

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **CABINET**

Held on: **WEDNESDAY 30 JUNE 2004**

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

Present:

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

Also present: Councillors Brice, Brown, Marion Clegg, Hawker, Repton and Viles

Officers: Corporate Director (PW), Head of Finance, Planning Policy Manager, Leisure Manager, Conservation Officer, Planning Assistant and Member Support Officer (AB)

311 APOLOGIES

There were no apologies for absence

312 MINUTES

The minutes of the meeting held on 2 June 2004 were approved as a correct record and signed by the Leader.

313 DECLARATIONS OF INTEREST

There were no declarations of interest.

314 ANNOUNCEMENT(S) FROM THE LEADER

- (a) The Leader referred to the Notice of Motion in respect of the closure of sub post offices which was debated at Council on 23 June 2004. Cabinet agreed to endorse the decision made at that meeting.
- (b) The Leader announced, with regret, that Councillor Manesseh had resigned from the Cabinet. He thanked Councillor Manesseh for his hard work, which was echoed by Councillor Mounde, and hoped that he might return to his position at some point in the future.

315 UPDATES BY PORTFOLIO HOLDERS

Wiltshire Youth Arts Conference

Councillor Clark reported on the Wiltshire Youth Arts Conference which he had attended on 9 June 2004 at Tidworth. There had been a strong theme of how the arts could contribute to a reduction in youth offending and he commented on the fact that other arts portfolio holders also had difficulty persuading their colleagues of the important part that art could play in the life of their district.

Voluntary Sector Conference on Infrastructure Delivery

Councillor Clark reported on the Voluntary Sector Conference that he had recently attended.

Private Finance Initiative

Councillor Mounde informed Members that Tim Darsley, Corporate Director, was in the process of appointing a Project Manager for the Affordable Housing Private Finance Initiative.

Primary Care Trust

Councillor Mounde reported that the Council was looking to obtain representation on the Board of the PCT.

Local Strategic Partnership

Councillor Bower reported that a meeting of the LSP had taken place that day. There were currently 16 appointees on the Board and it had now been agreed that all five local area partnerships should be represented. There would, therefore, be a maximum of 20 places available, with the four vacant places for future appointees.

Member IT Seminar

Councillor While reported on the Seminar which had taken place on 17 June 2004. He informed Members that consideration was being given to a follow-up Seminar for those who had been unable to attend.

Recycling – Black Boxes

Councillor Wiltshire reported that the next phase of black boxes would be delivered with lids and members of the public could decide whether they wished to use these or not.

316 RECOMMENDATION FROM INTERNAL OVERVIEW COMMITTEE

At its meeting on 16 June 2004, the Internal Overview Committee had considered a report regarding the proposed use of 67 Bradford Road, Trowbridge as a drug users' rehabilitation facility. The report had been requested following members' concerns that local Members had not been made aware of the specific proposal.

The Committee also considered that procedures should be put in place for notifying local Members of matters affecting their ward.

The following proposal was made:

- (a) Cabinet be asked to ensure that relevant Councillors (County, District and Town ward members) be kept informed from an early stage of all future affordable housing developments within their respective wards. This should include housing schemes where the Council is either a funding partner or has offered its general support in line with the Council's Housing Strategy.
- (b) Cabinet be asked to review how members are kept informed of local ward matters and to produce a protocol on this issue. Cabinet is also asked to consult the Internal Overview Committee on any such protocol before it implemented.

Cabinet was asked to consider this recommendation and inform the Internal Overview Committee of its decision.

RESOLVED: **That Cabinet supports the recommendation in principle but requests the Internal Overview Committee to provide a more specific and detailed proposal.**

KEY DECISION

317 DESIGN SUPPLEMENTARY PLANNING GUIDANCE

Open forum presentation: Mr Thomson

Councillor Newbury presented a report detailing the responses received from public consultation and recommending adoption of the Design Guidance Supplementary Planning Guidance (SPG).

Most of the respondents had welcomed the Guidance and most, including the Council for Architecture and the Built Environment, the Government Office for the South West, Wiltshire County Council, Bradford on Avon and Trowbridge Town Council and the Council for the Protection of Rural England, had commended the content of both the core document "Design Guidance – Principles" and the first of a series of subsidiary documents entitled "House Alterations and Extensions."

Three main concerns had been raised:

- The guidance was too prescriptive and read like a code rather than a guidance
- There were some anomalies between Policy C31a and the Guidance
- The Guidance might infringe human rights

In response to the first concern some statements had been rephrased so that they read as "guidance". It was agreed that there were some anomalies between the Guidance and the Lead Policy C31a and therefore both documents had been reviewed and the text amended so that their wording was consistent with policy. In response to the third concern, the requirement for planning permission for development is determined by government legislation. Development Control determines cases in accordance with

government policy and District Plan policy and it has been determined in the highest courts that development control is not an infringement of human rights.

The purpose of the documents was to give guidance on design principles for all forms of development and on how to achieve better design for domestic alterations and extensions. The ultimate aim was to secure good design on development throughout the District and improve the quality of both urban and rural environments for the benefit of the whole community.

RESOLVED: (a) That the recommended responses to the comments received and the amendments as set in appendix 1 to the report presented be approved, subject to an amendment to the recommended changes to Section 4, Design Considerations.

(b) That the “Design Guide – Principles” and a subsidiary document “House Alterations and Extensions” as amended, be adopted as Supplementary Planning Guidance.

Statement of reason for key decision	To be taken into account in the consideration of planning applications, Supplementary Planning Guidance should be subject to adoption by the District Council.
Options considered and rejected	To rely on District Plan policies entirely to secure good quality design throughout the district.
Date of implementation (not less than five days after date of decision)	5 July 2004

NON KEY DECISIONS

318 FINANCIAL RESULTS 2003/2004

Councillor While presented a report informing Cabinet of the financial out-turn for 2003/04.

The out-turn for the year was in line with expectations as reported to Members through the monitoring process to Cabinet. It was noted that the figures presented were subject to audit and any significant adjustments resulting from this would be reported.

In respect of investment income the average return was above the benchmark. However, unexpected significant business rate refunds, that would not be refunded from the national pool until October 2004, meant that the amount available for investment was less than expected.

RESOLVED: (a) That the out-turn for 2003/04 be noted.

(b) That a written explanation of the unexpected significant business rate refunds be sent to Members and that the Head of Finance writes to the Local Government Association in respect of the loss of interest on the refund due from the national pool.

319 WEST WILTSHIRE DISTRICT COUNCIL SWIMMING POOL WATER TEMPERATURES

Councillor Clark presented a report which informed Cabinet of further investigations in relation to increasing the pool water temperature at Westbury Swimming Pool.

This issue was first discussed by Cabinet in March 2003. A further report was presented to Cabinet in February 2004 and at the meeting Cabinet requested that further investigations be undertaken and that a further report be presented to Cabinet in June 2004.

Further investigations had now been carried out and the finding clearly identified that increasing the pool water temperature at Westbury Pool was not a realistic option for the Council.

It was important to remember that the Council already maintained the water temperature at its five swimming pools at the higher end of the parameters recommended by the Institute of Sport and Recreation Management, the Pool Water Treatment Advisory Group, the Health and Safety Commission and Sport England.

RESOLVED: **That no change be made to the Council's policy in relation to swimming pool water temperature.**

320 FOOD SAFETY SERVICE PLAN 2004/05

The Council was required by the Food Standards Agency (FSA) to formally approve a Food Safety Plan, the content and style of which was specified and the process open to audit. Councillor Wiltshire presented a report which complied with that requirement.

Members asked that their congratulations to the Food Safety Team for their hard work be put on record.

RECOMMENDED That Cabinet, in noting the Food Safety Service Plan
TO COUNCIL: **2004/05, recommends it to Council for approval.**

321 DRAFT HISTORIC ENVIRONMENT CONSERVATION STRATEGY

Councillor Newbury presented a report requesting Cabinet to adopt a new Historic Environment Conservation Strategy for the District.

The West Wiltshire Conservation Strategy was published in the mid 1990s and it was considered appropriate for it to be revisited and a review of the Council's conservation service undertaken.

Part of the Council's Strategy was to look at the issue of Buildings at Risk within the District including undertaking a comprehensive re-survey and then identifying where the priority buildings were located. Once this was achieved it would be possible to determine where any grant funding should be allocated.

In order to achieve a more transparent grant system based on criteria generated from the Building at Risk survey, it was also necessary to re-examine the current grant system that operates within the District. This was also subject to a general review of budgets across all non key services of the Council.

A consultation exercise had been undertaken on a document entitled “Discussion Paper – March 2004.” It included the different options for the grant system as detailed in the report presented. The results of this exercise were also illustrated in appendix II. As a result of the consultations received, another option (5) had been put forward as a recommendation and will incorporate some of the present system. This was intended to improve the current system and provide more financial assistance in the rural areas of the District.

- RESOLVED: (a) That the adoption of the Historic Environment Conservation Strategy, including the focusing of the work of the conservation service on the key areas set out in paragraph 5.1 of the report presented, be approved.**
- (b) That Option 5 for a revised grant system be supported.**
- (c) That a report setting out in detail the necessary changes to the HBJC constitutions be brought to a future meeting of Cabinet.**

322 EAST MELKSHAM DEVELOPMENT BRIEF

Councillor Newbury presented a report requesting Members to approve a draft East Melksham Development Brief for public consultation.

The adopted District Plan 1st Alteration had allocated a strategic housing site east of Melksham, which would deliver 750 dwellings including affordable houses, a new primary school, a new community building, a local centre including shops, public open space including changing facilities and an extension to the Clackers Brook Country Park.

A Policy Project Group (PPG) was set up to consider a draft brief and comprised Members, representatives from the parish and town councils and the developer consortium. The PPG suggested amendments to the initial draft and these had been incorporated into the draft brief presented to Cabinet.

A period of public consultation was proposed between 16 July and 17 September 2004 which would include a leaflet distributed to properties in the area, a public exhibition and a presentation at a Melksham First meeting on 14 September 2004.

All comments received would be considered by the PPG on 23 September and by Cabinet on 29 September 2004 when a revised development brief would be considered for adoption.

- RESOLVED: (a) That the draft East Melksham Development Brief for the purpose of public consultation be approved.**
- (b) That the period of public consultation and the timetable to adoption as set out in the report presented be approved.**

323 REVIEW OF CABINET FORWARD WORK PLAN

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

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

Members' IT Steering Group Report – E-government update

(7.00pm – 8.25pm)

These minutes were prepared by Anna Browne, Member Support Officer
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