

# WEST WILTSHIRE DISTRICT COUNCIL

## MINUTES

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

Held on: **WEDNESDAY 21 FEBRUARY 2007**

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

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

Also present: Tony Frost, Chairman of the Standards Committee

Officers: Chief Executive (AP), Head of Legal & Democratic Services (NM), Head of Human Resources (SL), Head of Financial Services (IJ), Revenues and Benefits Manager (SS), Sustainable Communities Services Manager (RR), Solicitor (GC), Member Support Team Leader (YR), Member Support Officer (PS) and Democratic Support Officer (KF)

#### **4. Apologies**

Apologies for absence were received from Cllrs Farkas and Wiltshire

#### **5. Declarations of Interest**

Cllr Rosier declared a prejudicial interest in Item 10 and would leave the Chamber.

#### **6. Announcements from the Chairman**

##### Green waste changes

Members should have all received their special West Wilts Matters and also the guide to recycling, produced to support the changes to green bin recycling.

If more copies of the recycling guide were required they could be obtained from the policy & communications section.

All of the information in West Wilts Matters was now on the website. Publicity was starting next week to promote the converted mini recycling sites, which will be taking cardboard and plastic bottles from 1 March.

### IDeA report & Audit Commission

The peer review team from the Improvement and Development Agency were at the Council offices just before Christmas to inspect how the Council had been progressing since the comprehensive performance assessment in 2004.

The final report had now been received and the findings were very positive. The inspectors gave particular praise to our partnership working, our ambition and our staff.

A copy of the report would be sent out on Friday, and a summary of the main findings was included in Corridors.

We've also had good news from the Audit Commission, which had been comparing our performance now with three years ago. It has found that 75% of performance indicators have improved, giving us a rating in the top 10% for all district councils in England.

### Emergency Planning Training

Training on emergency planning was to have taken place on 22 February, but due to insufficient number of Members confirming their attendance, this had now been cancelled.

### Housing Needs Seminar – 7 March

The Chairman reminded Members that a Housing Needs Seminar for all Members would be held on Wednesday 7 March in the Council Chamber – refreshments would be available at 5.30pm ready for a 6pm start. The purpose of the Seminar was to receive a presentation on the findings of the recent housing needs survey

### Special Council - Railways

The Chairman said that he had been asked to arrange an extraordinary meeting of Council regarding the state of the railways in this area. Representatives from First Great Western and the Department of Transport would be invited. Members would be advised of the date for this meeting as soon as possible.

### Open Evening – Tuesday 27 February

The Chairman reminded Members that the Open Evening would be held on Tuesday, 27 February between 5.30pm – 8.30pm in the Civic Hall. The purpose of the Evening was to encourage people to consider standing in the forthcoming local elections. He thanked all those Members who volunteered to help out and said that he was pleased to see there would be cross-party involvement from Members.

## Unitary Bid

The Chief Executive updated members on progress on the unitary bid by the County Council. And actions being jointly taken by Kennet, Salisbury and West Wiltshire District Councils.

## Cllr Phillips – 80<sup>th</sup> Birthday

The Chairman wished Tony Phillips belated 80<sup>th</sup> Birthday wishes which was on 8 February.

## Yamina Rhouati

The Chairman announced that the Member Support Team Leader Yamina Rhouati would be leaving the Council on 2 March after 24 years service to take on a new role with Wiltshire County Council. The Group Leaders and the Chairman thanked her for all her work and wished her well in her new post.

## **7. Minutes**

The minutes of the ordinary Council meeting held on 8 November, the Seminar on Migrant Workers on 6 December and the extraordinary meetings on 20 December and 11 January were approved as correct records and signed by the Chairman.

## **8. Questions from Members of the Public**

There were no questions received.

## **9. Political Balance**

A report was presented on the review of allocation of seats on committees following the resignation of Cllr Terry Chivers from the Liberal Democrat Group and there was also a revised report presented following the resignation of Cllr John Knight from the Conservative Group. All group leaders and ungrouped members had been consulted on its contents.

### **RESOLVED:**

#### **That Council**

**(a) notes the report and the legal requirements.**

**(b) retains and approves the aggregate number of Committee places available to members of the Council as 69;**

**(i) adopts the allocation of seats shown in revised Table 3 of the addendum report accepting the rounding down from 9 to 8 of the Liberal Democrat group's allocation on the Appeals Panel.**

**That the Liberal Democrat group notify the Proper Officer on which of its Members will no longer occupy a seat on the Appeals Panel.**

- (c) Sets aside the following remaining places for the members not in a political group and to appoint those Members in accordance with their wishes as follows:**

**Planning Committee – Cllrs Newbury and Knight  
Scrutiny Committee – Cllr Hawker  
Appeals Panel – Cllrs Knight, Hawker and Chivers**

#### **RECORDED VOTE**

**Cllrs Clark and Newbury requested that their vote against the decision be recorded.**

#### **10. Budget 2007/08**

##### **(a) Revenue and Capital Budget 2007/08**

Cllr Carbin presented the budget, referred to the key elements and said it had been designed to achieve good progress against the Corporate Plan.

He moved the budget as detailed in the report presented and this was seconded.

Cllr While presented an alternative budget as an amendment and proposed that the Council tax increase be reduced from the proposed 3.9% to 2.5%. He itemised areas where in his view this could be funded from. This proposal was seconded.

The amendment on being put to the vote was LOST and a recorded vote having been requested, the voting was as follows:

##### **For the amendment (18)**

Cllrs Bower, Burnan OBE, Clark, Clegg, J, Clegg, M, Conley, Davis, Fortescue, Hawker, March, Mounde, Mudge, Payne, Phillips, Ridout, Swabey, Viles, While

##### **Against the amendment (22)**

Cllrs Barker, Batchelor, Blakemore, Brice, Brown, Bryant, Carbin, Chivers, Content, Cox, Cunliffe-Jones, Hames, James, Lewis, Lovell, Manasseh, Newbury, Oakman, Oldrieve, Osborn, Repton and Rosier

##### **Abstentions (1)**

Cllr Knight

The original motion was then put to the vote and CARRIED and a recorded vote having been requested, the voting was recorded as follows:

**For the motion (23)**

Cllrs Barker, Batchelor, Blakemore, Brice, Brown, Bryant, Carbin, Chivers, Clark, Content, Cox, Cunliffe-Jones, Hames, James, Lewis, Lovell, Manasseh, Newbury, Oakman, Oldrieve, Osborn, Repton and Rosier

**Against the motion (17)**

Cllrs Bower, Burnan OBE, Clegg, J, Clegg, M, Conley, Davis, Fortescue, Hawker, March, Mounde, Mudge, Payne, Phillips, Ridout, Swabey, Viles and While

**Abstentions (1)**

Cllr Knight

It was therefore

**RESOLVED:**

**That Council agrees the following spending proposals for 2007/08:**

**(i) A general fund revenue budget of £14.875 million for which a council tax level band D of £139.50 will be levied.**

**(ii) Approves the capital programme of £2.582 million.**

**(b) Council Tax Resolution**

Having set the budget, Council considered a report which recommended the Council tax for 2007/08.

**RESOLVED:**

**That it be noted that at its meeting on 10 January 2007, the Cabinet calculated the amount of 47,191.17 as the Council Tax base for the year 2007/08 in accordance with Regulation 3 of the Local Authorities (calculation of Council Tax base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992 (as amended)**

**That the following amounts be now calculated by the Council for the year 2007/08 in accordance with Section 32 to 36 of the Local Government Finance Act 1992 (as amended):-**

	£
<b>Total gross expenditure including expenditure of £2,854,771.00 for Town and Parish precepts</b>	<b>52,543,879</b>
<b>Total gross income including use of balances</b>	<b>34,814,529</b>
<b>TOTAL NET EXPENDITURE:</b>	<b>17,729,350</b>
<b>Less:-</b>	

Revenue Support Grant	1,191,510
National Non-Domestic Rates	7,099,901
Community Charge Collection Fund Surplus	0
Council Tax Collection Fund Surplus	0

**AMOUNT REQUIRED FROM COUNCIL TAX:** 9,437,939

These are aggregate amounts calculated in accordance with the Local Government Finance Act 1992, Sections: -A) 32(2) a to e B) 32(3) a to c C) 32(4).

There are no Special Expenses as defined under S 35(2) d.

We are now required to calculate a number of Council Tax amounts known as "basic amounts of Council Tax". This is in accordance with the Local Government Finance Act 1992 and the relevant sections are shown in brackets.

- i) We need to calculate the basic Council Tax for the authority as a whole (S.33). This is our net budget requirement (£9,437,939) divided by our total tax base (47,191.17) and equals £199.99.

As we have town and parish precepts included in this figure, it is necessary to make a further calculation (S.34(2)).

the basic amount for every town and parish is calculated by deducting from the £199.99 previously calculated, the amount of "special items" (£2,854,771.00) divided by our total tax base.

i.e.  $£199.99 - (£2,854,771.00 / 47,191.17)$

In accordance with S.34(2) of the Local Government Finance Act 1992 the basic amount for all towns and parishes is £139.50 and in accordance with S.36(1) the bandings are:-

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
93.00	108.50	124.00	139.50	170.50	201.50	232.50	279.00

- ii) We also need to calculate a basic amount for each parish area for which any precept issued to the authority, which is applicable to a part of its area and was taken into account by it in making the calculation in relation to paragraph 2.above. (see Parish column in Appendix A).

3. That it be noted that for the year 2007/08 the major precepting authorities have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Act 1992, for each of the bandings shown below:-

<b>Precepting Authority</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>Wiltshire County Council</b>	<b>649.23</b>	<b>757.44</b>	<b>865.64</b>	<b>973.85</b>	<b>1190.26</b>	<b>1406.67</b>	<b>1623.08</b>	<b>1947.70</b>
<b>Wiltshire Police Authority</b>	<b>92.90</b>	<b>108.38</b>	<b>123.87</b>	<b>139.35</b>	<b>170.32</b>	<b>201.28</b>	<b>232.25</b>	<b>278.70</b>
<b>Wiltshire Fire Authority</b>	<b>36.93</b>	<b>43.08</b>	<b>49.24</b>	<b>55.39</b>	<b>67.70</b>	<b>80.01</b>	<b>92.32</b>	<b>110.78</b>

4. **That in accordance with S.30(2) the amounts set out in Appendix A (attached) be approved as the Council Tax levels for 2007/08.**
5. **That the Head of Finance or any Officer designated by him, be authorised to deal with all matters relating to the Council Tax administration, billing, collection, recovery and administration of Council Tax benefits.**

#### **(c) Capital Strategy 2007**

The Finance Portfolio Holder, Cllr Carbin presented the Capital Strategy for 2007 which had been reviewed and recommended by Cabinet on 7 February 2007.

#### **RESOLVED:**

**That Council approves the Capital Strategy and invites the Chief Executive to make available to Council the full implications of prudential borrowing against the likely programme.**

#### **(d) Treasury Management Strategy Statement**

The Finance Portfolio Holder, Cllr Carbin presented the Treasury Management Statement for Council's approval on recommendation by Cabinet on 7 February 2007. The Statement set out the strategy to be pursued in the coming financial year and includes the Investment Strategy.

#### **RESOLVED:**

**That Council**

- a) **adopts the revised Prudential Indicators for 2006/07 and the Prudential Indicators and limits for 2007/08 to 2009/10 contained within Appendix A of the report.**
- b) **approves the Treasury Management Strategy 2007/08 and the treasury Prudential Indicators contained within Appendix B of the report.**

- c) approves the Investment Strategy 2007/08 to 2009/10 contained in the Treasury Management Strategy Appendix B of the report.

## 11. Reports from Cabinet and Cabinet Members

Cllr Osborn reported that he had met with First Great Western Railways and that notes would be made available to Members via MIS.

He also reported that progress was being made on the Local Development Framework through the PPG Core Strategy group.

## 12. Reports of Committees

Council was asked to receive and note the minutes of the following meetings. This was also an opportunity for Members to ask questions for information or clarification.

Audit	14 December 2006	30 - 43
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The Chair of Audit reminded members that the committee would be concluding its annual training programme on Monday 19 March at 6pm; the subject would be corporate governance and all members were welcome to attend.

Cabinet	22 November 2006	212 - 229
Cabinet	13 December 2006	230 - 253
Cabinet	10 January 2007	1 - 25
Cabinet	7 February 2007	26 - 47
Licensing-Sub	6 November 2006	1 -3
Licensing-Sub	21 November 2006	1 -3
Licensing-Sub	8 December 2006	1 -3
Licensing-Sub	12 January 2007	1 -3
Licensing-Sub	22 January 2007	1 -3
Licensing	23 November 2006	30 - 34
LJCC	18 December 2006	35 - 41
Planning	26 October 2006	118 - 125
Planning	16 November 2006	126 - 132
Planning	7 December 2006	133 - 139
Planning	4 January 2007	1 - 8
Planning	25 January 2007	9 -17

The Chair of Planning drew Members attention to the lateness of Planning Committee meetings and that he asked members to consider if more frequent meetings were the answer of whether there were any other suggestions for dealing with this problem.



Scrutiny	29 November 2006	83 - 94
Scrutiny	17 January 2007	1 - 9
Scrutiny	31 January 2007	10 - 13

The Chair of Scrutiny reported that a successful meeting had been held with the Primary Care Trust and that information would be sent out with MIS. Cllr Payne asked that the new administration look at monthly meetings for Scrutiny Committee.

Standards	12 December 2006	56 - 62
Standards	1 February 2007	1 - 10

The Chair of Standards pointed out that on the minutes for the 1 February that recommended that under item 5, Review of the Constitution of the Council, the minute regarding planning should read:

*Planning – Revised Delegations*

*That the Standards Committee agree the proposals save for recommending that prior to Council making a final decision on these matters that Town and Parish Councils be consulted with regard to the twenty eight and fourteen day notice periods. In addition the Standards Committee recommended that Town and Parish Councils should not be required to give a planning reason when requesting applications to be heard by the Planning Committee.*

Westbury Area	24 January	1 - 11
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The Chair drew attention to the fact that he had called for a meeting of Chairs of Area Seminars to review the objectives of the seminars.

### 13. Notices of Motion

**Motions previously considered – reporting back**

The following notice of motion had been considered by Council at its meeting on 8 November 2006 when it was referred to Scrutiny Committee for consideration. Scrutiny Committee considered it at its meeting on 29 November 2006:

“This Council calls upon the government to support local Post Offices by,

1. Reverse the decision to take away TV Licences and other services
2. Maintain the £150m social Network payment
3. Keep Post Office Card Accounts or provide an alternative

This Council writes urgently to ministers urging them to note local concerns and the concerns of this Council.”

**RESOLVED:**

**That the Notice of Motion be adopted, as amended. "This Council calls upon the government to support local Post Offices by,**

- 1. Reverse the decision to take away TV Licences and other services**
- 2. Maintain the £150m social Network payment. The above should be borne in mind of any consequences of the social Network payment.**
- 3. Keep Post Office Card Accounts or provide an alternative, which should be made more widely available in the interests of maintaining a sustainable community.**
- 4. Clearing banks that do not have arrangements with the Post Office should make arrangements, as originally agreed.**
- 5. This Council writes urgently to ministers, including opposition party spokesmen and MEP's, urging them to note local concerns and the concerns of this Council".**

**New Motion Received TV Licence Fee – Cllrs Content and Carbin**

**TV Licence Fee – Cllrs Content and Carbin**

- (i) That this Council is greatly concerned by the news that the BBC proposes a licence fee increase from April 2007 based on RPI plus 2.3 per cent a year. In today's prices, this means £150.50 a year per household by 2013, compared to the current £131.50.
- (ii) That this Council writes to the BBC, Government and any other relevant parties expressing our strength of feeling on this matter and the effect this increase has on our residents who are already facing increasingly burdensome bills by mortgages, utility bills, taxes and other inflationary related costs.
- (iii) That this Council actively lobbies for Disabled/Housebound Citizens to be entitled to discounted Television Licence Fees. Highlighting the issues surrounding disabled/housebound residents for whom the television is the main source of contact and news from the outside world.

**RESOLVED:**

**That the above motion be referred to the Scrutiny Committee for consideration and report back to Council.**

**RECORDED VOTE**

**Cllrs Phillips requested that his vote against the above decision be recorded.**

#### **14. Questions from Members of the Council**

Questions were received from the following Members:

From Cllr Mudge to Cllr Brown, Environment Portfolio Holder

From Cllr Clark to Cllr Carbin, Finance and Policy Portfolio Holder

Note: A copy of the questions and responses are attached as an Appendix to these minutes.

#### **15. Representatives on Outside Bodies – Reporting Back**

The Chairman invited Members to report back on meetings of outside bodies they had attended as representatives of the Council.

The following reports were made:

##### Cllr Osborn– West Wiltshire Housing Society (WWHS)

The previous Chair had been removed after due process. The Chief Executive had tendered her resignation and the appointment of a new Chief Executive was underway.

John Alford was to be commended for all his work in overseeing the changes.

It was agreed that a letter be sent to John Alford from the Chairman of the Council in appreciation of the work that he has done. It was also agreed that the departing Chief Executive be sent a letter thanking her for her work.

##### Cllr Phillips – Regional Branch of the Local Government Association

They had been a special meeting to receive a presentation by the Government Office on Unitary Authorities.

#### **16. Local Area Agreements**

The Leader presented a report which detailed Wiltshire Strategic Board's draft Local Area Agreement, together with a sign-up schedule of activity. She thanked Richard Rogers for his hard work in the drafting of the report.

##### **RESOLVED:**

**1. That Council accept the report together with the attached sign-up schedule (Appendix B) of activity and confirmed its commitment to help deliver these activities under the LAA agreement.**

**2. That Council is a signatory to the Wiltshire Local Area Agreement.**

**3. That Council agreed that a letter be sent to Wiltshire County Council which:**

- **Confirms that this Council agrees to sign up to the Wiltshire LAA and expresses its commitment to the agreement**
- **Expresses any issues or concerns this Council has including those listed under the 'Next Steps' section of the report**

**4. That the Chief Executive and Leader of the Council are delegated authority to sign the agreement.**

**5. That the Chief Executive and Leader of the Council are delegated authority to make any further changes to the draft LAA until it is agreed with Government.**

**6. That all members are kept informed and engaged with the Wiltshire Local Area Agreement as it is further developed.**

**7. That the Agreement is added to the Council's Policy Framework.**

#### **17. Review of the Constitution of the Council**

Tony Frost, Chair of the Standards Committee, presented the report which detailed recommendations from Standards Committee for changes to the Constitution and in particular items relating to Area Committees, questions from Members and Planning decision-making arrangements. He thanked George Curran for all his work on the revisions.

#### **RESOLVED:**

**(a) that it is not necessary for a Vice Chairman of an Area Seminar to be a Member of the District Council**

**(b) that the notice period for questions from Members be varied from 10 clear working days to 7 clear working days,**

**(c) that Town and Parish Councils be consulted on the proposals concerning decision-making relating to planning applications with regard to the notice periods and the provision requesting that a planning reason be given for a referral to the Planning Committee in order that this matter may be determined by Council at its next meeting.**

**(d) to otherwise approve the proposed changes to the Constitution as set out in the appendix to the report.**

#### **18. Standards Committee Annual Report**

Tony Frost, Chair of the Standards Committee, presented the second Annual Report of the Standards Committee.

**RESOLVED**

**To note the report**

**19. Cabinet Forward Work Plan**

The Leader presented the Cabinet Forward Work Plan.

**RESOLVED:**

**That the Cabinet Forward Workplan be received and noted.**

**20. Urgent Departure Decisions – Reporting Back**

There were no urgent decisions to report back.

These minutes were prepared by Pam Sidgwick, Member Support Officer, who can be contacted on direct telephone line 01225 770322 or email [psidgwick@westwiltshire.gov.uk](mailto:psidgwick@westwiltshire.gov.uk)

(7.00pm – 9.40pm)

**Questions from Cllr Brian Mudge to  
Portfolio Holder for Environment - Cllr Rosemary Brown**

**Question 1**

Common house flies lay eggs on any suitable waste. The eggs normally hatch into maggots after 10 days and, after pupation, the larvae turn into flies. Flies carry diseases.

Last Summer's weather was warm and humid and, as a result, a great many household grey bins were heaving with wriggling maggots.

What plans are being made to combat this obnoxious health hazard next Summer?

**Answer**

In the summer an egg can become a maggot in less than 20 hours so this is as likely to be an issue in dustbins collected every week as one that is collected every two weeks.

The simplest solution is prevention. This means that residents should follow these guidelines:

- Don't leave food in the open air where flies can lay eggs
- Wrap waste food in secure bags before putting into the bin
- Keep the bin lid closed
- Keep the bin clean by occasional washing or spraying with diluted vinegar

The issue with maggots last summer in particular was due to the two periods of industrial action resulting in a work to rule. As a result many bins were not emptied on time. This summer, with our new contractor in place, we do not foresee the same issues arising again. Therefore bins will not have to wait more than their normal two weeks for collection.

**Question 2**

The disposal of Trade Waste is the responsibility of the County Council and, it seems, that it is all consigned to landfill sites.

This waste contains many sorts of recyclable material - e.g paper and bottles.

Is none of this sorted and recycled?

If not, what action is WWDC taking to pursue this neglect?

**Answer**

To date government targets have concentrated on domestic waste reduction and recycling and as a consequence very little trade waste is recycled.

The district council is aware that nothing is being done to encourage commercial recycling. However tackling commercial recycling has been highlighted as one of the targets for 2007/08 within West Wiltshire's Waste and Recycling Strategy. As a result the district council and the county council will be developing proposals for increased trade waste recycling in the next year as part of a strategic review of waste collection and disposal services.

**Questions from Cllr Ernie Clark to  
Portfolio Holder for Finance & Policy - Cllr Trevor Carbin**

**Question**

For Christmas 2006 two separate Christmas cards were sent by the Chairman and the Leader of this council. How much money, including postage, would have been saved had they sent just one 'joint' card?"

**Answer**

It has been the practice of this Council for a number of years for the Chairman of Council and Leader of Council to each send out separate Christmas cards. This is because the roles of the Chairman of Council and Leader of the Council are very different and therefore each has their own separate mailing list. There would have been a degree of common recipients which is to be expected.

I therefore appreciate the reasons why there are separate cards, which is why I have not gone to the trouble of identifying how much money would have been saved by having joint cards. This might be something you may like to take up with any future Chairman and Leader of Council.