

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

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

Held on: **WEDNESDAY 10 NOVEMBER 2004**

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

Present: Marion Clegg (Chairman), Baker, Batchelor, Blakemore, Bower, Brice, Brown, Bryant, Burnan OBE, Carbin, Clark, John Clegg, Conley, Content, Cox, Cunliffe-Jones, Davis, Farkas, Fortescue, Hames, Hawker, James, Knight, Lewis, Manasseh, March, Mounde, Mudge, Newbury, Oakman, Oldrieve, Osborn, Payne, Phillips OBE, Repton, Rosier, Swabey, Viles, Whatley-Gibbs, While and Wiltshire.

Also present: Tony Frost (Chairman of Standards Committee)

Officers: Chief Executive(AP), Planning Policy Manager(MR), Corporate Director(TD), Environmental Health Manager(JC), Housing PFI Project Manager(CT), Legal Services Manager(SB), Member Support Officer (CB)

215. APOLOGIES

Apologies for absence were received from Councillors Barker, Chivers and Syme.

216. SPECIAL REQUEST BY THE LEADER OF THE COUNCIL

Despite this matter not having been tabled as part of the meeting Agenda, the Leader requested that, owing to recent events, namely the death of and injury to a number of soldiers from the Black Watch Regiment serving in Iraq, together with the death of and injury to passengers and rail staff involved in the recent derailment of a train bound for the West country, that those present stand and observe one minute of silence in respect of those mentioned above and their families.

One minute of silence was observed before the conducting of the business of the Council resumed.

217. MINUTES

RESOLVED:

That subject to the inclusion of Councillor Osborn's name in the apologies list and the deletion of Councillor Oldrieve's, then the minutes of the Council

meeting held on Wednesday 8 September 2004 (as circulated with the meeting Agenda) be approved as a correct record and signed by the Chairman.

218. OPEN FORUM

There were no speakers in Open Forum at the start of the meeting, please refer to individual minutes for open forum presentations made during debate.

219. QUESTIONS

No questions were received from members of the public.

Questions, tabled in accordance with the Constitution, were received from the Councillors Oldrieve, Chivers and Clark.

220. DECLARATIONS OF INTEREST

Councillor Batchelor declared a **personal interest** in Minute 394 (relating to the Review of Car Parking Fees & Charges) of the Cabinet meeting held on 3 November 2004 for the fact that he is a retailer.

Councillor Clark declared a **personal interest** in Agenda Item 13 (relating to the proposal to revert to an Area Committee Structure) for the fact that he is the Chairman of a Parish Council.

Councillor Content declared a **personal interest** in Agenda Item 14 (relating to the Council's Licensing Policy proposals) for the fact that she is the secretary of the Community Centre that lets the premises to a range of users including a Social Club that applies for licences from time to time..

221. ANNOUNCEMENTS FROM THE CHAIRMAN

The Chairman made the following announcements :-

The Chairman reminded Members that there had been two tragedies in the news, recently.

The first being the railway accident involving the sad loss of life of a number of passengers and the driver of a train bound for the West Country.

The Chairman stated that she had written to the Editor of the local newspaper to pass on her condolences to all those who are mourning the loss of family or friends, and to wish a speedy recovery to those who had been injured.

The second tragedy involved soldiers of the Black Watch Regiment, currently quartered in West Wiltshire.

The Chairman stated that she had written to the Commanding Officer of the Black Watch to express her sadness at the losses suffered while detailed on active service in Iraq.

The Chairman informed Members that the Royal British Legion would be remembering the fallen at its ceremony on Sunday 14 November at 10.15am at St James in Trowbridge and that the ceremony would be followed by the traditional procession to the War Memorial.

Finally, the Chairman thanked the Leader of the Council for taking the time to visit Yamina Rhouati, who was taken ill just after the last Council meeting. The Chairman reported that Yamina had not yet been able to return to work as a result of contracting a serious eye infection which had almost cost her the sight of one eye. The Chairman asked Members to join with her in wishing Yamina a speedy recovery.

Councillor James, speaking with the permission of the Chairman, asked whether the Chairman would provide Members with information relating to the wellbeing of one of the Council's contract Refuse Collectors whom, he had heard, had been injured whilst on duty earlier in the day.

The Chairman responded that she was unaware that an incident of this nature had taken place and that she would investigate the matter further, reporting matters, if necessary, in the Members' Information Sheet.

222. ANNOUNCEMENTS FROM THE LEADER

The Leader of the Council made the following announcements: -

The Leader informed Members that the Council had made some notable steps in the last few months.

The first being the renewal of the Council's Investors in People certification. The Council had passed the inspection with flying colours and the assessor has stated that it was his opinion that, out of the hundred or so organisations that he had assessed recently, West Wiltshire District Council was in the top ten. The Leader requested that Members join with him in thanking all of the Council's staff for their contribution towards this notable achievement.

The second being the decision by the Council's Planning Committee to approve a redevelopment of the old Tesco supermarket site and part of Castle Place shopping centre; a step towards achieving the Council's 'Vision for Trowbridge'. It was his hope that the Secretary of State would not call the decision in.

The third being the Council's progress in formulating its first Corporate Plan and the West Wiltshire and Wiltshire Community Strategies; both items highlighted as being required actions in the Council's CPA report.

The fourth being that the Authority had received an unprompted letter of congratulation from Elliott Morely, Minister for the Environment, Food and Rural Affairs, for having reached its recycling targets. In his letter Mr Morley had stated that he had commended the Authority to his colleagues in the

Office of the Deputy Prime Minister for its performance. A copy of the letter was to be included in the next Members' Information Sheet.

Following a request by Councillor James that a letter be sent to the local press expressing the Council's thanks and gratitude to the public for their recycling efforts, the Leader informed Members that just such a letter had been drafted and would be sent to the local newspaper in due course.

Finally, the Leader informed Members that, despite being commended for its performance, he was concerned about that fact that the Council was likely to be the 8th hardest hit authority (as far as having money withheld by Central Government was concerned) and the impact this would have on the Council's budget for the 2005/06 financial year.

On the subject of future ad hoc meeting dates, the Leader requested that Members note of the following dates: -

Friday 17 December 2004 – Council meeting to consider the details of the proposed Housing PFI Project. [It was subsequently agreed that this meeting would commence at 1800hrs]

Thursday 23 December 2004 – Special Council Budget Seminar. [To commence at 1900hrs]

223. NOTICE OF MOTION

The Chairman reported receipt of a Notice of Motion as follows: -

‘This Council agrees to set up a programme of regular meetings of all group leaders, with the Chief Executive’.

The Notice of Motion was moved by Cllr Newbury and seconded by Cllr Mannaseh. Cllr Newbury, as proposer, spoke to the notice of motion.

The motion was put to the vote and FELL (there were 12 abstentions).

224. RECOMMENDATIONS FROM THE CABINET

There were no recommendations from the Cabinet.

225. DRAFT CORPORATE PLAN

Following consideration of the report of the Corporate Director (as circulated with the meeting Agenda), members received a statement from Councillor J Bower, speaking as the Member with the responsibility for policy co-ordination, in which he informed Members that the Plan was the first Corporate Plan the Council had drafted and that its overarching purpose was to drive the Council to achieve its targets and to inform the budget-setting procedure. It was the intention of the Cabinet that the Plan should be reviewed and, if necessary, amended, on a rolling, annual basis, and it was

hoped that all Members would support the document as a first attempt towards documenting and directing the Council's aspirations.

There followed the debate during which time the Chief Executive provided Members with the assurance that, in respect of Recommendation (b), as detailed in the Agenda report, any alteration or amendments to the Plan made by him would be minor and would reflect the points raised by Members, as follows :-

- the need to ensure that the requirements of villages, market towns and the rural hinterlands are adequately addressed in the Plan;
- despite the 'prioritising' nature of the Plan, the need to ensure that areas of Council responsibility not highlighted/omitted were not overlooked in the budget-setting process;
- the need to ensure that the inevitable gap between the Council's aspirations and its ability to fund them is recognised and addressed;
- the need to balance local needs against national, central governmental needs when determining the focus/direction of the Plan and ongoing Plan redrafts; and
- the need to adopt a robust procurement policy and procurement practices in order to underpin the aspirations outlined in the Plan.

RESOLVED:

- (a) **that the Corporate Plan, covering the period April 2005 to March 2010, be adopted; and**
- (b) **that the Chief Executive, in consultation with the Leader, be authorised to make any alterations or amendments to finalise and complete the Plan, as appropriate, prior to publication.**

226. ADOPTION OF WEST WILTSHIRE & WILTSHIRE COMMUNITY STRATEGIES

Following consideration of the report of the Community Leadership Manager (as circulated with the meeting Agenda), members received a statement from Councillor J Bower, speaking as the Member with the responsibility for policy co-ordination. Councillor Bower informed Members that the Strategies were, as yet, in draft format and would, therefore, contain omissions and directed Members to the Community Leadership Manager should they have any questions.

There followed a brief question and answer session.

RESOLVED:

That Council :-

- (a) Adopt the District Community Strategy, 'A Place To Be Proud Of'; and

- (b) Adopt the County Community Strategy, ‘A County Fit For Our Children’.

227. REGIONAL SPATIAL STRATEGY

Open Forum: Mr F Morland, member of the public made an open forum presentation on this item.

Councillor Mounde, Planning Portfolio Holder, thanked Mr Morland for his statement and informed Members of the magnitude and importance of the matter and the short time frame in which this Council, together with the others in the Region, had to comment upon and contribute to the determining of the long-term future spatial strategy (and all that encompassed; from housing to transport links to economic development to recreation) of the South West, as a whole.

The Planning Policy Manager then provided Members with a ‘PowerPoint’ presentation setting the context for his report (as circulated with the meeting agenda) and providing an overview of the situation from the District’s perspective. The presentation gave details of the emerging Regional Spatial Strategy including:

Topics

- A clear spatial development strategy ; a policy context for LDD s, including those for Waste & Minerals
- A Regional Transport Strategy & priorities which will guide LTPs
- Sub Regional Elements to cover ‘strategic policy deficits’ post Structure Plans
- District Housing numbers
- Links policy and implementation

Headline Aims

- to harness the benefits of population growth and manage the implications of population change
- to enhance our distinctive environments and the quality and diversity of our cultural life
- to enhance our economic prosperity and ensure quality of employment opportunity
- to address deprivation and disadvantage to reduce significant intra-regional inequalities and make sure that people are treated fairly and can participate fully in society

A West Wiltshire District Council response:

- Overall levels of growth and capacity of the PUA’s uncertain
- Little scope for market town regeneration and meeting local needs
- No recognition of employment role of western Wiltshire towns
- Reduced opportunity for transport improvements in the A350 corridor
- Not enough emphasis on meeting the needs of the regional economy

- Little discussion of the challenges facing rural areas
- A need to provide opportunities for rural economic growth
- Little flexibility for local input through Local Community Strategies
- Need for more information and further consultation
- Need to examine alternative options
- Need to recognise role of industrial/market towns in western Wiltshire

The Planning Policy Manager informed Members that he had been, and would continue to, liaise with colleagues in other relevant Councils and was contributing to the a joint submission to the Consultation Document that was being drafted by the West Wiltshire Local Strategic Partnership.

There followed a debate during which time the following points were made and the resolution set out below was agreed: -

- the need to ensure that opportunities for economic development and employment opportunities were not restricted to PUA such as Swindon, to the detriment of areas such as West Wiltshire where the vibrancy of smaller, market-type towns were key;
- the need to liaise with other areas in the South West likely to have similar concerns to those of West Wiltshire District Council (re the Strategy proposals), particularly those of a proximity that would allow physical links (in transport and economic terms, for example) to be capitalised upon in formulating an alternative Strategy response;
- the need to ensure that the importance of upgrading the A350 was recognised by those with responsibility for determining the future Spatial Strategy of the Region (and included in any Strategy response);
- the need to ensure that the Strategy adopted did not result in the towns and settlements of West Wiltshire (and other similarly configured areas) becoming ‘dormitory towns’ where people lived but did not work or contribute to in other ways;
- the need to sure that housing availability in employment areas was sufficient and well-planned, with ‘walk-to-work’ options available;
- the need to ensure that, in developing the area, the recommendations outlined in the Deputy Prime Minister’s Sustainable ‘Development’ document were not ignored;
- the need to incorporate soundly based and researched evidence in all Strategy responses (not least the West Wiltshire District’s own, individual response) to confirm and add strength to alternative proposals; and
- the need to be proactive from an early stage of, and on an ongoing basis throughout, the consultation period.

RESOLVED:

- 1. That the Leader of the Council, together with the Planning Policy Manager and the Planning Portfolio Holder, be authorised to approve**

the final consultation response subject to the draft (as circulated with the Agenda for the meeting), being amended to include the points listed above (bullet points 1-8);

- 2. That the Council endeavours to re-establish the former 'Wiltshire Forum' (this time to include also Mendip District Council) with a view to considering the Strategy from a joint perspective and providing a collective response;**
- 3. That copies of the revised response be circulated to all Parish Councils; and**
- 4. That copies of the revised response be circulated in the Members Information Sheet.**

228. REVERSION TO AREA COMMITTEE STRUCTURE

This matter was called to the attention of the Council as a 'Notice of Motion' at its meeting of 21 July 2004. The motion was thence referred to Cabinet for consideration at its meeting of 29 September 2004, and the report (as circulated with the meeting Agenda) prepared, for consideration by the Council.

Open Forum: Mr F Morland made an open forum presentation on this item.

Councillor Mounde, Planning Portfolio Holder, informed Members that the view of the Cabinet was that no reversion to the Area Committee Structure should be considered and proposed the following motion: -

'That: -

- (1) the Council continue to use the Single Planning Committee System;
and
- (2) the Council strive to use the Community Partnerships to examine the devolution of more power to Town and Parish Councils.

The above motion was seconded by Councillor March and debate followed.

RESOLVED:

- (1) That the Council continue to use the Single Planning Committee System.**

A recorded vote having been requested, the voting was recorded as follows:

For the motion: (25)

Councillors Baker, Bower, Burnan OBE, Clark, John Clegg, Marion Clegg, Conley, Cox, Davis, Fortescue, Hawker, Knight, Manasseh, March, Mounde, Mudge, Newbury, Oakman, Payne, Phillips, Swabey, Viles, Whatley-Gibbs, While and Wiltshire

Against the Motion (13)

Councillors Blakemore, Brice, Brown, Bryant, Carbin, Cunliffe-Jones, Farkas, Hames, Lewis, Oldrieve, Osborn, Repton, Rosier,

Abstentions (3)

Councillors Batchelor, Content, James

- (2) **That the Council strive to use the Community Partnerships to examine the devolution of more power to Town and Parish Councils.**

A recorded vote having been requested on the above decision, the voting was recorded as follows:

For the motion (30)

Councillors Batchelor, Bower, Brice, Brown, Bryant, Burnan OBE, Carbin, Clark, John Clegg, Marion Clegg, Content, Cox, Cunliffe-Jones, Farkas, Hames, James, Knight, Lewis, Manasseh, March, Mounde, Oakman, Oldrieve, Osborn, Payne, Phillips, Repton, Rosier, Viles, While and Wiltshire

Against the motion (6)

Councillors Conley, Davis, Fortescue, Hawker, Mudge and Swabey

Abstentions (3)

Councillors Blakemore, Newbury and Whatley-Gibbs

229. EXTENSION OF MEETING

At this point, in accordance with the Council's Constitution, Council took a vote on whether or not to continue with the meeting beyond 10pm.

RESOLVED: That the meeting continue beyond 10pm.

230. DRAFT COUNCIL LICENSING STRATEGY

Following the receipt of a brief introduction to the Item by Councillor Wiltshire, Environmental Services Portfolio Holder, the Council considered the report of the Environmental Health Officer (as circulated with the meeting Agenda).

Councillor Content was concerned that Criminal Record Bureau checks referred to in paragraph 2.48 of the Statement of Licensing Policy 2004 would take an unreasonable length of time. John Carter, Environmental Health Manager, commented that the Bureau was endeavouring to deliver the response to checks in three to four weeks.

Councillor Content also voiced concern that the methods for clearing licensed premises as detailed in paragraphs 3.5 and 3.6 of the Statement of Licensing Policy 2004, in reality was the same as 'drinking up time'.

RESOLVED:

That :-

- (1) the contents of the above-mentioned report be noted;**
- (2) the Licensing Policy be proposed; and**
- (3) the training on the Policy be compulsory for all Members of the Licensing Committee, for reasons of consistency.**

231. HOUSING PFI PROJECT PROPOSAL – OUTLINE BUSINESS CASE

The Chairman gave a brief introduction to the item and welcomed Mr Chris Trowell, the newly appointed Housing PFI Project Manager to the meeting.

Mr Trowell thanked the Chairman for her introduction and welcome and informed Members that it was essential that the final, complete version of the Business Case for the proposed initiative receive the support of the full Council prior to its submission to Government for approval. Mr Trowell explained that the timetable allowed by the Government for the presentation of the Case was extremely tight (submission due by the end of December 2004) and that Officers would, therefore, endeavour to provide the Council with the final version of the full Business Case for consideration at the 17 December 2004 Council meeting.

Following the receipt of the above statements the Council considered the report of the Housing PFI Project Manager (as circulated with the meeting Agenda) before entering into debate.

RESOLVED:

That, on the advice of the Chief Executive :-

- (1) the Full Business Case (at whatever stage of completeness) be presented to the Council at its meeting of 17 December 2004 (with the relevant documents being circulated to Members sufficiently well in advance of the meeting to allow informed decisions to be made, if appropriate);**
- (2) the Council to be given adequate notice as to whether the state of completeness of the Full Business Case document (that to be presented at the Council meeting of 17 December 2004) is sufficient to allow the Council to decide to submit the Proposal to the Government for approval, following the meeting, should it wish to; and**

- (3) **the evening of 5 January 2005 be set aside to consider the Full Business Case should, for whatever reason, a decision not be reached at the Council meeting of 17 December 2004.**

(Note: Consideration of this item was subsequently deferred to a special meeting of Council to be held on 1 February 2005)

232. CABINET FORWARD WORK PLAN

The Leader presented the Cabinet Forward Work Plan for the period November 2004 – May 2005.

RESOLVED:

That the Cabinet Forward Work Plan be received and noted.

233. URGENT BUSINESS – REPORTING BACK

There was no urgent business to report.

234. REPRESENTATIVES ON OUTSIDE BODIES

Board of the West Wiltshire Housing Society

The Chairman apologised to the Council for the fact that the report for this item had not been circulated in advance of the meeting and informed the Council that she would, instead, be providing an oral report.

The Chairman reported, as follows: -

‘I am aware that Cllr Fortescue has a report involving the West Wiltshire Housing Society and its change to the number of members on the Board. The Society has reduced by 3 the number of Board members, changing it from 18 to 15 people. Each of the three groups on the board, the independent members, the tenant representatives and the Councillors of this authority have each lost one seat.

Rather than reappoint the representatives the Leader has suggested that in the event that all six representatives can attend the appropriate meetings that each Councillor should take turns to not attend, the turns being in alphabetical order. That means that the first Councillor not to attend will be Cllr Barker, if and only if all of the members have indicated that they are able to attend the meeting. After that it will be Cllr Bower’s turn, then my turn, then Cllr Osbourn, then Cllr Mannaseh and finally Cllr Syme.

Members are asked to notify member support of their availability for the meetings and Member Support will notify the appropriate Councillor if they are required to not attend a Housing Society meeting. New appointments to the five seats required will be made at the annual full Council next year.

Are members supportive of this approach?’

Prior to debate, Cllr Bower, portfolio holder for Policy Coordination, assured the Council that the proposal, as outlined by the Chairman, was proposed as a temporary solution to the matter until 1 May 2005, when the Council’s membership of Outside Bodies would be reviewed.

RESOLVED:

That the matter be deferred for consideration at a future Council meeting, pending the drafting of a full report on the matter (the report to include (a) a letter from the West Wiltshire Housing Association Chief Executive explaining the reasons for their request for a reduction in the number of Council representatives on the Board and (b) copies of the attendance registers of past West Wiltshire Housing Association Board meetings).

Other Outside Bodies

Owing to the lateness of the hour it was agreed that reports (oral or otherwise) from all other Outside Bodies having Council representation would be considered at the next Ordinary Council meeting.

235. REPORTS FROM MEETINGS

The minute of the following meetings were presented and Members were given an opportunity to ask questions on them:

Meeting	Date	Minute nos
Planning Committee	16/09/04	193 - 201
Planning Committee	07/10/04	202 - 210
Planning Committee	28/10/04	
Cabinet	29/09/04	356 - 371
Cabinet	27/10/04	
Cabinet	03/11/04	
Internal Overview Committee	06/10/04	124 - 133
External Overview Committee	15/09/04	85 – 90
Standards Committee	13/10/04	
LJCC	06/09/04	50 - 58

Questions :-

- 1. Cabinet of 27.10.04 – minute 378**

Councillor Osborn – relating to the Leisure and Recreational Needs Assessment: Lands Transaction.

Chairman's response – Councillor Osborn to be provided with a written response.

2. Cabinet of 27.10.04 – minute 94

Councillor Osborn – relating to the Review of Car Parking Fees & Charges and the criteria to be used when assessing responses to the consultation exercise regarding the proposed increases in charges.

Portfolio Holder's response – the matter is to return to the Cabinet for consideration in due course. Prior to this, Members to have ample opportunity to consider the proposals and the research methodology and to provide comment.

3. Internal Overview Committee of 06.10.04 – attendance list

Councillor Content – record required of those present at/absent from the meeting.

Legal and Democratic Service Manager's response – apologies for the omission requested and assurance given that amended minutes, detailing the names of those present at/absent from the meeting to be circulated.

4. External Overview Committee of 15.09.04 – agenda item for next meeting

Councillor Hames – confirmation sought that an item relating to Post Offices will be on the next meeting Agenda.

Chief Executive response: confirmation given.

DATE OF NEXT MEETING

It was noted that the next meeting of Council would be held at **1800hrs on Friday 17 December** at the Council Offices, Bradley Road, Trowbridge.

(7.00pm – 11.05pm)

These minutes were prepared by Helen Collar, temporary Member Support Officer,

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