

West Wiltshire District Council

Minutes

Minutes of the: **Cabinet**

Held on: **Wednesday 31 August 2005**

Held at: **Council Chamber, Bradley Road, Trowbridge**

Present:

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

Also present: Cllrs Fortescue (part), Mudge (part), Phillips (part), Repton

Officers: Chief Executive, Corporate Director (IG), Head of Finance (IJ), Planning Policy Manager (MR), Senior Planning Policy Officer (KJ), Urban Design & Conservation Officer (HM), Development Control Officer (DH), Community Initiatives Manager (GG) Press Officer (LK), Member Support Officer (SS)

553. APOLOGIES

No apologies were received.

554. MINUTES

The minutes of the last meeting held on 20 July 2005 were approved as a correct record and signed by the Leader.

555. DECLARATIONS OF INTEREST

No Declarations of Interest were declared

556. ANNOUNCEMENTS FOR THE LEADER

The Leader made the following announcements:

- 1) That agenda item 12 – Recommendation from Bradford on Avon Area Seminar – High Hedges Cost, would be moved to item number 9 as there were public representations.
- 2) Following a number of months working with the current portfolios, Cllr Chivers Portfolio would now consist of Leisure, Health and Community Safety, and that Cllr Hames Portfolio would comprise of Policy Co-ordination and other aspects of Community, including the Community Areas.

557. UPDATE FROM THE FINANCIAL PORTFOLIO HOLDER

Cllr Carbin informed the Cabinet of the following things:

1) Job Centre in Trowbridge was to close, and its work would be done in conjunction with the Department of Work and Pensions through the Job Centre +, he advised that there would be a meeting with various parties on 23 September.

With reference to the closure of the Job Centre Cllr Osborn said that he would speak to Lee Boyes, the Economic Development Manager to see what could be done. It was also mentioned that a presentation had been done by the Economic Partnership, and members wondered whether the partnership had said anything further.

2) Progress had been made on the E-Government scheme, which it was hoped would go live at the end of September.

3) Consultation on 3 year budgeting was taking place, to see how the Council would deal with the principles

558. FINANCIAL MONITORING

Cllr Carbin presented a report outlining the financial position for the period 1 April to 31 July.

a) Capital

Spending at the end of March is expected to be £5,547,000.

Slippage of £787,000 into next year will occur.

Spending to the end of July was £1,260,000.

This is £681,000 less than expected, mainly because the second phase rollout of green bins being later than planned

b) Investment Income

Net investment income is forecast to be £375,000 at the year-end. This is £70,000 more than the original estimate. This is because slippage in the capital programme and additional capital receipts means that more cash is available for investment.

c) General Fund

Land charges income is falling below expectations by £150,000. There are additional costs associated with the boundary review, legal services, revision of the constitution, the canvass for the electoral register and pension costs on wages. These are partly offset by additional income from investment and commercial properties.

The projected out-turn is indicating an overspend of £166k, but corporate team are monitoring the situation.

RESOLVED THAT:

Members note the report

559. ANNUAL TREASURY MANAGEMENT REPORT

Cllr Carbin presented the report outlining the treasury activity and associated Prudential Indicators for 2004/05.

- a) Our primary aims when setting the Strategy were the security and liquidity of our capital whilst aiming to achieve optimal returns. £8m was committed to long-term investments and surplus funds were managed through our business reserve accounts.
- b) Prudential Indicators that relate to Treasury Management are outlined in the report and demonstrate that none of the indicators set have been breached.
- c) During 2004/05 there was a rising trend in interest rates, reaching a peak in August at 4.75%. Holding our short/medium-term balances in business reserve accounts that follow the base rate, allowed us to benefit from the rises.
- d) Our average balance was £13.959m with an average return of 4.57%, favourable compared to the 4.5% average 7-day rate for the period.

RESOLVED THAT:

- I. Cabinet approve the actual 2004/05 Prudential Indicators within the report.
- II. Cabinet note the Treasury Management Stewardship report for 2004/05.

560. UPDATE FROM THE PLANNING & DEVELOPMENT PORTFOLIO HOLDER

Cllr Osborn informed the Cabinet that a number of items from his portfolio that were due to return to this meeting of Cabinet had been deferred due to external constraints, but would be returning to the meeting in September.

561. AFFORDABLE HOUSING SUPPLEMENTARY PLANNING GUIDANCE

Cllr Osborn presented a report, which reported the responses received to public consultation and to recommend adoption of the affordable housing supplementary planning guidance (SPG).

The proposed amendments to the SPG, following public consultation, can be summarised as:

- Introduce new Foreword and explanatory notes
- Split SPG into chapters
- Plain English document
- Provide contact details (para 4.6 and chapter 12)
- Delete model legal agreements

The objective is to make the guidance easier to understand and to improve access to the service for our customers

- Clarify that Council does not prescribe partners and allows for other providers, but does have a Preferred Development Partnership (para 5.5, para 6.3.1)
- Open book exercise - allow for the re-evaluation of financial viability once the development is complete (para 5.12)
- Management of rented housing - allow for other management partners provided that management standards are high and levels of affordability can be maintained (para 6.3.2)
- Provide more flexible options for low cost home ownership - including shared equity options (chapter 10)
- Occupancy criteria - Expand to provide for future, more imaginative solutions to ensure that developers produce what the community needs (chapter 11)

Objective: to provide a more flexible approach to the delivery of affordable housing

RESOLVED THAT:

- (i) Cabinet approves the recommended responses of this Council to each of the comments received;
- (ii) Cabinet adopts the amended Affordable Housing Supplementary Planning Guidance, subject to (iii) below;
- (iii) Cabinet delegates authority to the Portfolio Holder to make any necessary minor changes to the SPG that are recommended by Counsel.

562. STATEMENT OF COMMUNITY INVOLVEMENT

Cllr Osborn presented a report about The West Wiltshire Statement of Community Involvement , which sets out, in a clear and readable format, how the District Council will involve the community in the preparation of local development documents, which will form the West Wiltshire LDF, and in the determination of development control applications. The West Wilts SCI also sets out the basic mechanisms that the District Council will use to involve the community as a corporate body.

An internal Officer group and a PPG prepared SCI the draft. The PPG met three times. The SCI has been the subject of two consultation exercises. An initial informal exercise, which lasted 8 – 12 weeks, and during June, July and August a statutory consultation exercise that lasted 6 weeks. The latest consultation exercise resulted in approximately 80 representations made by 17 different respondents. These included the LSP, local parish councils, government bodies and agencies and prominent developers. The current version of the SCI has been amended to reflect representations made during the statutory period of consultation.

Since production of the Cabinet Agenda, the PPG has met (for the third time) and suggested some additional amendments. Notably, some additional text is providing an explicit explanation of how the community will become involved. Also, the

production of a summary leaflet, which explains in basic language how the community can become involved.

RESOLVED THAT:

Cabinet recommends the amended document to Full Council

563. RESIDENTIAL DESIGN GUIDE

Cllr Osborn introduced the Residential Design Guide, the purpose of which is to improve the quality of applications submitted and to be a tool for assessing design quality within the Council.

The draft has been produced following targeted consultation on the issues to be included and two PPG meetings. There will be another PPG meeting to consider the final draft following the public consultation exercise.

In accordance with the requirements for producing an SPD a sustainability appraisal has also been prepared which will go out to consultation at the same time.

Through the debate, it was decided that any minor alterations that arose could be delegated to the Portfolio Holder to implement.

RESOLVED THAT:

1) If it is considered that all of the relevant issues are outlined in this draft document it is proposed that public consultation commence as soon as possible to meet with the requirements of the LDS, subject to:

Attaching a glossary
Plain English
Inserting Draft Illustrations

2) Following the public consultation exercise it is hoped that the final document can be adopted as an SPD

564. RECOMMENDATION FROM BRADFORD ON AVON AREA SEMINAR – HIGH HEDGES COST

Open Forum Speaker: Mr Figes representing the Meadowfield Residents.

Cllr Osborn presented the report which considered a request from the Bradford on Avon Area Seminar to review charges for high hedgerow complaints, particularly where several neighbours are complaining about one hedgerow which their properties all adjoin.

The report sets out the key points of this legislation and the guidance given by the ODPM in respect of setting fees

This council has set the cost of handling these complaints at £345 based on the time of the tree and landscape officer taking a complaint through its various stages. The council has received no other financial support for this new service.

Benchmarking against other councils (based on the latest figures collated by 'Hedgeline' since the report was written) show this figure to be more or less at the national average and below the average for the Wiltshire councils.

The guidance is clear in indicating that all complainants should pay the requisite fee irrespective of the number of hedgerows or hedge owners involved. Where several householders adjoin one hedge an assessment of the impact of the high hedge on each property has to be made, hence the requirement for each complainant to pay the fee.

RESOLVED THAT:

- 1) A further report be brought to the Cabinet meeting in October to get definitive guidance on multiple applications, and regarding the possibility of means tested concessions.
- 2) To agree the current level of fee at £345.
- 3) That a comprehensive review is undertaken based on the experience of the first 10 completed cases.

565. RECOMMENDATION FROM MELKSHAM AREA SEMINAR – PCT CONSULTATION

Cllr Osborn present a report which had been brought to Cabinet to consider the following request from Melksham Area Seminar:

"Request that Cabinet consults with the Primary Care Trust (PCT) on the need to provide adequate medical and dental facilities and personnel before full planning permission for large housing developments is granted."

The most practical short term approach is to resolve the particular concerns relating to the East Melksham development through Planning Committee's consideration of the various applications.

It would also be appropriate for the local planning authority to consult the PCT, as a matter of procedure, on any planning application for the development of major housing sites. The PCT welcomes this in principle.

A response had been received by MR following the request to write to the PCT, and it was asked that this be circulated with the next issue of the Members information Sheet.

RESOLVED THAT:

- (i) Cabinet note that Planning Committee will be considering the provision of medical and dental facilities at Melksham when it determines the East Melksham planning applications at a future date;

(ii) Cabinet recommend to Planning Committee that the local planning authority should consult the PCT, as a matter of procedure, on any planning application for the development of major housing sites.

566. UPDATE FROM THE COMMUNITY PORTFOLIO HOLDER

Cllr Chivers updated the Cabinet on the following items

- 1) The further cut backs to the Bradford on Avon and Westbury Hospitals announced in the news. It was suggested that before the Seminar Meeting of Council on 14 September to which the PCT had been invited, a meeting should be set up with Carol Clarke the Chief Executive of the PCT, the Portfolio Holder, the Mayors of Bradford on Avon and Westbury, the Group Leaders and the Chief Executive to discuss issues, any other member wishing to attend would be welcome.

The Chief Executive stated that he had a meeting with Carol Clarke the following day and would raise this issue, he also asked that Members who wished to ask questions at the Seminar Meeting put their questions in writing prior to the meeting to ensure a response was able to be given.

- 2) The Portfolio Holder had written to the Wiltshire Police Authority, joining Town Councils and the 5 Towns Initiative Group in expressing concerns on the future funding of Police Community Safety Officers.

567. UPDATE FROM THE POLICY CO-ORDINATION PORTFOLIO HOLDER

Cllr Hames reported that he had had several meetings with service managers across his portfolio, which included reviews of the emerging internal WWDC Environmental Policy and a bid through WIP for grant funding for Capacity Building work. He also reported about the constructive engagement we had experienced with the new Scrutiny Committee through its new performance sub-group, which had assisted with work to improve our performance reporting and scrutiny mechanisms.

Cllr Hames confirmed that he had also participated in the SCI PPG.

568. WEST WILTSHIRE'S 5 COMMUNITY AREA PLANS

Highlight progress of the five community area plans emerging from the five community area partnerships - all five apart from Bradford have published their plan, Bradford's is due in September.

Broadly the plans reflect a consensus of how the community wishes to see the future for their area but there are also some tensions emerging. The community may have aspirations or requirements but does not necessarily mean that they are the correct ones or that the council and other organisations can provide them.

Therefore it is important that the Council highlights what its role is in delivering these community area plans as well as managing the response to the issues and aspirations they promote.

There is a unique role for elected members supported by officers in leading communities and brokering solutions to some of these tensions.

The Council can also help by ensuring the plans play a part in the service and resource planning process so that services can be designed to deliver aspect of the plans where appropriate.

Areas where we are already delivering aspects of the plans e.g. through the 5Ti. Hard work went in to come up with market town action plans that are funded through the 5Ti and that also deliver elements of the community plans. Currently working with Warminster and Westbury to buy-in some time to deliver/kick-off projects in the market town action plans.

RESOLVED THAT:

1. Cabinet note receipt of the five community area plans.
2. Cabinet note the resolutions as brought forward by each of the five Area Seminars in appendix 2
3. Cabinet agree that community area plans should form a key part of the evidence base for the design and delivery of council services through the service and resource planning process.
4. Cabinet note market town action plans and the 5Ti as the main vehicle for delivery of the 3-year plans

569. RECOMMENDATION FROM MELKSHAM AREA SEMINAR – MELKSHAM COMMUNITY AREA ACTION PLAN CONTRACTUAL PROBLEMS

Cllr Hames presented a report stating that since the beginning of February a process of negotiation regarding the development of a joint 3 year Funding Agreement with Melksham 1st and its core funding partners had taken place. It became clear in June that Melksham 1st was not happy with the content of the 'Funding Agreement'.

At the heart of their concern was the District Councils position of not fully committing to 3 year funding and maintaining a 3 month notice of withdrawal clause. Although the 'Funding Agreement' signals the Councils wish to secure funding over a 3 year period.

Currently the Council reserves the right within all its voluntary sector SLA's to reduce or withdrew funding should a new financial year necessitate a change in our ability to pay and/ or our corporate priorities shift the focus of our resources.

The equity of funding support from the District Council across all five community area partnerships is also of concern, with the risk of some areas benefiting from greater security and financial support. The issues Melksham 1st are experiencing

are not isolated to this one Community Area Partnership, the remaining four CAP's would greatly benefit from receiving a 3 year commitment of future support. The report outlines the current and desired financial commitment to support the five Community Area Partnerships highlighting the budgeted shortfall for coming years.

After a lengthy debate it was decided that the recommendations would be taken and voted on individually. An amendment was put forward for recommendation 2 which was voted for (7 for, 1 against)

RESOLVED THAT:

1. Cabinet note that the Portfolio Holder for Policy will explore with Officers options to strengthen the Councils financial commitment within its 3 year funding agreements with a view to extending the current 3 month notice period.
2. Cabinet agree to explore with officers the possibility of 3 year financial security for the 5 Community Area Partnerships within the District

570. UPDATE FROM THE ENVIRONMENTAL SERVICES PORTFOLIO HOLDER

Cllr Brown updated the Cabinet on the following items

- New Operations Manager started on 24 August. His name is Nol Vincent.
- We are interviewing for a further vacant post (Streetscene Maintenance Officer) tomorrow.
- Recycling figures for July are as follows
 - 82a (dry recyclables) 14.7% (a slight increase on last month)
 - 82b (compost) 11.2% (a slight decrease on last month but not unexpected as May/June/July are peak months)
 - Overall 25.9% in the month
 - 82a year to date 13.48%
 - 82b year to date 13.03%
 - Overall year to date 26.51%
- The Green Bin project is on target to distribute green bins to Warminster, Westbury and BoA commencing in October. The first batch of green bins is being delivered on Tuesday of this week. Cleanaway and Hills are working together to try and achieve the best co-ordination of green bins and black boxes district wide which may require some changes to the collection days. Member consultation and detailed publicity will happen in September.
- We have been disappointed by the performance of Cleanaway over the summer months. The number of missed collections has been very high and we have applied poor performance penalties.
- The CRM (Customer Relationship Management) system will be in place in time for the green bin project to help field the expected rise in customer calls. A draft revised web page provides the detail that will underpin the system. Fiona Waind (admin team leader) is undergoing detailed training to be the local "expert".

- Now that Nol Vincent is in post the detailed improvement plan for Commercial Services will be completed. This will identify new initiatives and join up all the current initiatives.
- The County Council has been successful in its bid to the South West Centre of Excellence for funding to undertake a procurement project. We will be looking at how this project and our own forward plans for commercial services can be combined to best effect. Meanwhile we are talking to English Landscapes about an extension to their contract which ends in December 2005. A report on these issues will be presented to September Cabinet.
- The basic skills training was put on ice for August because of the impact on staff time during a period of high workload and holidays. The training will recommence in September but will not include the temporary seasonal staff that will be leaving us shortly.

It was asked whether Hills could be asked to take more care of the Black Boxes when emptying, Cllr Brown said she had noted the comments and would take them forward to Hills.

At the end of this item the Leader asked for a 2 minute comfort break.

571. UPDATE FROM THE HOUSING PORTFOLIO HOLDER

Cllr James updated the Cabinet on the following

1. Housing Strategy GOSW have now approved our housing strategy as fit for purpose. It will go to full council in September for approval. A copy of the final draft is available on the web site and a hard copy will be available in the Members Room.

2. Housing Renewal Strategy, Empty Homes and Houses in Multiple Occupation Owing to a very heavy agenda for the September Cabinet, these items will now be brought to Cabinet in October. Amongst other matters these papers will set out the Council's new powers around licensing of Houses in Multiple Occupation and management orders to use empty for housing people in housing need. Housing Renewal Manager Paul Yeomans is liaising with Louise Knox over publicising these changes both internally and in the local press.

3. Choice Based Lettings - This has been up and running for 5 months. We are surveying our housing association partners to find out how they think it is working. All forms should all be completed by 15 September. Staff from the team also gave a talk on Choice Based Lettings to the Housing Society's Tenant's Executive Committee AGM this month.

4. Successful bid for new homes including temporary homeless flats Westlea Housing Association – one of the Council's Preferred Development Partners – has successfully bid for £1.4m funding from the Housing Corporation which will deliver 22 much needed new affordable homes (6 to be used for temporary accommodation) at Frome Road Trowbridge. The scheme, already has outline planning permission and Westlea will be liaising with the Council on a detailed planning application shortly which, if approved, will enable works to commence in the 2006.

5. Young Peoples Housing Standard Kate Beckinsale's secondment to this project has just about come to an end. Kate has been working with a County wide partnership to set up the standard for accommodation and support for 16/17 year olds, and has been successful in getting the ODPM to agree to the Wiltshire Local Public Service Agreement Target to ensure that no 16 or 17 year olds in Wiltshire are housed in bed and breakfast by 2008. Kate's final task will be to hand over to the new project co-ordinator.

6. Homeless Innovation Funding

We are currently working on two bids for the Homelessness Directorate's innovation funding-

- a) To provide a county wide mentoring scheme for 16 /17 year olds
- b) To develop access to Private Rented Accommodation through Choice Based Lettings.

572. UPDATE FROM THE ENVIRONMENTAL HEALTH PORTFOLIO HOLDER

Cllr Cox updated the Cabinet on the following items.

Licensing update

The deadline for licensees to apply for their current licenses to be transferred into the new system has now passed. All conversion and variation applications had to be submitted by 6 August. Anyone who has missed the deadline must now apply for a new licence by 24 November. Anyone who has failed to replace his/her licence by 24 November will not be able to trade beyond that date until a new licence is in place.

Following the 6 August deadline, the District Council has now received 344 valid applications. This equates to 60% of the total expected. This means that approximately 300 premises across the district have yet to make their applications.

Although we have now received over half the applications we were expecting, it is worrying that there are still so many people who have not submitted their applications. It is imperative that people realise that if they fail to act, their business may be closed down after 24 November.

The Council has been offering assistance to licensees in the form of advice surgeries across the district and reminders were sent to everyone who had not made their application.

Details of statistics will be included on the next issue of the Members Information Sheet.

Red Bull Air Race

The Red Bull Air Race took place at Longleat on Sunday 7 August 2005. The event was attended by 60,000 people following 700,000 requests for tickets and is the only UK event of this world series. Spectators were treated to a spectacular day of flying.

As well as being involved in pre-event discussions with the organisers, officers attended for both the rehearsal and qualifying on Saturday and the race day on Sunday to monitor public safety and the quality of food outlets. The aircraft activity was controlled and monitored by the Civil Aviation Authority.

Because of the potential consequences of an air accident, the organisers established an external crisis team comprising a member of our staff and representatives from the Police, Fire and Ambulance Service who were in attendance in the control room throughout the event. The event was extremely successful and a debrief with the organisers will take place soon.

Air Quality Management Action Plan

The air quality action plan will be on the Cabinet agenda for approval on 28 September.

Since the draft was approved by Cabinet in March officers within environmental health have been working with officers from Wiltshire County Council and their consultants to finalise the action plan which provides options on how to improve the air quality in Bradford on Avon and Westbury which is caused by traffic emissions.

A significant public consultation on the draft action plan finished on 15 July 2005. We have received useful feedback from the public and DEFRA which is being used to develop the final proposals.

Prior to the report going to Cabinet we intend to brief members on the contents so that they can fully understand the actions proposed.

The Lafarge Committee meetings will be held at the District Council Offices, and the dates will be advised to members through the Members Information Sheet

573. UPDATE FROM THE COMMUNICATIONS PORTFOLIO HOLDER

Cllr Content, in Cllr Syme's absence updated the Cabinet on the following items.

West Wilts Show

The 2005 Show was a great success, with a lot of very positive comments received by the organising team. Thousands of people crammed into Trowbridge Park over the three days, and we have already had some exhibitors trying to book for 2007.

A series of wash-up meetings will be held over the coming weeks, as will discussions on how the 2007 Show will run.

West Wilts Matters

Work is now underway on the Autumn edition of West Wilts Matters, which will be delivered to all households in the district during the week of 24 October.

Internal communications

Staff newsletter Bite Size - which was originally introduced to communicate the processes around CPA - has been relaunched to deal with key corporate projects as they arise. The first edition, focusing on Customers First, was sent to all staff last week.

The communications section is also looking at the monthly newsletter, Corridors, to see how it can be made more effective.

574. CABINET FORWARD WORK PLAN

RESOLVED THAT:

The Cabinet Forward Work Plan as presented be approved

575. DATE OF THE NEXT MEETING

The next meeting of Cabinet was scheduled for Wednesday 28 September 2005 at 7.00pm in the Council Chamber, at the Council Offices, Bradley Road, Trowbridge

(7.05pm – 9.10pm)

These minutes were prepared by Suzie Stanier, who can be contacted on 01225 770322 or email sstanier@westwiltshire.gov.uk