

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **CABINET**

Held on: **WEDNESDAY 15 JUNE 2005**

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

Present:

Councillors: Content (Leader), Brown, Carbin, Chivers, Cox, Hames, James, Osborn

Also present: Cllrs Mounde (part), Swabey (part), While and Wiltshire

Officers: Chief Executive, Corporate Director (PW), Head of Finance (IJ),
Conservation Officer (CP), Community Initiatives Manager (GG),
Housing Strategy and Partnerships Manager (GH) and Member Support
Officer (SS)

512. APOLOGIES

Apologies were received from Cllr Syme

513. MINUTES

The minutes of the last meeting held on 18 May 2005 were approved as a correct record and signed by the Leader, subject to the amendment of Minute number 493 to read:

‘Cllr Osborn explained that he had been attending meetings of the Housing Private Finance Initiative Project Board meetings in an observer capacity’

514. DECLARATIONS OF INTEREST

Cllr Osborn declared a personal interest in the Housing Private Finance Initiative

515. ANNOUNCEMENTS FROM THE LEADER

The Leader apologised for the fact that the Update from the Communications Portfolio Holder had been omitted from the agenda.

516. CIVIL CONTINGENCIES ACT

The Leader presented a report, which introduced the Civil Contingencies Act 2004, which came into force on 1 April 2005, as the previous legislation did not cover terror threats or threats to the environment.

The County Council had approached the four districts and proposed that their already established Emergency Planning Unit undertake the high level duties and responsibilities, as detailed in the act, on a Service Level Agreement, which would cost in the order of £18,000 which would be funded from the Emergency Planning Fund.

RESOLVED:

That option B is adopted as the position of West Wiltshire District Council and delegated authority is given to the Legal and Democratic Services Manager to enter into negotiations with the County Council to agree a Service Level Agreement whereby the County Council performs the duties of a Category 1 responder on behalf of the District Council.

517. UPDATE FROM THE FINANCE PORTFOLIO HOLDER

Cllr Carbin reported the changes to the membership of the Housing Private Finance Initiative (PFI) Project Board following the change of the administration, the members of the project board are Cllr Carbin as Chair, Cllrs James, Tim Darsley and Kevin Hanlon (4Ps). The next board meeting would be held on 17 June letters had gone out to local ward members who had land in their wards which was being considered for use for housing under the PFI, only four ward members had responded. At this point Cllr Osborn declared his interest, he had not declared it earlier as he was unaware it was being brought up.

518. FINANCIAL OUT TURN 2004/2005

Cllr Carbin thanked the Head of Finance and his team for all their hard work in producing the accounts so promptly.

He presented a report informing Cabinet of the Financial Out Turn for 2004/2005.

The revised Capital programme was £5.330m but expenditure was £3.638m which meant an under spend of £1.795m. The base budget for the Investment Income was £511k, however the actual income was £620k, giving a surplus of £91k mainly due to the under spend on the capital programme.

The base budget for the General fund was £11.439m, the actual expenditure was £11.115m creating an under spend of £284k which was mainly due to increased income from planning fees, commercial property and investment income and reduced expenditure on homelessness.

The CMT identified £141k of 'one off' items of expenditure identified in the report, together with and additional £30k for legal fees. There may also be a need to fund £40k for PFI set up costs dependant on the Council's decision in July.

Cllr Osborn asked whether the increased car parking charges were for this year or 2004/05. Cllr Carbin explained that the increases the report referred to had occurred in the 2004/05 Financial Year. However evidence so far for this financial year indicated a further increase in income

It was also raised that the Five Towns Initiative should in fact be under the Planning and Economic Development Portfolio and not the Housing Portfolio.

RESOLVED:

- 1) That the outturn for 2004-2005 is noted and the addition of 204-05 under spend to the general reserve fund.**
- 2) Agree funding of 'one off' pressures 2005-06 from general fund reserve.**
- 3) Agree levels of other significant reserves.**
- 4) Agree the transfer of £40k form general fund reserve to support the affordability of PFI set up costs subject to decision of special Council meeting in July**
- 5) Request further detailed work on the maintenance requirement for Bradley road offices, operational and commercial property.**
- 6) Agree slippage of £1.73m in respect of capital programme primarily due to timing.**
- 7) Approve the transfer of £2,634,337 set aside receipts to useable capital receipts.**
- 8) Agree factor 'A' to be -£642,454.**

519. UPDATE FROM THE PLANNING & DEVELOPMENT PORTFOLIO HOLDER

Cllr Osborn informed the Cabinet that the Vision for Trowbridge re-launch is on 27 June and invitations have been sent out, the project is moving to reality.

The Community Statement of Involvement has arisen due to new planning legislation the PPG has been set up and consultation is underway.

The Economic Development Team will move from Trinity House to the Bradley Road Offices from 20 June.

There had been a number of 'meet the planners' days, which enabled businesses to talk to the planners.

Cllr Hames suggested that to be proactive it might be worth developing relationships with commercial letting agents to ensure that problems did not develop at a later date.

Cllr Osborn informed the cabinet that the West Wiltshire Economic Partnership was dealing with this.

The Structure Plan deallocation process is tied up with the Wiltshire & Swindon joint working group, and there is a meeting on 4 July. There was also a meeting on 16 June for an update on the Regional Spatial Strategy.

520. TROWBRIDGE TOWN CENTRE CONSERVATION AREA REVIEW

Cllr Osborn reported that in Planning Policy and Conservation, work was on going to establish a program to review the District's Conservation Areas. The members of the PPG have supported the proposal to change the name to the Trowbridge Town Centre Conservation Area.

The Policy and Conservation Officer made two corrections to the report, one was concerning the legal issues, they should have included Land Charges, as once an area is designated then it has a material consideration on the properties. The second was that in the timetable under 6.1 the reference to SDP was incorrect, it should read SPD (Supplementary Planning Document).

The report identified the areas in which the designations would change and these were explained to the Cabinet in detail, these areas would be subject to a consultation exercise, which will include a stand at the West Wilts Show.

The consultation will include writing to all the landowners who are currently living in designated Conservation Areas as well as those who are going to be included in these areas under the new plans.

There were discussions with the legal department to ensure that the extent of the consultation is robust enough. The final designation will be going to Cabinet or Council in November 2005.

Cllr Swabey asked whether the car park at the Wincanton site (B on the map) would be included in the Conservation Area. The policy and Conservation officer confirmed that it would not be included.

Cllr Hames asked how the PPG had been set up and what the membership was, and whether similar work would be carried out in the other towns and villages. He thought that the value of the involvement of the local members was key. Cabinet had set up the PPG in March 2005 through the Local Development Scheme and the membership had included Cllr Mounde as Portfolio Holder, Cllr Osborn was now the Portfolio Holder. There are plans to review all 37 Conservation Areas in the district, the first part would cover the towns and then the village areas would be reviewed in the order that they were designated.

RESOLVED:

- 1) Approves consultation on the options set out in the above table to amend the boundaries of the Conservation Area**
- 2) Approves the new name for the conservation area as Trowbridge Town Centre CA.**
- 3) Agree the revised timetable.**

521. UPDATE FROM THE ENVIRONMENT PORTFOLIO HOLDER

Cllr Brown reported that May had been the best month for composting with 14% being collected. The total recycling was 27%, which was very reassuring. Bedding plants were also being planted around the district, which was brightening up areas.

522. RECYCLING: OPTIONS & RURAL AREA

Cllr Brown reported that our recycling results for 2004/2005 had exceeded our combined target of 14% largely due to the introduction of the alternate week collections.

The County Council are meeting the capital costs of the new green bins and additional black dry recycling boxes. WWDC's revenue costs for this proposal are being subsidised by the County Council starting with 100% subsidy for 18 months being phased down to 50% by 2008/09.

The Corporate Director (PW) explained that the caveat from the County Council, which was referred to in the written report, had now been withdrawn. This means that there is a firm commitment from the County Council to help fund the revenue costs of the black box scheme in the rural areas.

Cllr Osborn stated that to his knowledge proper use of the scheme is variable dependant on the area, he believed that there needed to be a programme of continuing education. PW said that Hills and the County Council were working on a leaflet to explain what could and could not be recycled. The District Council was planning further publicity which would go out not only with the new bins but also to those with existing bins as an ongoing reminder.

Cllr James said that we should continue to thank the residents for using the scheme but we ought to look at the way the black boxes were collected, the people emptying the boxes should be asked to pay some respect to the property rather than throwing the boxes around residents gardens and ensuring that the correct boxes were returned to the right house.

Cllr Chivers asked whether flats were to be included in the scheme, as a number of people who wanted to be part of the recycling scheme were unable to, as they did not have a black box. PW said that they would be working with Hills in visiting blocks of flats to ensure there was room for storage and a convenient place to put it out for emptying.

Cllr Osborn said he had visited Tonbridge Wells where residents of flats had Hessian bags instead of black boxes which enabled easy storage and that some lateral thinking was needed.

The Leader said that this was good news for the rural areas and wondered what the time scales were. PW said that they hoped to have the roll out complete by the end of the financial year.

The Chief Executive informed the Cabinet that they had not forgotten the lessons that had been learnt with the initial roll out, one lesson was about good publicity, it is hoped that all members will be aware of the timetable when it is published and they will be able to answer the residents' questions.

Cllr Cox made a comment about the Hills Depot in Melksham and the Health and Safety aspect as he had visited recently to find only one employee in the depot at the time. PW said he would look into this.

Cllr Chivers suggested that we should look in to recycling Trade waste. PW explained that Cleanaway had been asked to explore this but had not yet reported back. In addition we were already looking at including this in the refuse collection contract when its re-let. The Chief Executive said that there was a meeting happening on 24 June with Cleanaway and this would be raised.

RESOLVED:

That we extend the provision of the green bins and an alternating weekly collection district wide (option 2) commencing in September 2005 and subsidise the provision of the black recycling box service in rural areas as set out in the Financial Implications for Option 2.

Cllr Chivers against

523. UPDATE FROM THE COMMUNITY PORTFOLIO HOLDER

Cllr Chivers reported that he was continuing to meet and work with the staff in Community Initiatives. The Leisure & Recreational Needs Assessment PPG meeting was taken place on Tuesday 21 June at 12 pm.

It was noted that following the tragic murder of Haley Richards in Trowbridge, Gwilym Gibbons and his team were working with the local community and this work would continue to help rebuild the community.

524. THE WILTSHIRE COMPACT CODES OF PRACTICE

Cllr Chivers introduced the report on the Wiltshire Compact, which is an agreement between the voluntary and community sector and the statutory sector, which outlines how the two should relate for mutual advantage. The District Council signed up to the compact in the summer of 2004, and committed to support its aims to strengthen this relationship. Extensive work and consultation has been undertaken on four Codes of Practice since that time, and the results of the consultation have used to create four robust codes which are to be formally launched on 13 September 2005.

Cllr Hames supported the Compact but brought two points to the attention of the Cabinet

- 1) Consultation – Parish Councils will welcome a consistent timeframe for consultation as it will enable them to discuss the issue and do some research and then give considered feedback.
- 2) Funding – Some groups are dependant on the funding they receive, we must ensure that they are kept up to date so that if there is any doubt over funding they will have time to arrange other means of funding.

Cllr Carbin said that the Compact was very worthy although he detected the hand of the County Council in the codes of practice.

RESOLVED:

- 1) **The Cabinet support the principles and practices of the four Wiltshire Compact Codes of Practice as outlined above and endorse their adoption within the working practices of West Wiltshire District Council.**
- 2) **That Cabinet support the continued commitment to the Wiltshire Compact Board and the Councils active role in promoting the development and adherence to The Wiltshire Compact.**
- 3) **That Cabinet note that the Council is required from time to time in the course of carrying out its statutory duty to consult in time scales that are not consistent with the Communication and Consultation Code of Practice (minimum of 8 weeks). This is a particular issue in relation to Planning guidance. The Council will in the first instance meet its statutory duty and in the second adhere to the Codes of Practice.**
- 4) **In support of both 1 & 2 above Cabinet support the nomination of a West Wiltshire District Council Compact Champion and a programme of internal dissemination events during Compact week in September.**

Statement of reasons for recommendation	To further the Councils commitment to the development of the Wiltshire Compact and meet the requirements of the national code and good practice development
Options considered and rejected	The option to withdrew from the Wiltshire Compact was considered and rejected. The option to sign up only in part to the codes of practice was considered and rejected
Date for implementation	The Codes of Practice are due to be launched on 13 th September 2005. The Codes will become live from that date.

525. UPDATE FROM THE POLICY CO-ORDINATION PORTFOLIO HOLDER

Cllr Hames said that the main focus had been on the Customer First Inspection, in which a number of Members participated, the approach taken by WWDC was open and wanting feedback, however some feedback seemed wide of the mark. Tim Darsley, Paul Mountford and his team were thanked for their efforts.

He hoped that the announcements for the delegated decisions being considered for the Community Area Partnerships would be conveyed at the current round of Area Seminars.

Cllr Hames said he had attended the SCI PPG and that he had read the Wiltshire County Council summary statement of Community Involvement and he was hoping that WWDC's would be more relevant, answering the districts questions.

526. UPDATE FROM THE ENVIRONMENTAL HEALTH PORTFOLIO HOLDER

Cllr Cox reported that leaflets would be distributed to all Members explaining the changes in the Licensing Laws and the process of how to apply to a new license. He hoped that Members would go around their wards to premises that require licenses and assist with promoting the application so that the Council does not get a barrage of applications at the last minute.

Cllr Content asked for a general update for licensing to be circulated with a future copy of the Members Information Sheet

527. UPDATE FROM THE HOUSING PORTFOLIO HOLDER

Cllr James reported on the a number of items:

Landlords forum – The Landlords Forum held on 9 June was attended by over 30 landlords and letting agents, there were workshops on a number of topics including the Housing Act 2004.

Visit to Poundbury – Following the visit to Poundbury an event will be organised at which those who attended will be able to share their experience and view on Poundbury with other Members and officers. If there is the interest then there may be either a larger visit to the site or a speaker would visit the Council from the Duchy of Cornwall.

Housing Strategy – the Government Office has told The Council that the second draft of the strategy is significantly improved. The strategy will be present to Cabinet in July.

Guardian Public Service Awards – Over the last twelve months the Housing Needs teams has achieved some significant results, whilst there is not a single idea unique to WWDC, the teams main attribute has been the willingness of officers to learn from others.

Guinness at the Railway – Cllr James said he would be representing the Council at the Guinness Trust celebration of their partnership with the Council on 30 June.

Extension of The Halve – Stonham Housing Association is hoping to purchase with the assistance for the Housing Corporation the property next door to The Halve, which will enable 7 people to share the house rather than live in self-contained flats. The proposed extension has been approved by all the other District Councils in Swindon and Wiltshire. There is a protocol, which means that all Districts and Swindon Boroughs have to be prepared to re-house any high-risk offender resident in their area prior to sentence who is resident at The Halve.

528. CABINET FORWARD WORK PLAN

The Leader presented the latest version of the Cabinet Forward Work Plan for Cabinet's approval. It was noted that the content for July was unmanageable and it was suggested that some reports be redistributed from July to August to give two busy meetings rather than one unmanageable meeting and one quiet meeting

RESOLVED:

That the Cabinet Forward Work Plan would be approved and that the Leader would liaise with the Chief Executive to reorganise the Cabinet Forward Work Plan.

529. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That under S.100 A (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 ground 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 9 of Schedule 12A to the said Act.

PART II

Item during consideration of which it is recommended that the press and public be excluded.

530. PROVISION OF TEMPORARY ACCOMMODATION FOR HOMELESS APPLICANTS AND HOUSEHOLDS

Cabinet received a confidential report from Cllr James about the disposal of Ethandune and the proposed receipts from the sale.

RESOLVED:

- A. That cabinet approves the development of options to provide temporary accommodation in line with the conclusions set out in section 5 above, in particular**
- i) The refurbishment of Kingsbury Square at an estimated cost of £138,590.**
 - ii) Improvements to Kingsbury Square to provide private bathing facilities in all flats at an estimated cost of £93,510.**
 - iii) The division of Kingsbury Square into two sections to enable supported housing for vulnerable and young single people at an estimated cost of £72,640.**
 - iv) The cost of acquisition and adaption of the Lifeline centre to residential accommodation at an estimated cost of £57,200.**
 - v) Supporting one or more housing association partners in bidding to the Housing Corporation to build at least 12 units of temporary accommodation, with grant funding from the Council of £300,000.**
 - vi) Urging the Supporting People partnership to provide grant for support to vulnerable and single people in temporary accommodation.**
 - vii) Ending the use of Hillside as a temporary accommodation once other alternatives have been established.**
 - viii) Supporting the re-use of long term empty homes as temporary accommodation through a £100,000 capital fund to carry out necessary refurbishments to suitable empty property.**
- B. Additionally, Cabinet approves the continuation of the Temporary Accommodation Review Board to meet on an ad hoc basis as the project develops and for the Portfolio Holder to report back to Cabinet on a regular basis.**
- C. Cabinet approves disposal of Ethandune for the sum outlined in the report.**
- D. Cabinet recommends to Council that the capital programme be amended to show the capital receipt from Ethandune and the capital expenditure shown in the schedule shown in the schedule under financial implications.**

Statement of reason for Key Decision	This is a key decision because of the significant sums of money involved and the impact on people who are and will become homeless in the future. Disposal of property is a key decision
Options considered and rejected	Continuing with the existing hostels and also disposing of all hostels in the hope that the numbers needing to be housed will decline. To retain Ethandune as temporary accommodation
Date for implementation (not less than 5 days after date of decision)	21 June 2005.

Date of Next Cabinet Meeting

The next meeting of Cabinet would be held on Wednesday 20 July 2005 at 7.00pm in the Council Chamber, at the Council Offices, Bradley Road, Trowbridge

(7.00pm – 9.05pm)

These minutes were prepared by Suzie Stanier, who can be contacted on 01225 770322 or email [sstanier@ westwiltshire.gov.uk](mailto:sstanier@westwiltshire.gov.uk)