

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

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

Held on: **WEDNESDAY 14 MAY 2003**

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

Present:

Councillors: Baker, Barker, Batchelor, Blakemore, Bower, Brice, Brown, Bryant, Burnan, Carbin, Chivers, Clark, Clegg J, Clegg M, Cox, Cunliffe-Jones, Davis, Farkas, Fortescue, Hames, Hawker, James, Knight, Lewis, Manasseh, March, Mounde, Mudge, Newbury, Oldrieve, Osborn, Payne, Phillips, Repton, Rosier, Squires, Swabey, Syme, Viles, Wells, Whatley-Gibbs, While and Wiltshire

Officers: Chief Executive, Corporate Officer (Policy), Corporate Officer (Democratic Services), Head of Financial Services, Head of Commercial Services, Head of Strategy, Legal Services Manager, Personnel Manager, Member Support Officers (AB and YR)

Alison Irving in the Chair

30. APOLOGY

An apology for absence was received from Councillor Conley.

31. ELECTION RESULTS

Council received the results of the District Council elections held on 1 May. The Chair congratulated all those elected and paid tribute to past Councillors who had not stood for re-election or who were not successful in being re-elected.

She also thanked the staff and all those who assisted on the election for the excellent way the election was handled.

32. CHAIR'S VIEW OF HER YEARS IN OFFICE 2001-3

The Chair reflected on her past two years in office as Chair of West Wiltshire District Council and looked forward to spending more time on leisure pursuits.

Councillor Barker thanked Mrs Irving for the exemplary manner in which she had chaired the Council meetings; this was echoed by other Members.

33. ELECTION OF CHAIR

The Chair called for nominations for the position of Chair of Council and explained the voting procedure as laid down in the Constitution.

Councillor Farkas was proposed by Councillor Oldrieve and seconded by Councillor Batchelor.

Councillor Clegg was proposed by Councillor March and seconded by Councillor Mounde.

On being put to the vote, Councillor Clegg was elected by a simple majority of those present and voting. A recorded vote having been requested, the voting was recorded as follows:

For Councillor Farkas (21 votes)

Councillor Barker, Batchelor, Blakemore, Brice, Brown, Bryant, Carbin, Chivers, Cox, Cunliffe-Jones, Farkas, Hames, James, Lewis, Manasseh, Oldrieve, Osborn, Repton, Rosier, Squires and Wells.

For Councillor Clegg (22 votes)

Councillors Baker, Bower, Burnan, Clark, Clegg J, Clegg M, Davis, Fortescue, Hawker, Knight, March, Mounde, Mudge, Newbury, Payne, Phillips, Swabey, Syme, Viles, Whatley-Gibbs, While and Wiltshire

RESOLVED:

That Councillor Clegg be elected Chair of West Wiltshire District Council for 2003/04.

Mrs Irving then handed over the Chain of Office to Councillor Clegg and wished her all the best for the ensuing year.

Councillor Viles on behalf of the Council presented Mrs Irving, the outgoing Chair, with a bouquet of flowers. The Chief Executive presented her with a photographic album which commemorated her period in office.

Councillor Clegg then read out and signed the Declaration of Acceptance Office book witnessed by the Chief Executive.

Councillor Clegg in the Chair

The Chair explained that in view of the lengthy agenda as well as the submission from the Independent Group to consider, she would be urging Council to adjourn the meeting if it had not concluded its business by 10.30pm. Should this be the case, she would in accordance with the Constitution be asking Members to take a vote at that point on whether to end the meeting and adjourn to a date to be arranged at the end of the meeting.

She also gave notice that she would be taking item 14 (Allocation of Seats on Committees) ahead of item 13 (Appointment of Committee Chairs) - Minute no. 42 & 43 respectively.

34 APPOINTMENT OF VICE-CHAIR

The Chair called for nominations for the position of Vice-Chair of Council and explained that the same voting procedure would be used.

Councillor Farkas was proposed by Councillor Oldrieve and seconded by Councillor Osborn.

Councillor March was proposed by Councillor Clegg and seconded by Councillor Mounde.

On being put to the vote, Councillor Farkas was appointed by a simple majority of those present and voting as Vice-Chair of Council.

RESOLVED:

That Councillor Farkas be appointed Vice-Chair of West Wiltshire District Council for 2003/04.

Councillor Farkas then read out and signed the Declaration of Acceptance of Office witnessed by the Chief Executive.

35. ELECTION OF LEADER

The Chair called for nominations for the position of Leader of the Council.

Councillor Phillips was proposed by Councillor Payne and seconded by Councillor Syme.

Councillor Brice was proposed by Councillor Barker and seconded by Councillor Brown.

On being put to the vote, Councillor Phillips was elected Leader of the Council by a majority of those present and voting. A recorded vote having been requested, the voting was recorded as follows:

For Councillor Phillips (23 votes)

Councillors Baker, Bower, Burnan, Clark, Clegg J, Clegg M, Cox, Davis, Fortescue, Hawker, Knight, March, Mounde, Mudge, Newbury, Payne, Phillips, Swabey, Syme, Viles, Whatley-Gibbs, While and Wiltshire

For Councillor Brice (20 votes)

Councillors Barker, Batchelor, Blakemore, Brice, Brown, Bryant, Carbin, Chivers, Cunliffe-Jones, Farkas, Hames, James, Lewis, Manasseh, Oldrieve, Osborn, Repton, Rosier, Squires and Wells.

RESOLVED:

That Councillor Phillips be elected Leader of West Wiltshire District Council.

36. MINUTES

The minutes of the meeting held on 19 February 2003 were approved as a correct record and signed by the Chair.

37. OPEN FORUM/QUESTIONS

The Chair confirmed that no formal questions had been received.

The following speakers made open forum presentations:

- Mr Levy - Council representation on La Farge
- Mr Osborn - Council representation on La Farge and Wessex Water
- Mr Morland - Boundary Changes and the effect on Area Committees as referred to in minutes of Council dated 19 February and the Standards Committee dated 5 March 2003. Leigh Park, Westbury as referred to in the minutes of the Southern Area Committee dated 13 March 2003.

38. DECLARATIONS OF INTEREST

No declarations of interest were made.

39. URGENT BUSINESS

There were no items of urgent business.

40. ANNOUNCEMENTS

No announcements were made.

41. CONSTITUTION

Council was asked to confirm the Constitution for 2003/04.

The Chair proposed that the Constitution be confirmed for 2003/04 and this was duly seconded.

The Chair reported that she understood that there was a submission from the Independent Group which proposed various changes to the Constitution. She invited Councillor Newbury to present his group's submission.

Councillor Newbury referred to the proposal by the Independent Group to establish a single district wide Planning and Regulatory Committee. This would involve transferring the planning and regulatory functions from the existing three Area Committees to the new Planning and Regulatory Committee. It was suggested that this new Committee would meet on a 3 weekly cycle commencing 5 June 2003 and a list of proposed dates was also submitted.

It was however, proposed to retain the three Area Committees to meet on perhaps a quarterly basis to deal with the remaining functions allocated to them in the Council's Constitution eg grants and community matters.

Councillor Newbury referred to a report by officers which summarised the advantages and disadvantages of a single development control committee and notes of an Agents' Forum (meeting between officers and planning agents) which made reference to the proposals now before the Council. He also presented a proposed new Section 9 of the Constitution which specified the terms of reference of the proposed Planning and Regulatory Committee as well as details of consequential changes to the Constitution.

Councillor Newbury then moved the following amendment to the main motion which was duly seconded:

- That a Planning and Regulatory Committee be established to undertake the regulatory functions currently exercised by Area Committees and the Regulatory Committee.
- That the changes to the Constitution recommended in the report (circulated) be approved.
- That Area Committees should continue to meet, but at a frequency to be decided.
- That during 2003/04 the Planning and Regulatory Committee should meet on the dates as set out in the report (presented).

A discussion then ensued on the amendment. Most Members seemed to agree with the principle of the amendment, but felt that the matter should be the subject of a comprehensive report by officers for consideration by the Council to enable further discussion. Councillor Newbury and his seconder (Councillor Syme) agreed with this suggestion and changed the above amendment to the following:

- That Council notes the paper submitted by the Independent Group and that officers be requested to prepare a report on the proposal and its implications to the next Council meeting on 9 July 2003.

During the course of discussion, it was suggested a small group of Members should meet with officers to consider the proposal.

On being put to the vote, the amendment as altered and the above suggestion were CARRIED and became the substantive motion. The Independent Group presented

further proposed amendments to the Constitution which dealt with the following matters:

- The term of office of Leader of the Council
- The size of the Overview Committees
- District Councillors on the Standards Committee
- Limitation on the number of minority group notices of motion
- Members' formal questions to various office holders.

It was agreed to refer these matters also to the next meeting of Council for further consideration.

RESOLVED:

- (a) **That Council notes the paper submitted by the Independent Group and that officers be requested to prepare a report on the proposals contained therein to the next Council meeting on 9 July 2003. That a small group of Members be asked to assist in this project.**
- (b) **That the further changes proposed by the Independent Group as circulated be also deferred to the next meeting for further consideration.**

ADJOURNMENT

Council then adjourned to allow each Area Committee to meet to elect their respective Chairs and Vice-Chairs. Details of Area Committee membership were circulated. As agreed by Council, each Area Committee was presided over by the Chief Executive.

The following Appointments were made:

Northern Area Committee

Chair: Councillor Hames
Vice-Chair: Councillor Cunliffe-Jones

Central Area Committee

Chair: Councillor Carbin
Vice-Chair: Councillor Oldrieve

Southern Area Committee

Chair: Councillor Davis
Vice-Chair: Councillor March

RECONVENE

Council then reconvened.

42. ALLOCATION OF SEATS ON COMMITTEES

The Chair referred Members to the supplementary report by the Legal Services Manager.

It was explained that Council was being asked to determine the following:

- How many seats each political group would have on each of the Committees.
- To appoint 4 District Councillors on the Standards Committee.
- To appoint 6 Members to the Local Joint Consultative Committee.
- To request the Standards Committee to look into the selection process for the District Council appointments to the Standards Committee.

RESOLVED:

- (a) That the following allocation of seats to political groups on Committees be agreed:

Committee	Total No. of Places	Con 43.18%	Lib Dem 43.18%	Ind 9.09%	Lab 4.55%
Internal Overview Committee	7	3	3	1	0
External Overview Committee	7	3	3	1	0
Regulatory Committee	12	5	5	1	1

- (b) That the following Members be appointed to the Standards Committee:

Councillors Baker, Clark, Farkas and Manasseh.

- (c) That the following Members be appointed to the Local Joint Consultative Committee:

Councillors Blakemore, Burnan, Cox, March, Phillips and Syme.

43. APPOINTMENT OF COMMITTEE CHAIRS AND VICE-CHAIRS

RESOLVED:

- (a) That the Chairs and Vice-Chairs of the External and Internal

Overview Committees be appointed at the first meeting of those Committees.

Notes:

The Chair of the Regulatory Committee would be the Chair of Council as laid down in the Constitution (paragraph 9.2.2).

The Chair of the LJCC would be elected at the first meeting of that Committee.

The Chair of the Appeal Panel would be elected by the Panel at each meeting.

44. RECOMMENDATIONS FROM THE STANDARDS COMMITTEE

Recruitment Procedures for the Standards Committee

The Legal Services Manager presented the recommendations of the Standards Committee on the appointment of Town and Parish representatives and external members.

Earlier in this meeting, Council had appointed four of its members to the Standards Committee. Council now had to appoint 3 external members, 1 Parish Council representative and 1 Town Council representative.

The Standards Committee had recommended changes to the Constitution regarding the recruitment procedures for the Standards Committee.

RESOLVED:

That the changes to the Constitution regarding the recruitment procedures in respect of the Standards Committee as recommended by the Standards Committee be approved.

45. EXTERNAL MEMBERS OF THE STANDARDS COMMITTEE

The Corporate Officer (Democratic Services) reported that 4 applications had been received for the positions of external representatives on the Standards Committee.

The process for appointing applicants as agreed by Council on 19 February was followed and interviews held. The Interview Panel had made its recommendations on the appointments.

RESOLVED:

- (a) That the following be appointed to the Standards Committee as its external representatives:**

**Tony Frost
Keith West**

Margaret Ellwood

- (b) **That Tony Frost and Keith West be appointed Chair and Vice-Chair respectively of the Standards Committee.**

46. MEMBERS' ALLOWANCES

The Legal Services Manager presented a report which asked Council to consider increasing allowances in line with inflation and establish an Independent Remuneration Panel to review allowances in line with new legislation.

RESOLVED:

That Council appoints an Independent Remuneration Panel to review all payments made to Members and recommend any changes to the Council meeting on 10 September 2003. That in the meantime, no changes be made to Members' allowances.

47. DATES OF MEETINGS

In view of the possibility of changes to the committee structure as referred to in minute no. 41, it was

RESOLVED:

That the dates of meetings as presented be approved until such time as the committee structure is amended when revised dates would be submitted.

48. OVERVIEW COMMITTEES - WORK PROGRAMMES

Council received the reports of the External and Internal Overview Committees which set out the work undertaken by them to date and their work programmes for 2003/04.

RESOLVED:

- (a) **That the reports of the External and Internal Overview Committees be received and noted.**
- (b) **That the work programmes of the External and Internal Overview Committees for 2003/04 be approved.**

49. REPRESENTATIVES ON OUTSIDE BODIES

- (a) **Renewal of Appointments**

The Chair put forward a suggestion that Group Leaders be asked to nominate members to the positions listed in the schedule of outside bodies. Where agreement was not reached however, appointments would be made by Council. If anyone was interested in serving on any of the organisations listed, they were

asked to consult their group leader. A reminder of this would be circulated to Members via the Members' Information Sheet.

Council was however asked to deal with the appointments to West Wiltshire Housing Society.

RESOLVED:

- (i) **That the above course of action be approved.**
- (ii) **That Councillors who had been previously appointed to the Board of West Wiltshire Housing Society and had been re-elected to the Council be appointed once again to West Wiltshire Housing Society. These Councillors are namely Councillors Barker, Carbin, Farkas and Jeff Osborn. That these appointments be made for the period between now and the next Council meeting on 9 July 2003.**

- (b) Reporting Back

No reports were made.

50. RECOMMENDATION FROM CABINET

Best Value Performance Plan

Council was asked to approve the draft outline contents of the Best Value Performance Plan 2003/04 as recommended by Cabinet at its meeting held on 9 April 2003.

A draft copy of the document was previously circulated to all Members.

RESOLVED:

That the draft Best Value Performance Plan be approved.

51. BEST KEPT VILLAGE COMPETITION

Council was asked to nominate 3 volunteers and one reserve to help with the judging of the Best Kept Village Competition.

RESOLVED:

That the following Members be nominated to help with the judging of the Best Kept Village Competition:

Councillors Newbury, Syme and Wells and Councillor Fortescue as reserve.

52. CABINET FORWARD WORKPLAN

Council received and noted the Cabinet Forward Workplan for the period May to August 2003. It was pointed out that the item - Revisions to Affordable Warmth Grant Criteria - would now go the next meeting on 18 June.

RESOLVED:

That the Cabinet Forward Workplan be received and noted.

53. REPORTS FROM MEETINGS

For the benefit of new Members, the Chair explained that this was an opportunity to receive the minutes of the various Committees of the Council for the last cycle of meetings and to ask questions on them.

She called upon the newly elected Chairs of Committees and appropriate Members to each formally move that Council receive and note the minutes of their respective Committees.

MEETING	DATE	MINUTE NOS
Northern Area Committee	20/02/03	15 – 24
Northern Area Committee	20/03/03	25 – 35
Central Area Committee	06/03/03	29 – 41
Central Area Committee	03/04/03	42 – 54

In respect of the Central Area Committee held on 6 March (minute no. 41 refers), Councillor Clark be updated on the position regarding inviting grant recipients to the June Community meeting.

Southern Area Committee	13/02/03	14 – 25
Southern Area Committee	13/03/03	26 – 39

In respect of the Southern Area Committee minutes dated 13 February (minute no. 21 (b) refers), Councillor Syme requested that the report regarding neighbourhood watch schemes be presented to the Southern Area Committee in June.

In respect of the Southern Area Committee dated 13 February (minute no. 21 (b)), Councillor Hawker requested that Westbury Leigh should in future be referred to as Leigh Park.

In respect of the Southern Area Committee minutes dated 13 March (minute no. 26 refers), Councillor Clark requested details of the number of signatories on the petition presented regarding the Penleigh Park recreation ground.

That the Northern, Central and Southern Area Committees each be asked to re-appoint Members to the Community Strategy Policy Project Group.

Regulatory Committee	27/03/03	39 – 45
Cabinet	12/03/03	40 – 57
Cabinet	09/04/03	58 – 74
Internal Overview Committee	02/04/03	19 – 30
External Overview Committee	26/03/03	15 - 22
Standards Committee	05/03/03	1 – 13
Local Joint Consultative Committee	10/02/03	1 - 11

54. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That under S100A (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 grounds 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 1 of Schedule 12A to the said Act.

55. CHIEF EXECUTIVE - CONTRACT OF EMPLOYMENT

The Personnel Manager presented a confidential report for Council's consideration.

RESOLVED:

That a Panel be established comprising the Leader of Council and a representative from each of the remaining political groups on the Council with the terms of reference as presented.

(7.30pm - 10.05pm)

These minutes were prepared by Yamina Rhouati, Member Support Officer who can be contacted on direct line 01225 770322 or email yrhouati@westwiltshire.gov.uk