

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **WEST WILTSHIRE DISTRICT COUNCIL**

Held on: **TUESDAY 13 JUNE 2006**

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

Present: Councillors Batchelor (Chairman), Blakemore, Brice, Brown, Bryant, Burnan OBE, Carbin, Clark, J Clegg, M Clegg, Conley, Cox, Cunliffe-Jones, Davis, Fortescue, Hames, Hawker, James, Knight, Lovell, Manasseh, March, Mounde, Mudge, Newbury, Oakman, Osborn, Payne, Phillips OBE, Rosier, Swabey, Viles, and While

Officers: Chief Executive (AP), Corporate Director (IG &TD), Head of Legal & Democratic Services (NM), Housing PFI Project Manager (CT), Housing Services Manager (NS) Solicitor (AAP), Member Support Team Leader (YR), Member Support Officer (MS)

63. APOLOGIES

Apologies for absence were received from Cllrs Baker, Bower, Content, Farkas, Oldrieve and Repton.

64. DECLARATIONS OF INTEREST

The following Members declared their interest in the following item:

Cllr Osborn – Member of the West Wiltshire Housing Society and Planning and Development Portfolio Holder

Cllr Cox - Member of West Wiltshire Housing Society
Cllr Rosier - His company could potentially become a bidder
Cllr Lovell - Member of West Wiltshire Housing Society
Cllr Hawker - Personal interest although no particular interest
Cllr March - Member of the Planning Committee

At this point, Cllr Clark proposed that the meeting be adjourned and this was seconded by Cllr Hawker. On being put to the vote, the motion was LOST and the meeting therefore continued.

65. WEST WILTSHIRE HOUSING PFI SCHEME

Open Forum speakers:

Speaker	Representing
Mike Mills	Bowerhill Residents Association
Mr Lawson	Dowding Way resident, Bowerhill
Eddy Hood	Dowding Way resident, Bowerhill
Len Webb	Bowerhill resident
Bernard Garforth	Conigre Hill residents
Davina Griffin	Union Street, Melksham
Deborah Sage	Westbury Leigh Car Park Action Group
Malcolm Howard	Bowerhill resident
Francis Morland	Self

(a) Consideration of Scrutiny Committee Recommendations

The Scrutiny Committee had resolved to call in the decision of Cabinet dated 5 April 2006 concerning the Council owned development sites for the Housing PFI Scheme. It considered the matter in detail at its meeting on 17 May when it made the following recommendation to Council:

To refer consideration of the matter to Council to note and debate. To report that the Scrutiny Committee was unhappy with the merits of the Cabinet decision. The Committee believes that potentially there may have been maladministration and/or unlawfulness . The Committee considered that this was the only mechanism to bring it to the Council's attention.

The Scrutiny Committee had also made a number of recommendations to Cabinet.

RESOLVED:

That Council notes the resolution of the Scrutiny Committee as detailed above.

(b) Commitment to Proceed with the Housing PFI Scheme

Cllr Carbin presented a report, which gave Council the opportunity of reaffirming its commitment to proceed with the Housing Private Finance Initiative (PFI) and to invite guidance to Cabinet on the implementation of the Policy Framework.

The Housing PFI Project Manager gave a presentation on the key points of the scheme and what had changed since the 19 July 2005 Council meeting. At the request of the Chairman, he responded to the points raised during the open forum session.

After careful consideration, it was

RESOLVED:

- (a) To re-affirm the Council's commitment to proceed with the Housing Private Finance Initiative (PFI) scheme as approved by Council on 19 July 2005.

Note: Recorded Vote

The above decision (a) was the subject of a recorded vote which was recorded as follows:

For the resolution (27)

Cllrs Blakemore, Brice, Brown, Bryant, Burnan OBE, Carbin, Clark, J Clegg, M Clegg, Conley, Cox, Cunliffe-Jones, Davis, Fortescue, Hames, Hawker, James, Knight, Lovell, Manasseh, Mounde, Mudge, Payne, Swabey, Viles, While and Batchelor.

Against the resolution (2)

Cllrs Newbury and Rosier

Abstentions (2)

Cllrs Osborn and Phillips OBE

- (b) To provide the following guidance to Cabinet on the implementation of the policy framework:

- That all planning applications in respect of the PFI scheme be determined by the Planning Committee and not delegated to officers.
- Request Cabinet to carefully consider community concerns and wider issues.
- That Cabinet should not dispose of land from the list of agreed sites following refusal of planning permission for such sites for the PFI scheme.
- That Cabinet should work in full consultation with Town and Parish Councils before disposal of land.
- That Cabinet uses its best endeavours to avoid inclusion of sites identified as being sensitive.
- That Cabinet be requested to seek alternative land as a matter of priority.
- That Cabinet be requested to reconsider its decision dated 5 April 2006 having regard to the above comments.

Note: Recorded Vote

The above decision (b) was the subject of a recorded vote which was recorded as follows:

For the resolution (29)

Cllrs Blakemore, Brice, Brown, Bryant, Burnan OBE, Carbin, Clark, J Clegg, M Clegg, Conley, Cox, Cunliffe-Jones, Davis, Fortescue, Hames, Hawker, James, Knight, Lovell, Manasseh, Mounde, Mudge, Newbury, Payne, Phillips OBE, Swabey, Viles, While and Batchelor.

Against the resolution (nil)

Abstentions (2)

Cllrs Osborn and Rosier

These minutes were prepared by Yamina Rhouati, Member Support Team Leader who can be contacted on direct telephone line 01225 770322 or email

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(7.04pm – 10.00pm)