

## MINUTES

Minutes of: **WEST WILTSHIRE DISTRICT COUNCIL**

Held on: **WEDNESDAY 21 JANUARY 2009**

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

Present: Cllrs Brown, Bryant, Carbin, Carr, Clark, Conley, Coop, Davis, Denison-Pender, Eaton, Ezra, Fuller, Halik, Hawker, Hedley, Humphries, James, King, March, Martindale, Mounde, Mudge, H Osborn, Parks, Payne, Phillips OBE, Repton, Ridout, Swabey (Chairman), While and Wiltshire.

Officers: Finance Service Manager (AB), Corporate Director and Monitoring Officer (TD), Corporate Director and Head of Paid Services (IG), Human Resources Service Manager (LH), Head of Legal Services (NM), Member Support Officer (HP), Planning Policy and Conservation Service Manager (JS)

Also in attendance: Tony Frost (Chairman of Standards Committee)

### 54. Apologies

Apologies were received from Cllrs Blakemore, Bolwell, Burden, Fortescue, J Osborn, Seager, and Walker.

### 55. Declarations of Interest

Agenda item	Councillor	Reason
General	Cllrs Clark, Conley, Davis, Eaton, Ezra, Fuller, Humphries, March, Mounde, Mudge, Payne, Phillips OBE, Ridout, Swabey, While, and Wiltshire.	Personal interest – Member may be affected by loss of significant allowances.
General	Cllrs Clark, Davis, Fuller, J Osborn, Swabey, and While.	Personal interest – Member also serves on the County Council.
6 – Formal	Cllr Hawker	Has relatives and friends who

Adoption of Leisure and Recreation DPD		<p>serve on several of the committees named in the DPD.</p> <p>Left the chamber during consideration of this item.</p>
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## **56. Minutes**

The minutes of the meeting held on 22 October 2008 were agreed as a correct record and signed by the Chairman.

## **57. Announcements from the Chairman**

The Chairman made the following announcements:

1. Best wishes to Cllr Virginia Fortescue for a speedy recovery following her operation.
2. Congratulations to Cllr Tom James who was awarded an MBE in the recently announced Queen's honours list.
3. A reminder regarding the Chair's Civic Reception, which will take place on 6 March at Longleat House. Could any members wishing to attend but have not yet booked their place please contact Liz Richardson by the end of the week.
4. Cllr Tony Phillips will now make a special presentation.

Cllr Phillips OBE then made a presentation to Cllr Conley, congratulating her on this Council's success at the recent Loo of the Year Awards.

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

No questions were received.

## **59. Formal adoption of Leisure and Recreation Development Plan Document**

Cllr Mounde introduced a report recommending the endorsement of the Leisure and Recreation Development Plan Document (DPD) for adoption by the Implementation Executive. Cllr Mounde thanked the Planning Policy and Conservation Manager (JS) and his team for their

outstanding work on this document. The Planning Policy and Conservation Manager (JS) also thanked the members of his team.

Cllr Hawker welcomed the proposals contained in the document, particularly those regarding the placement of green sports pitches in Westbury.

Cllr Martindale expressed concern that the DPD makes little reference to the provision of cycle routes and no reference to leisure provision for senior citizens. The Planning Policy and Conservation Manager (JS) replied that guidance dictates the plan should show an authority's general direction with regards to cycling, but should only include proposals that pertain to specific sites. He added that leisure facilities for adults of any age are provided but that it is through the management of these facilities that the level of provision is governed.

Cllr Clark welcomed the document, offered his congratulations to the Planning Policy and Conservation team, and anticipated a unanimous vote in favour of endorsing the document.

Cllr Wiltshire proposed adding the text "...with particular reference to young people" to the recommendation (as below), and this proposal was seconded.

**RESOLVED:**

- **That Council endorse the DPD, with particular reference to leisure provision for young people, and recommend its adoption by the Implementation Executive as planning policy for West Wiltshire.**

**60. River Biss Public Realm Design Guide (PRDG) SPD**

Cllr Mounde introduced a report recommending the endorsement of the amended River Biss Public Realm Design Guide as a Supplementary Planning Document (SPD) for adoption by the Implementation Executive. He added that the SPD has been extremely useful in aiding discussions with potential developers already, even before its adoption.

The Planning Policy and Conservation Services Manager (JS) extended his thanks to the South West of England Regional Development Agency (SWERDA) for their funding, and Hilary Evans (Urban Design and Conservation Assistant) for her excellent work on the project. He anticipated that the SPD, together with the Leisure and Recreation DPD, will prove a fitting legacy for this Council.

Cllr Fuller congratulated residents of the Longfield estate in Trowbridge on the formation of the action group, 'Friends of River Biss'. The group

aims to improve the River Biss corridor, including those areas of little interest to developers.

Cllr H Osborn requested an update on the Waterside project. Cllr Mounde replied that due to the economic downturn, the proposals are smaller in scale than originally planned and meeting the funding deficit has become a more difficult task. The scheme still holds strong support, however, from Cllr Jane Scott and Keith Robinson (Chief Executive, WCC).

The Corporate Director and Head of Paid Services (IG) added that the developer agreement was signed some time ago and that occupier interest in the scheme is still strong. The key challenges are now justifying the scheme and finding appropriate credit in the current climate. The Council is working closely with the South West Regional Development Agency (SWRDA) and Wiltshire County Council (WCC) in order to ensure the scheme's success.

Cllr Payne approved of the SPD's acknowledgement of a flooding risk around the River Biss, but emphasised that development of the River Biss corridor may exacerbate this risk. He also noted that the report refers to a right of way that was blocked-off many years ago. The Corporate Director and Head of Paid Services (IG) agreed to check its right of way status and, if appropriate, ensure it is re-opened.

Cllr Phillips OBE expressed concern that the SPD makes insufficient reference to the Environment Agency's (EA) statutory obligations with regards to flood alleviation. The Planning Policy and Conservation Services Manager (JS) agreed that the EA has statutory obligations, but added that developers also hold responsibility. He emphasised that the SPD is a guidance document in which it would be difficult to be more definitive than its authors have been.

**RESOLVED:**

- **That Council endorse the SPD and recommend its adoption by the Implementation Executive as planning policy for West Wiltshire.**

**61. Reports of Committees**

Cllr Payne (Leader of the Council) presented the minutes of meetings held on 3 September 2008 and 5 November 2008 to Council for information.

Cllr Fuller (Chairman of the Planning Committee) presented the minutes of meetings held on 2 October 2008, 23 October 2008, 13 November 2008, 4 December 2008 and 18 December 2008 to the Council for information.

Cllr Clark (Chairman of the Scrutiny Committee) presented the minutes of the meetings held on 17 September 2008 and 15 October 2008 to the Council for information.

Mr Tony Frost (Chairman of the Standards Committee) presented the minutes of meeting held on 18 September 2008 to the Council for information.

**RESOLVED:**

- **That Council receives and notes the following minutes: Cabinet 31-46, Planning Committee 112-150, Scrutiny Committee 89-104, and Standards Committee 15-23.**

**62. Notices of Motion**

One Notice of Motion was received in writing within the deadline.

The Motion was proposed by Cllr Payne and seconded by Cllrs Phillips OBE, Eaton, March, Mounde, Conley and Fortescue.

Cllr Payne was invited by the Chairman to speak on the Motion for 5 minutes. He expressed concern that projections suggest council tax in West Wiltshire will rise after the transition to One Council, despite the financial problems currently being faced by many residents. He added that had West Wiltshire District Council been a continuing authority in 2009 it could have affected a 0% council tax increase and possibly even a reduction. He added that it is unacceptable that budgetary papers for the Implementation Executive are sometimes circulated on the day of their meetings.

Cllr Carbin expressed support for a council tax freeze if practicable, but asked how the £12M approx. revenue from the projected increase could be replaced. Cllr Payne responded that revenue from council tax will be a comparatively small proportion of Wiltshire Council's total budget, so there is plenty of scope to balance a council tax freeze.

Cllr Wiltshire proposed adding the text, "...or the cost of services..." to the motion, and this proposal was seconded (see recommendation).

Cllr Denison-Pender commented that it would be absurd for Wiltshire Council to affect a council tax increase in 2009 when its formation was sold to Wiltshire residents as a money-saving exercise.

**RESOLVED:**

- **That Council approves the Notice of Motion, amended to read as follows:**

**“This authority, being mindful of the financial difficulties currently being experienced by many West Wiltshire households, calls upon the Implementation Executive of Wiltshire Council to effect no increase in the level of Council Tax or the cost of services for 2009/10.”**

**63. Questions from Members of the Council**

No questions were received within the deadline.

**64. Representatives on Outside Bodies – Reporting Back**

Cllr Martindale gave the following update on the work of the Wiltshire Racial Equality Council (WREC): “There have been changes due to less grant support and a new amended SLA. More work is being done in the community but there has been a curtailment of advocacy which had been a major aspect of WREC’s work. Plans have been developed to take WREC forward as a major player in the developing Equalities Framework for Wiltshire Council. The current executive has worked hard to make WREC continuous beyond 2010.”

Cllr Phillips OBE reported that the Regional Assembly is likely to be dissolved in 2009, not 2010 as previously thought. Its powers will transfer to the Regional Development Agency, a government quango with no elected representatives, and it is unclear how the public will then contribute to issues such as road planning.

**RESOLVED:**

- **That Council notes the update.**

**65. Update on Local Government Reorganisation (LGR)**

Cllr Eaton gave an update on LGR, including the following points:

- This Council rejected the suggestion to begin re-branding as Wiltshire Council prior to vesting day;
- Assurances have been given that receipt of a war or widow’s pension will not end entitlement to council tax benefit;
- Parking rates around the various districts will be frozen for the foreseeable future;
- Salisbury District Council’s 30 year business plan was rejected by the IE as being financially unsound;
- Customer access projects including the Council’s telephone system are on track to be operational on Day One.

Cllr Conley expressed concern that at a recent meeting with Foxar two officials from Kennet District Council announced changes to arrangements for trade waste in West Wiltshire, without consultation with this Council. Cllr Payne added that a letter is currently being drafted to WCC in response to this incident.

Cllr Phillips OBE expressed concern that unitary members will be required to attend a great number of day-time seminars in the first two weeks of the new Wiltshire Council.

Cllr Payne reported that a letter is being produced for all councillors who have received training to serve on licensing and planning committees. This should enable them to serve on these committees in the new Wiltshire Council.

**RESOLVED:**

- **That Council notes the update.**

**66. Cabinet Forward Work Plan**

Council considered the latest version of the Cabinet Forward Work Plan.

**RESOLVED:**

- **That Council notes the Cabinet Forward Work Plan.**

**67. Exclusion of Public and Press**

Council considered and voted on a recommendation to exclude the public and press from the meeting during consideration of the following item of business.

The vote was carried. Cllrs Carbin (voted against) and H Osborn (abstained) requested that their votes be recorded.

**RESOLVED:**

- **That under S100A (4) of the Local Government Act 1972 Council excludes public including the press 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,**

**and the public interest would be better served by not disclosing the information so as to avoid a breach of the Data Protection Act.**

**68. LGR Staffing Matter (CONFIDENTIAL)**

Cllr Payne introduced a confidential report on a LGR staffing matter.

**RESOLVED:**

- **That Council voted in favour of Option 1 (detailed within the report).**

**(Duration of meeting held on 21 January 2009: 7.00 – 8.40pm)**

These minutes were prepared by Henry Powell, Member Support Officer, who can be contacted on 01225 776655 ext 242, email: [hpowell@westwiltshire.gov.uk](mailto:hpowell@westwiltshire.gov.uk)