme. This would give the Council and community a more transparent allocation system.

- RESOLVED:**
- (1) That Cabinet notes the progress being made in developing an understanding of the type of system that will best suit the Council and its partners.**
 - (2) That a further report be brought to Cabinet by September 2004 recommending the type of scheme which should be introduced in the District.**
 - (3) That the support being offered by West Wiltshire Housing Society, that will assist the Council in meeting the target date of 31 March 2005 for the launch of a new letting scheme, be acknowledged.**

305. SEX ESTABLISHMENTS POLICY

Consideration was given to a report prepared by John Carter, Head of Regulatory Services and presented by Councillor Wiltshire which informed the Cabinet of the results of a public consultation exercise on the draft policy on licensing of sex establishments, and which gave members the opportunity to debate the key issues of inappropriate location, density and appropriate number of such establishments in the policy.

Councillor Wiltshire highlighted the main aspects of the report:

- All sex establishments (sex shops and cinemas) needed to be licensed by the Council
- There was currently no policy on this sensitive and contentious issue
- The legislation prevented the council from considering the morality of sex establishments, but allowed guidance to be given on other issues.
- The policy would not retrospective.
- A draft policy was produced with the Portfolio Holder, and then circulated for comments to a wide list of parties including District Councillors, Town and Parish Councils, the police, local chambers of commerce, church groups and the owner of the existing sex shop in Trowbridge.
- Generally the responses supported the policy, but there were comments on the issues highlighted in the report.
- Consultation included: the local constabulary, the local town or parish council, the local district council ward member(s), the local Chamber of Commerce, the local Crime and Disorder Partnership and Social services - adult care.
- A number of localities were listed as being inappropriate.
- The density of premises in the district was restricted by ensuring a radius of six miles between establishments
- It was difficult to set an appropriate number of sex establishments for the area.
- Applications were to be determined by the Licensing Committee

RECOMMENDED TO COUNCIL:

That Cabinet agrees the draft Sex Establishments Policy, subject to:-

- **The amendment of section 3.4(a) to read "No new licensed sex shop will be permitted if it will be situated within "inappropriate proximity" to:-" (note that the list of nine locations and footnote as set out in the policy remain unchanged)**
- **the deletion of section 3.4(e) which reads "No sex shop will be permitted within a 6 mile radius of another such licensed establishment."**
and refers the matter to Council for approval.

Note:- Councillor Clark declared an interest in Minute No 8 above by virtue of the fact that he had Chaired the Parish Council meeting during consideration of the Parish Council's response to the consultation on the draft Sex Establishments Policy from the District Council. Councillor Clark undertook to consider this matter with an open mind.

Note:- Councillor Payne left the meeting at 8.10pm.

306. TOURIST INFORMATION CENTRES - BEST VALUE REVIEW - SCOPING REPORT

Consideration was given to a report prepared by Ian Gallin, Corporate Director which sought Cabinet agreement to the scope and timescales of the Best Value Review into Tourist Information Centres within West Wiltshire.

Councillor Mounde informed members that the scope essentially set some clear boundaries for the review team, and identified some specific options to be researched to enable the review team to make a decision in the future.

The options the team would investigate were detailed in section 2 of the report, and were

- ❖ Status Quo
- ❖ Expansion with more focus on them as general information centres
- ❖ Reduce the level of activity and funding provided by the District Council
- ❖ Withdrawal of direct provision
- ❖ A different approach in each town.

The timetable for completion was set out in section 5 of the report, and showed that the review was expected to be completed by September, in time for November Council.

Bryan Walker would be the lead officer on the review team, and the other members of the team were given in section 6 of the report. Councillor Linda Conley had agreed to provide challenge to the team.

RESOLVED:

That Cabinet agrees the scope and timescales of the Best Value Review into Tourist Information Centres within West Wiltshire as set out in the report.

Note:- Councillor Clarke left the meeting at 8.20pm and returned at 8.25pm.

307. NEW MANAGEMENT STRUCTURE

Consideration was given to a report prepared by Andrew Pate, Chief Executive, which sought Cabinet approval to move budgets between budget headings to achieve the objectives of the new management structure.

RESOLVED:

- (1) **That Cabinet notes that the new structures are designed to be cost neutral whilst helping to create additional capacity to enable the Council to achieve its priorities.**
- (2) **That Cabinet delegate responsibility for the transfer of budget amounts between budget headings to enable the restructuring to the Chief Executive, in consultation with the**

**Leader and the Portfolio Holder for
Corporate and Financial Issues.**

- (3) That Cabinet requires that any changes to budgets in accordance with the above approval be carried out with the advice of the Head of Finance and be self financing.**

308. REVIEW OF FORWARD WORKPLAN

Cabinet received its forward workplan for the period June to September 2004.

It was noted that the following items were being deferred from June to July:-

- Decriminalised Parking Enforcement
- Medium Term Financial Strategy 2004 -2007

It was possible that the Housing Strategy item scheduled for July would be deferred to August.

The item on Underused Open Space was to be re-titled "Review of Open Space".

In response to a question raised by Councillor Brown, Councillor Newbury undertook to find out information regarding a publication date for the Character Assessment for the Conservation Area in Bradford on Avon.

309. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That under S100A (4) of the Local Government Act 1972 the public including the press be excluded from the meeting during the following item of business on the grounds that it was likely in view of the nature of business to be transacted or the nature of proceedings, that if members of the public were present during this item there would be disclosure to them of exempt information as described in paragraph 1 of Schedule 12A to the said Act.

310. MANAGEMENT STRUCTURE - EARLY RETIREMENT

Consideration was given to a confidential report prepared by Sharon Larkin, Head of Human Resources, which sought the early retirement of a member of staff in the interests of the efficiency of the service.

- RESOLVED:**
- (1) That employee number 61405 be granted early retirement in the interests of the efficiency of the service with 6 added years.**

- (2) That the Head of Financial Services and the Corporate Portfolio Holder agree the detailed financing arrangements.**

That the recommendations contained in the report be adopted and implemented.

(7.00pm – 8.35pm)

These minutes were prepared by Mandy Arnold, Member Support Manager
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