

Wiltshire Council

Council

8 November 2011

Councillors' Questions

**Question From Councillor Ernie Clark
Hilperton Division**

**To Councillor Dick Tonge
Cabinet Member For Highways And Transport**

Question 1

The proposed 18T Weight Limit on Cleveland Bridge is likely to have significant implications for many villages and towns in Wiltshire.

The proposal, to be enforced through an Experimental Order approved by the B&NES Cabinet on 14 September, and to be implemented early next year, appears to have been ill-considered and, as an Experimental Order, it has not benefited from the full consultation that would normally be associated with such a proposal. Many believe that B&NES has acted in a cavalier manner, choosing to avoid consultation and the submission of a full portfolio of evidence to support the proposal. It has succumbed to political pressure to the detriment of neighbouring authorities and it appears indifferent to the effect that such a proposal will have on nearby villages and towns.

Two possible approaches for Wiltshire Council to adopt in respect of the Experimental Order are:

To seek a Judicial Review to examine the process adopted by B&NES in approving the proposal.

To adopt 'safeguarding measures' for the villages by imposing restrictions on the roads through the villages likely to be affected by the Experimental Order such that heavy lorries will be prohibited from using them.

Can you please confirm if either, or both, of these approaches is being considered by you and the reasons if they are not.

Response

The proposal approved by BaNES in September to introduce an 18T weight limit over Cleveland Bridge continues to concern Wiltshire Council.

In discussion with BaNES, it has been agreed that they will fund traffic measurements on significant routes through Wiltshire to measure the volume of heavy vehicles prior to the temporary order being put in place. Measurements will

continue after the temporary order has been implemented. If the increase is significant, Wiltshire Council will vigorously oppose the conversion of the temporary order into a permanent order.

BaNES has also given an undertaking that they will carry out a further consultation and analysis prior to implementation. We will ensure that the appropriate Town Councils and Area Boards are aware of this consultation.

With regard to judicial review, this is usually a last resort and only used when other statutory remedies have been exhausted. Given that there will be further informal and formal opportunities for the council to exert its influence, judicial review is not currently considered to be an appropriate course of action.

Imposing corresponding restrictions on Wiltshire's roads would have the effect of increasing the length of diversionary routes yet further, and would have an almost inevitable adverse impact on the local economy as well as increasing carbon emissions.

Questions From Councillor Nigel Carter
Devizes North Division

To Councillor Dick Tonge
Cabinet Member For Highways And Transport

Question 1

Subsidised Transport for Faith Schools:

Can Cabinet Member confirm that the recent decision to withdraw subsidised transport for faith schools was made purely on financial grounds?

Response

I can confirm that this decision was driven by financial constraints that the council faces.

Question 2

Ticket machines for Off-Street Parking:

Can Cabinet Member outline the business case for the new machines issuing duplicate tickets?

Response

New machines were purchased for West Wiltshire Towns as the existing machines were at the end of their life and were becoming unreliable.

The change to enable ticket machines to print duplicate tickets does not involve the purchase of new machines; it only involves a software change.

Questions From Councillor Jeff Osborn
Trowbridge Grove Division

To Councillor Lionel Grundy
Cabinet member for Children's Services

Question 1

At the recent LGA Children and Adult Services conference a call was made for councils to focus on their child protection work to ensure that the adoption process was not unduly delayed. Could I please be informed as to the steps in this direction that Wiltshire is taking? What are the trends in adoption over the past five years – I appreciate this will include Wiltshire County Council data.

Response

Wiltshire Children & Families Safeguarding and Adoption Social Work services are committed to ensuring positive outcomes for children and young people who cannot return to live with their birth families. In July 2010, the Children & Families Social Care Directorate was restructured into service specific teams, one of which was a specialist adoption team. Additional funding was provided by the Council to enhance social work capacity. A dedicated adoption team was created staffed by very experienced social workers with the necessary skills, knowledge and expertise to drive forward permanency planning and post adoption support.

The specialist adoption team has brought adoption and adoption support into sharp focus. The service has specifically focused on improving outcomes and timeliness in all adoption work. There is early identification of children requiring adoptive families and each child has a nominated home finder to begin the search as early as possible for an adoptive family that can best meet their needs. Wiltshire has invested in adoption services over the last 18 months recognising that there were points of delay in the process.

Further investment has been made to expand recruitment and support a diverse group of adoptive parents to meet the wide-ranging needs of our looked after children. We have responsibility to ensure a child's safety (including emotional safety and well being), and a child's needs in relation to safeguarding are paramount in the adoption service as in all other services. Post adoption support is crucial to prevent placement breakdown and disruption; adoptive parents may be adopting children who are older with complex needs and they need help and support to maintain their placements.

The Adoption Panel is extremely busy and actively involved in considering the child's welfare and any safeguarding issues in each case. There is liaison between the Panel and staff which further enables scrutiny and shared understanding of planning and children's needs.

The recently published adoption statistics clearly show an improving picture in Wiltshire. Adoption is a high priority in Wiltshire and performance has improved year-on-year. In relation to the indicator, ' The percentage of children adopted in the

year who were placed for adoption within twelve months of the decision", our 3 year average performance is 75% compared to the national average of 74%, and our performance improved post re-structure to 85% in 2010; a significant improvement. We have also undertaken some very complex adoptions. Children have been successfully adopted with very complex needs and circumstances.

All assessments of adopters are completed within timescale and many are completed well within 5- 6 months. Adopters attend pre- preparation courses to clarify the expectations and requirements of adoption; an assessment is then undertaken when it is agreed that they are ready to proceed. Some applicants require more preparation than others to understand fully the task required; adoption is a momentous and life changing event and it is incumbent on us to ensure that our children are placed with the right people who can meet their needs and see them successfully through to adulthood. We want to minimise the risks of placement disruptions. We have successfully placed large sibling groups together, older children with complex emotional needs and children with significant medical needs.

Adoption is a complex process highly prescribed by legislation and guidance. The forthcoming Judicial Review will make recommendations to shorten the process.

Question 2

Nationally, an estimated 450,000 pupils played truant from school for the equivalent of at least a month of the past year. What are the relevant figures for Wiltshire and what has been the trend for the last five years and how does that compare to other LEAs?

Response

The recently published 450,000 figure represents those pupils recorded as persistently absent (PA) using the new government threshold of children missing 15% of available sessions during the year (about 19 days).

Using this 15% threshold for PA the DfE has used last year's 2010/11 data to produce an initial one year comparator data set for primary and secondary and overall, Wiltshire compares favourably against both our statistical neighbours and nationally.

Persistent absence from school - new threshold

Persistent absence defined as missing 15 percent of available sessions during year (about 19 days)
(number of pupils persistently absent and the percentage of all pupils on-roll)

	2010-11 (provisional)					
	Wiltshire		SN*		England	
Primary	1,237	4.1	14,939	4.4	174,835	5.2
Secondary	2,363	9.1	28,944	9.0	275,500	9.5
Both	3,600	6.4	43,883	6.6	450,330	7.2

* SN = Wiltshire's Statistical Neighbours:

Cambridgeshire, Dorset, Gloucestershire, Hampshire, Oxfordshire, Shropshire, Somerset, Suffolk, West Berkshire, Worcestershire

Note: the reasons for absence that may make up persistent absence are:

Illness, Medical, Religious, Study Leave, Traveller, Family Holiday, Extended Family Holiday, Excluded (no provision), Excessive Absence, Late, Other and Not Known.

Source: School Census via DfE

As this is a new threshold 5 year data has not been produced nationally. The previous threshold defined persistent absence as pupils missing **20%** (about 26 days) of available sessions during the year. Wiltshire's position overall on this previous indicator was broadly in line with the national and slightly higher than the statistical neighbour average.

Question 3

Can members please be reassured that Wiltshire schools have adequate heating equipment and supplies in preparation for the winter?

Response

Wiltshire Council arranges through 'Right Choice for Schools' for all member schools (Primary & Special Schools) to have their boilers regularly serviced and reported on in order to maintain high levels of reliability. In the event of a breakdown the Council has a stock of temporary gas heaters and can arrange to have temporary boilers deployed quickly if a boiler cannot be repaired quickly.

Secondary schools and those Primary schools that are not members of the Right Choice Scheme have the responsibility for maintaining their own boilers and making their own arrangements in case of breakdown. However, the Council would always look to answer any calls for assistance by directing such schools to those contractors and suppliers that could assist with their temporary heating and repair needs.

The Council also manages a programme of boiler replacements for all maintained schools (Community, Voluntary Controlled & Foundation) to minimize the risk of significant breakdowns and consequent school closures. Academies are fully responsible for all boiler repairs and the Council has no liability to replace boilers in Academies.

Questions From Councillor Helen Osborn
Trowbridge Lambrok Division

To Councillor Lionel Grundy
Cabinet member for Children's Services

Question 1a

There are a number of rumours circulating regarding the Youth Centre at Court Mills in Trowbridge. Can you please confirm, once and for all, whether Court Mills is scheduled to close in the next two years?

Response

Court Mills is one of the buildings that is scheduled to be replaced as part of the development of the Trowbridge staff 'Hub' and the Trowbridge Campus Development (for which no dates have yet been set). Youth work delivery will continue to be run from Court Mills pending these developments. Youth work facilities will be included in the future Campus Development.

Question 1b

Is Purton Youth Centre to close? If so, what alternative is to be provided?

Response

There are no plans to close Purton Youth Centre. A Youth Centre is identified in Purton as part of the 13-19 Strategy agreed by Cabinet in October 2011

Question 2

What is the future for the Bridge Centre Youth Services in Chippenham? How long have negotiations been going on to dispose of the building to the private sector? What alternative facilities will be provided?

Response

In 2008, the former Wiltshire County Council and North Wiltshire District Council embarked on a joint marketing campaign to dispose of the Bridge Centre and Bath Road car park Chippenham for a retail led mixed use development, in accordance with the European Procurement regulations.

A specification for relocating the existing users of the Bridge Centre, the Youth Service and Young People's Support Service (YPSS) was included in the sales documentation. Workshops were held with those attending the youth centre to ascertain their aspirations for replacement premises.

There was also consultation with the YPSS Management Board, local Members and the Chippenham Vision Board.

In 2009, ING Real Estate Developments (ING RED) were chosen as the preferred bidder.

The Development Agreement has now been signed and the Agreement obliged ING RED to relocate the Council services once certain conditions have been met such as the grant of planning consent. Alternatively, the Council can take a cash equivalent to the cost of the relocations.

Any relocation will be aligned with the Council's aspirations for a Community Campus in the town, and in this respect the youth service has already relocated some of its functions to the Olympiad Sports Centre. The youth service has indicated that additional facilities will also be required such as a skate park.

We are not in a position at this stage to provide an actual date by which the Bridge Centre site will be vacated for redevelopment. There is a commitment to ensure that appropriate facilities are made available for continuing youth work in Chippenham – issues which are also being over-seen by the Chippenham Area Board in the context of a future Chippenham Campus development.

Question 3

How many full time youth workers were employed in:

- 1st April 2009
- 1st April 2010
- 1st April 2011
- 1st April 2012 – predicted

Response

1 st April 2009	24	
1 st April 2010	21	
1 st April 2011	24	
1 st April 2012		Not yet confirmed*

Note: Year 1 of the Cabinet agreed 11-19 Strategy identifies a maximum reduction of £122,500 from the youth work staffing budget. The maximum impact has been stated as potentially 4-5 full time equivalent staff although we are doing everything we can to reduce the impact on the staffing budget as much as possible by finding savings across a number of areas.

Question 4

How many part time youth workers were employed in:

- 1st April 2009
- 1st April 2010

1st April 2011
1st April 2012 - predicted

Response

1 st April 2009	18.25 FTE (117 people)
1 st April 2010	24 FTE (148 people)
1 st April 2011	18 FTE (130 people)
1 st April 2012	Not yet confirmed*

***See Note above.**

Question From Councillor Michael Cuthbert-Murray **Westbury East Division**

To Councillor Fleur De Rhe Philippe
Cabinet member for Economic Development and Strategic Planning

Question

I note that Wiltshire Council are partners of the SWUKBO , South West UK Brussels Office, and that North Somerset withdrew from SWUKBO In 2009.

What are the costs To Wiltshire Council of being Involved In this organisation and what benefits have we derived as a result of our membership?

Response

Costs:

Cost of membership has been constant, at around £15,000 per annum. The exact contributions showing in SAP for the past two financial years are as follows:

2009/10 – £15,962.00
2010/11 - £16,441.00

From April 2010, Wiltshire Council took on the Secretariat function for SWUKBO which brought in a management fee from other partners of £15,000 pa. Therefore the net cost of membership in that year was £1,441. For 2011/12, we have committed £13,000 funding to the new South West European Partnership, and as Secretariat of SWUKBO for the period 1 April 2011 – 1 September 2011, we have also received £15,000 income from partners. Therefore overall SWUKBO has provided £2,000 income to the council for 2011/12.

Benefits:

The South West European Partnership serves the interests of Wiltshire Council and other local authorities, higher education institutions, third sector partners and businesses in the south west of England.

Activities are based around **three major areas of work**:

1. **Policy** - Following policy developments on the EU level which are of significance to the Council;
2. **Programmes** - Providing information and support to the Council on EU funding programmes, with the aim of developing potential projects;
3. **Profile** - Raising the profile of Wiltshire in Brussels and the rest of Europe through the European Commission, European Parliament, UK Permanent Representation to the EU and various European networks.

Specific benefits to date have included:

- Help with securing over €7 million (£6.035 million) for Wiltshire as part of the Rural Development Programme for England (RDPE) over the period 2007-13. This programme has provided grant aid to a wide variety of community and business development projects with grant aid across the county.
- €177,000 (£110,000) has been secured to support a programme to promote energy efficiency within schools and the wider community – this programme is in collaboration with partners in England and France as part of the Sustainable Energy Across The Channel Space (SEACS) project

Other opportunities to secure European funding are currently being explored with assistance from the South West European Partnership

Question From Councillor Ernie Clark
Hilperton Division

To Councillor John Thomson
Cabinet member for Adult Care, Communities and Housing

Question 1

With September's RPI at 5.6%, the amount of debt being allocated to councils through Housing Revenue Account reform looks likely to soar. What amount will Wiltshire Council now be liable for under this scheme? How is this debt going to be funded? Is it the intention of this council to pass the cost of this debt to tenants through increased rents from April 2013?

Response

In 2012 (28 March 2012), subject to the prior 'passing' of the Localism Bill, under the Government's proposed reform of the Housing Revenue Account (HRA) Subsidy Scheme will mean Wiltshire Council will need to borrow an additional £126 million. This is a notional value of our stock as determined under the process and is unaffected by interest rate movements. This borrowing will be kept within a separate (HRA) loan pool, and officers are currently assessing the most efficient and effective vehicle(s) for borrowing. At the moment given the national scale of debt to be taken on there is considerable market interest and options to progress deals at competitive rates. This debt will then be funded from future rent collections rather than the current subsidy system. Initial indications suggest that the cost of the debt financing will be less than the subsidy payment and as such this will benefit the HRA and tenants. The calculation of the rent is based on a national formula which takes account of RPI. The Authority in light of the changes to the funding is reviewing the options available to set future rent levels as part of the decision through the setting of a rents policy. This will assess the debt repayment period and the convergence of rents using the national formulae taking account of RPI. At this stage it is therefore not possible to comment in isolation as to the level of rent increases from April 2012. Further information will be presented to members for decision making as part of the process to set the 2012/13 budget and rent levels, and this will include consultation with tenants in January 2012. Clearly we will need to ensure that rents are collected and administered effectively to finance the debt and this is an area currently under our remit with good collection rates (98% 2010/11).

Questions From Councillor Brian Dalton **Salisbury Harnham Division**

To Councillor Dick Tonge **Cabinet member for Highways and Transport**

Question 1

Can the council list the roads where it spent the £3.7 million extra government funding that it received due to the bad winter last year and was any budget reduced because of this grant?

Response

The winter of 2010/11 was a prolonged period of severe winter weather which had a serious effect on the highway network. The mixture of wet and freezing weather caused severe damage to roads in many locations in Wiltshire. This is often a seasonal problem, but has been more noticeable due to the severe winters we have had.

In recognition of the difficulties faced by highway authorities nationally, the Department for Transport provided additional funding, and Wiltshire received

£3,741,300 for the financial year 2011/12. The funding was for repairs to the council's highway network resulting from the winter weather.

Wiltshire Council has a significant programme of highway works planned for this year comprising £10,931,000 of the LTP major maintenance funding and £1,279,000 of the council's capital funding. The winter damage funding has complemented and not displaced the originally proposed highway maintenance funding. It has significantly increased the expenditure on highways maintenance in Wiltshire this year.

A list of the additional sites treated to date with this additional funding is included as Appendix A.

Question 2

By each division, which residential estate roads have been resurfaced in the past two financial years?

Response

Wiltshire Council has carried out extensive programmes of road resurfacing and repairs in recent years, and is well on the way to meeting the Business Plan target to reduce the highways maintenance backlog by 10% over the next four years.

Naturally the priority has been to treat the busy main roads, especially those with poor accident records. However, it has also been possible to start to improve the minor urban roads, and a large number have been treated in the last two years. At present information on roads surfaced is not recorded by electoral division, but is reported annually for each community Area Board.

The work on urban roads and footways over the last two years for each community area is summarised in Appendix B. (It should be noted that this list excludes Class A, B and C roads).

Full details of all the roads treated in each community area this year will be published on the council's website next April.

Question From Councillor Brian Dalton
Salisbury Harnham Division

To Councillor John Thomson
Cabinet member for Adult Care, Communities and Housing

Question

A recent 'Inside Housing' report showed some local authorities are planning to demolish some of their housing stock, with a view to financial gain against the HRA debt. Please confirm if Wiltshire Council intend to demolish any of its properties prior to the 'demolition deadline' of 2017?

Response

All stock owning local authorities are currently preparing for the introduction of self financing. This means that at the start of the new financial year the council will have borrowed sufficient capital to pay the government in respect of our 5400 council homes. At the same time we will come out of the Housing Revenue Account subsidy system. It is anticipated that this will be of financial benefit to the Housing Revenue Account. As part of the preparation the government asked local authorities to indicate any planned demolitions of council housing. Wiltshire Council do not have any plans for demolition of stock since there is a significant demand for affordable housing and there is no financial advantage in any demolitions of our existing stock.”

Questions From Councillor Brian Dalton **Salisbury Harnham Division**

To Councillor Toby Sturgis **Cabinet member for Waste, Property, Environment and Development Control** **Services**

Question 1

Does the council agree with Conservative minister Eric Pickles’ comment: “Weekly rubbish collections are the most visible of all front-line services and I believe every household in England has a basic right to have their rubbish collected every week”, as taken from <http://www.communities.gov.uk/news/corporate/1998987>

Response

The council agrees that waste and recycling collection is a highly visible front-line service and is important to all of our residents. This is one of the reasons why we carried out extensive consultation, open to all households, on the design of our new waste and recycling collection service. 72% of residents who responded were in favour of the new service we proposed which is a fortnightly collection of each of the following:

Plastic bottle and cardboard – including shredded paper

Black box – for glass, paper, cans, foil and textiles

Garden waste – for those residents who have opted in

Household waste – non-recycled waste.

When most waste is recycled by a household there is less waste to be sent to landfill or for other disposal treatment. Of the residents who responded to the consultation who already have fortnightly collection of household waste, 96% (east) and 91% (west) voted in favour of the proposed new service.

Question 2

Will the council be applying for any of the £250million funding available to maintain weekly collections? If not, why?

Response

Details of how to apply for the £250 million funding identified to support councils in delivering a weekly collection of household waste have not yet been made available. However, reverting to weekly collection of residual waste would not enable the council to achieve its objectives to increase recycling and reduce the amount of waste to landfill.

There are 348 local authorities with waste collection responsibilities in England and Wales and of these 195 operate alternate weekly collections of non-recycled waste. The Local Government Group issued a briefing paper which states that funding will be given to local authorities that guarantee to retain or reinstate weekly collections of residual waste for at least five years. If Wiltshire Council continues with the current roll out of new services and adds weekly residual waste collection, the cost of the additional collection service for residual waste alone would be £3.2m each year, assuming that 50% recycling is achieved. This gives a cost of £16m over the five year period.

At present in Wiltshire the recycling rates achieved where there are fortnightly collections of residual waste are 46% in the east and 44% in the west. Recycling rates where there are weekly collections of residual waste are 37% in the south and 26% in the north. There is a risk that if Wiltshire Council reverts to weekly collection, recycling rates will fall and more waste would be sent to landfill as a consequence. If recycling levels fall to 35%, total costs of the additional residual waste collection could be in excess of £5.5m each year by 2014 due to the increase in Landfill Tax to £80 per tonne.

Further information about the additional funding is due to be released by the Department for Communities and Local Government and we will consider this when it is made available.

**Question from Councillor Ian West
Till and Wylve Valley Division**

**to Councillor Toby Sturgis
Cabinet member for Waste, Property, Environment and Development Control
Services**

Question 1

Could a 'Dale Farm' incident happen in Wiltshire? What lessons has Wiltshire Council learned from this incident?

Response

The Dale Farm case demonstrates the weaknesses in the planning enforcement system which is currently designed to put 'hedges and checks' into the process and prevent local authorities taking any sort of immediate action against people who break planning regulations. Despite a number of opportunities, successive governments have declined to make breaches of planning control a criminal offence and consequently they have to be dealt with by the existing protracted enforcement system with its inherent rights of appeal and recourse to the courts.

Additionally, local authorities have no control over the sale of private land to individuals or businesses whose objective may be to gain advantage by developing it without the required planning permission. This leaves local authorities in the position of always having to react to events.

In this context, it would be unrealistic to provide a complete assurance that a similar situation would not arise in Wiltshire in the future, albeit probably of lesser scale due to unique factors surrounding the Dale Farm case. However, the following are all considered to provide greater assistance to the council in tackling any unauthorised gypsy and traveller sites at a much earlier stage, before they become well established and therefore reducing the risk of 'Human Rights' and other similar legal arguments being used to frustrate and delay the planning enforcement process:

- The introduction by the Government, in 2005, of the power to issue a Temporary Stop Notice;
- The adoption of the Council's enforcement strategy in 2010 which prioritises dealing with cases where serious planning harm is taking place;
- The operation of a call -out system in enforcement to deal with serious breaches of planning control which occur out of normal office hours or at weekends;
- Delegation of enforcement decisions to Officers;
- Proposed amendments to planning legislation which are intended to limit the right to submit retrospective applications and reductions in the time allowed to submit appeals;

Question from Councillor Howard Marshall
Calne Central Division

To Councillor Dick Tonge
Cabinet member for Highways and Transport

Question 1

Given the shortfall in car park revenue, and the stated link by Cabinet members, which specific bus routes will be cancelled or affected?

Response

Any deficit on parking revenue, as being experienced this financial year, will be managed within the Cabinet members portfolio and Council as a whole. In next year's budget the overall situation with regard to car parking income and the need to reduce overall costs in line with the reduced government settlement will be evaluated. If this results in the need to changes to bus services there will be a consultation on any proposed changes.

Question 2

Does the Council possess adequate salt stocks in view of last winter's national shortages and the projected harsh winter coming?

Response

During the previous three winter seasons' Wiltshire Council used 9,776T, 11,623T and 10,877T of de-icing rock salt respectively to treat the road network. The council is well placed to meet the likely demands for this coming season and has replenished total stocks to 14,000T in the eight operational depots.

In recent weeks there has been intense media coverage in some parts of the media concerning the coming season. Colourful headlines about what's in store for this year's winter have all whipped up a frenzy of expectation for an 'Arctic Winter'. In response the Met Office Chief Executive, John Hirst, has recently written in The Times calling for a sense of reason in the light of these headlines. Below is part of the extract.

'Winter will be cold – but don't panic just yet

John Hirst

It's absurd to make alarmist forecasts of a whiteout. That's not how our weather works.

Last year Britain had the coldest start to winter in 100 years and the repeated snowfalls over 40 days before Christmas cost the economy up to £130 million a day. So it is understandable that there is intense interest in this year's winter. But the colourful recent headlines predicting “-20C within weeks”, “a winter fuel crisis” and “widespread snow by the end of October” bear no relation to the kinds of weather that forecasters at the Met Office are currently expecting — there is no need for alarm.

These stories do reflect our national obsession with the weather but they can also confuse and even scare vulnerable people. The Met Office's job is to provide accurate and reliable information and at this stage we see no scientific evidence to support these premature predictions. In fact the scientific capability does not exist to allow such extremes to be identified on a long-range timescale.

As winter approaches, local government and businesses are preparing for the worst that the British weather can throw at us. But the fact that local authorities are stocking up on grit is no cause for alarm. This is what contingency planners do'

The Met Office provide the forecast data on which decisions to salt Wiltshire's road network are taken.

Question From Councillor Jon Hubbard
Melksham South Division

To Councillor John Thomson
Cabinet member for Adult Care, Communities and Housing

Question 1

Following a request to Council on the 6th October for information on Empty Homes which has not had a response, I would like to ask again, what is the number of empty homes that are:

- A) private
- B) Wiltshire Council Stock
- C) other housing association stock.

Response

As at 31 March 2011 there were :

- A) 5189 private homes
- B) 23 Housing Revenue Account council homes
- C) 150 housing association homes

It should be noted that the above figures are a snapshot of all empty homes and are predominantly made of short term empty homes that may have been vacant for only a couple of days.

Question 2

What are the service standards members and the public should expect, and what's the protocol should these be broken?

Response

Elected members and, parish or town councils are encouraged to make us aware of any empty home in their area. Letters received by the strategic housing team are responded to within 10 working days and appropriate advice, options and actions are then taken. We are also proactive in making annual contact with all owners of long term empty homes in Wiltshire to determine the situation and try and encourage them to bring their properties back into use. If anyone is not happy with the service we have provided we would ask that they bring this to the attention of the Head of Service who will try and resolve the issue.

Question 3

Can these service standards be publicised on the website?

Response

We are updating the housing section on the council's website and following user testing within the next few weeks we will have new pages which will contain the housing service standards. As an interim measure I will ensure that service standards are provided on the website in advance of the full update.

Question From Councillor Trevor Carbin Holt And Staverton Division

**To Councillor Stuart Wheeler
Cabinet member for Campus Development and Culture (including Leisure,
Sport and Libraries)**

Question 1

Given the purchase on Melksham House has been made, where is the business plan?'

Response

Melksham House was purchased after a call for land was made by the council for potential sites for a Melksham Campus. This followed a meeting of the Melksham area board, where views were expressed that it would be preferable to have a town centre site for the campus. Cooper Tires brought forward their site and prior to the purchase being undertaken all local members were contacted and advised that the

council wished to proceed with the purchase of the site and their views were sought on this matter.

The council has now completed the purchase at a price of £250,000 and in the short term will continue to operate the site in a similar way to Cooper Tires to provide continuity to the groups and members of the public that use the site. The council is working with local partners to bring forward a proposal for the financing of a Melksham Campus to the December Cabinet, and such approval will of course be contingent on the relevant planning approvals and environmental assessments.

Question From Councillor Helen Osborn
Trowbridge Lambrook Division

To Councillor Lionel Grundy
Cabinet member for Children's Services

Question 1

At the last Council - 12th July 2011 - I asked a question on the membership of the Schools Forum and whether it should include representatives from non LEA schools - academies.

In the provided answer I was informed that the next meeting of the Schools Forum, in October, would address the changing composition and status of many of Wiltshire schools.

May I please be informed as to the outcome of this meeting and whether it resulted in any changes to the membership of the Schools Forum, its constitution and role and that of its sub groups?'

Response

At the meeting on 13 October 2011 the Schools Forum considered its constitutional arrangements, memberships and other arrangements relating to its sub-groups and voting procedures.

The Forum confirmed the current system of both PHF (Primary Heads Forum) and WASSH (Wiltshire Association of Secondary & Special Schools Heads) nominating Head Teachers to serve as Primary and Secondary schools representatives on the Schools Forum, and that this is fully in accordance with the regulations and best practice in this area.

It was noted that at present all of the secondary head teachers nominated by WASSH were Academy Head Teachers, which was allowable within the regulations but that WASSH may want to review the balance of representatives between academies and maintained schools especially if the funding mechanisms were not as clearly linked. WASSH represents both academy and non-academy secondary schools within the Wiltshire Area.

It was further agreed that WASSH and PHF be asked to review who should be the separate Academy representative and that the Chairman and Vice-Chairman of the Schools Forum liaise to agree the nominee.

By way of background, Wiltshire has 18 academies to date, 13 secondary schools and 4 primary schools and 1 special school. Within that number there are two traditional academies: Wellington and Sarum. These were part of the previous Government's strategy for raising standards. These two academies have sponsors, Wellington College and Wiltshire Council, the Salisbury Diocese, Bryanston Independent School and Bath Spa University respectively.

The others are converter academies. At first these schools could convert if outstanding at their last Ofsted inspection, then if good and now any school providing it has another higher performing school in support.

Membership and Composition of the Schools Forum and sub-groups

Since the changes to the constitution of the Schools Forum and the regulations governing it, the membership of the Forum has been clarified and stabilised as follows:

Type		Nominated by	Postholder
Schools Members	Teachers	4 x primary headteachers	PHF Mr N Baker <i>(Chairman)</i> Mrs Julia Bird Mrs J Finney Mrs C Williamson
		3 x secondary headteachers	WASSH Mr C Dark Mr M Watson Mrs Carol Grant
		1 x Special school headteacher	WASSH Mrs I Lancaster-Gaye
		1 x Academies Rep.	Academy Schools in Wiltshire Mr David Cowley
	Governors	2 x primary governors	<i>Wiltshire Governors Association</i> John Foster (primary) Ann Ferries (primary) <i>(Vice-Chairman)</i>
		1 x secondary governor	<i>Wiltshire Governors Association</i> Peter Biggs (secondary)

		1 x governor for special needs	<i>Wiltshire Governors Association</i>	Rev Alice Kemp (SEN)
Non-School Members		Early Years PVI Sector representative	Early Years Development and Childcare Partnership	Mr J Proctor
		Teacher representative	Joint Consultative Committee	Mr J Hawkins
		Diocesan Representative	Dioceses	Mrs Anne Davey
		Representative of maintained schools with nursery classes	Early Years Development and Childcare Partnership	Michael Keeling
		14 – 19 representative	13-19 Strategy group	Tina Pagett
Observers		Cabinet member	Children's Services	Cllr Lionel Grundy
		Portfolio Holder	Schools	Cllr Alan Macrae
		Parent Partnership representative	Ask	Miss S Lund
		3 x parent governor representatives	Children's Services Scrutiny Committee	Neal Owen, Rosheen Ryan

Working Groups and sub-Groups

There are the following four working groups which feed recommendations to the main meetings of the Forum:

SEN Working Group 2011-12

Mark Brotherton	Wiltshire Council
Bruce Douglas	Staverton Church of England Voluntary Controlled Primary School (PHF)
Phil Cooch	Wiltshire Council
Julia Cramp	Wiltshire Council
John Hawkins	Union Rep
Judith Finney	Dilton Marsh Church of England Primary School (PHF)
Karina Kulawik	Wiltshire Council
Julie Masurier	Wiltshire Council
Phil Beaumont	Downland School (WASSH)
Sarah O'Donnell	Westwood-with-Iford (PHF)
Elizabeth Williams	Wiltshire Council
Vacant	WASSH

Schools Funding Work Group 2011-12

Simon Burke	Wiltshire Council
Carol Grant	Pewsey Vale
Chris Dark	Matravers School
Phil Cooch	Wiltshire Council
Julia Cramp	Wiltshire Council
Mrs C Williamson	Mere School
John Hawkins	Union Rep
John Kimberly	Bitham Brook Primary School
Judith Finney	Dilton Marsh Church of England Primary School
M Watson	Lavington School
Neil Baker	Christchurch Primary School
T Gilson	Malmesbury School
Phil Cooke	Larkrise School
Elizabeth Williams	Wiltshire Council

Early Years Reference Group

Name	Position / Provider
Rosemary Collard	Owner, Snapdragons Day Nursery
Mark Cawley	Manager/owner, New Road Nursery, Chippenham
Alan Butler	Learning Curve Day Nursery, Wootton Bassett
Fiona Webb	Director, Sunny Days Children's Nursery, Calne
Mike Fairbeard	Little Fir Tree Nursery, YMCA
Ted Hatala	St Josephs Nursery, Devizes
Lucy Waterman	Curriculum Coordinator, Rub a Dub Preschool, Derry Hill
Andrea Gray	Smiley Faces Amesbury
John Proctor	Owner, South Hills School
<i>Vacancy</i>	
Jane Cross	Springboard DSC, Chippenham
Lorraine Cope	Accredited childminder, Childminders
Michael Keeling	Headteacher, King's Park Primary School, Melksham
Janet Stanford	Clarendon Infant School, Tidworth
Phil Cooch	Wiltshire Council
Simon Burke	Wiltshire Council
Sarah Clover	Wiltshire Council

School Services Board

Name	Position / Provider
Stephanie Denovan	Service Director for Schools and Learning – Chair
Julie Cathcart	Head of School Improvement, Schools and Learning
Simon Burke	Head of Business and Commercial Services, Schools and Learning
Lorraine Nowlan	HR Business Partner for Schools
Other service managers according to the business on the agenda	
Neil Baker	Headteacher, Christchurch Primary School Bradford on Avon
Catriona Williamson	Headteacher, Mere Primary School
Judith Finney	Headteacher, Dilton Marsh Primary School
Tim Gilson	Headteacher, Malmesbury School
John Jenkins	School Governor Representative, Avon Valley College
Sue Jiggins	School Governor Representative, Wylde Valley School
Mike Harrison	Union Representative, National Union of Teachers

Councillors' Questions

Question From Councillor Mark Packard Chippenham Pewsham Division

To Councillor Stuart Wheeler Cabinet member for Campus Development and Culture (including Leisure, Sport and Libraries)

Question 1

Can you confirm that Architects have been selected for Corsham Campus and what process was taken to make the decision ?

Response

No appointment of the final architect has yet been made in Corsham. Initial work has been undertaken in the normal manner in line with the council's framework agreements with Alex French, who has worked directly with the Shadow Community Operations Board to inform the relevant business case for Cabinet to consider in December.

Question 2

£30 Million has been allocated for the first three campuses. What is the current budgeted cost and can we know why the campus projects are slipping?

Response

£30 million was allocated in the council's capital programme for Campus development, this was not specifically to fund three campuses and was not intended to be an exclusive source of funding for these campuses. Some of the funding will be provided from approved capital funding for the operational estate requirements and the re-provision of existing Day Care provision from Old Sarum.

The capital programme as approved by the council made it clear this was an initial sum and that further funding would be considered as future business cases were prepared. As I have previously stated at Cabinet, the successful purchase of Melksham House has had a time impact on the programme, and I have asked officers to ensure that the first three business cases are considered simultaneously. These are being prepared for consideration by Cabinet in December. As you are aware both I and my cabinet colleagues are committed to rolling out future campus proposals across Wiltshire and to working with the Shadow Community Operations Boards, which many of you are actively involved with.

Question From Councillor Mark Packard **Chippenham Pewsham Division**

To Councillor John Noeken **Cabinet member for Resources**

Question 1

How many senior managers are on interim contracts?

Response

The number of senior managers defined as Head of Service level (3rd tier) and above employed in an interim capacity (temporarily employed in a post that would be otherwise filled permanently) is 5.

Question From Councillor Mark Packard **Chippenham Pewsham Division**

To Councillor Keith Humphries **Cabinet member for Public Health and Protection Services**

Question 1

I applaud the Buy Wiltshire Policy and would like to monitor its success. What is the percentage Council spend on Wiltshire based Companies in the Financial Years ending April 2009, 2010, 2011 and predicted for 2012 ?

Response

The source data for this report comes from Accounts Payable and includes all invoice payments and any credits in the system. It is the figure that suppliers see on their bank statements. The caveat that I would add is as the source data is accounts payable if a local supplier was used, but the head office and invoice is from outside Wiltshire, then it will not appear against Wiltshire spend

This report is based on Wiltshire towns including Swindon.

	Total Spend	Total Wiltshire Spend	%
2009/2010	401,213,112.36	190,694,366.87	47.53%
2010/2011	396,279,015.57	195,091,193.17	49.23%
Apr'2011 - Oct'2011	229,247,727.50	108,671,209.98	47.40%

Questions From Councillor Chris Caswill **Chippenham Monkton Division**

To Councillor Jonathan Seed **Chairman of the Licensing Committee**

Question 1

Will he join with me in welcoming the magistrates' court rejection of the appeal by the Karma nightclub in Chippenham against the revocation of their licence?

Response

As Chairman of the Licensing Policy Committee I join with Councillor Humphries as the Cabinet Member for Public Health and Protection Services and Councillor Caswill in welcoming the recent North Wiltshire Magistrates decision concerning Karma. It was an excellent illustration of the value of working across organisational boundaries and demonstrates the strength of the Licensing policies that this Council has in place.

This form of best practice working often goes unseen and undervalued but is now firmly embedded across the county. It is delivered via the Licensing Task group which has been ratified by the Community Safety Partnership and includes contributions from a range of partners.

Question 2

Given the value of this outcome to the night time economy in Chippenham, will he also make clear the Council's determination to resist the further legal challenge which the club is apparently going to make to the revocation decision?

Response

The Licensing Authority has recently been notified by the legal representative for Karma that they intend to challenge the Magistrates Court decision. The council is unsure what form of challenge is intended and to date no papers have been received. In the event that a challenge is made, the council will work closely with the Magistrates' Court and the police to seek to ensure that the court's decision is upheld.

Question 3

Given the importance of licensing policy for public order in the County's urban areas, and the changing national picture, will he now initiate a fresh look at the Council's licensing policy, with a view to an early debate in full Council?

Response

As I have already stated it is precisely the effectiveness of this council's current policies together with the diligent manner in which they are applied by our excellent licensing team and then properly interpreted by Members of Licensing Sub Committees that has allowed this council to achieve the results that it has so far in the Karma case.

As for the future, legislative changes have been outlined in the Police Reform and Social Responsibility Act 2011 and there is a commitment to formally review Wiltshire Council's Statement of Licensing Policy during April 2012 to address these changes. Licensing Policy Committee meeting dates have been programmed to address these changes in a timely manner as well as a review of our current licensing policies. During this review the opportunity will be taken to fully embed all current best practice arrangements. Members of the Council will also have an opportunity to comment on any proposed changes as part of a consultation process.

Question From Councillor Chris Caswill **Chippenham Monkton Division**

To Councillor Keith Humphries **Cabinet member for Public Health and Protection Services**

Question 1

Will he take this chance to comment on the public protection lessons to be learnt from the current case of the Karma night club in Chippenham?

Response

We always strive to improve the excellent performance of the Council's Public Protection Service and we note what has been achieved in The Karma case. In

addition the Public Protection Service always welcomes the opportunity to improve its service and learn from the experience it gains through on-going cases. A meeting has already been arranged to explore whether there are any lessons to be learned that will help promote and consolidate all of the licensing objectives.

I welcome Cllr Caswill' s involvement and contribution as the local Member during the preparations for this case and trust that he will be able to take part in the planned review.

Question 2

What plans have been made for the introduction of a Health and Wellbeing Board for Wiltshire?

Response

Wiltshire already has a shadow Health and Wellbeing Board that is up and running. Indeed a very positive workshop was held only last week with stakeholders including members of the Health and Adult Social Care Select Committee to discuss what we want to achieve as a shadow Board and how the various partners will work together.

The shadow Board has met once and will meet bi-monthly. The Board has agreed that it will review its working arrangements in April 2012 and determine how it will conduct its business until April 2013. At that date according to the current Bill, Councils will be required to have in place a formal Health and Wellbeing Board.

A briefing paper for councillors was included in the Elected Wire on 26 August 2011. See link below

<http://thewire.wiltshire.council/index/councillors-area/elected-wire/2011-elected-wire-26-august/wiltshire-health-and-wellbeing-board.htm>

Question 3

Is it his expectation that membership of that Board will include (a) opposition and (b) other backbench Wiltshire Councillors?

Response

The first shadow meeting of the Board took place on 13 October where the terms of reference which included membership of the shadow board, were agreed.

The membership is as follows:-

- the Leader of the council*
- the director of adult social care*
- the director of children and education*

- the director of public health*
- cabinet member for adult care, communities and housing
- cabinet member for children's services
- cabinet member for public health and protection services
- 3 Commissioning Group representatives* (one **GP** representative from each of the current Clinical Commissioning Groups to provide clinical leadership)
- 3 PCT representatives (until the PCT is abolished in March 2013)
- Chair of Wiltshire Involvement Network (WIN) until local HealthWatch is constituted. He/she will then be replaced by a local HealthWatch representative*.

The roles marked above with an * are currently required in the draft Health and Social Care Bill.

The final membership of the formal board will depend on the requirements of the Act.

Question From Councillor Chris Caswill
Chippenham Monkton Division

To Councillor John Thomson
Cabinet member for Adult Care, Communities and Housing

At the last Council meeting on July 11 you gave an assurance in respect of the accommodation of Wiltshire residents at Rose Villa in Bristol that "a Safeguarding investigation was carried out (there) and NHS Wiltshire are satisfied that measures were put in place that ensured the safety of the residents". The minuted supplementary comments record your stated commitment to quality of care there.

Question 1

When you made those statements to Council, were you aware that four staff at Rose Villa had been suspended from duty, as announced on the regional television that same evening? If so why did you choose not to inform council of that development?

Response

NHS Wiltshire and Wiltshire Council were aware that a staff member at Rose Villa had been suspended due to allegations made, whilst investigations were being undertaken by Bristol PCT (as lead commissioners) and the police. At this stage it was not in the public domain, so it was not appropriate to disclose this due to the continuing criminal investigations.

When these questions were first raised in August 2011, Sue Redmond met with Councillor Colmer to provide further information regarding the case.

Councillor Caswell was also offered a meeting with officers, Sue Redmond and Maggie Rae but this offer was not taken up.

Question 2

Were you also aware on July 11 that the Care Quality Commission had concerns about Rose Villa under 7 headings, including care and welfare, safeguarding from abuse and respect for residents, and that they in June and July carried out an investigation into Rose Villa, leading to the conclusion that there were 'major concerns' under those headings?

Response

NHS Wiltshire and Wiltshire Council were aware of CQC's concerns and we were working closely with the 'commissioning consortium' to ensure that all residents were safe during the ongoing investigation, and moved to alternative care.

As soon as concerns were raised Bristol PCT, as lead commissioner, put in place an interim enhanced management structure, provided by the Brandon Trust, to manage Rose Villa and ensure patient safety.

Question 3

The CQC report found that Rose Villa was not meeting more than one of the essential standards. Rose Villa was subsequently closed. What assurances can you give the Council and the public that lessons have been learnt by this Council and NHS Wiltshire about checking the quality of care homes before Wiltshire residents are placed there?

Response

The facility at Rose Villa was closed by Castlebeck, not CQC. This was because all commissioners had removed patients from Rose Villa in response to concerns raised.

When the results of these investigations are published, the recommendations will be considered further and any necessary actions implemented.

The Council and NHS Wiltshire have worked closely during this incident to ensure the safety of our patients at all times.

There is a robust commissioning process in place for Wiltshire residents, and we do continually review processes to ensure our arrangements meet patients needs and they receive the highest quality of care in a setting appropriate to those needs.

Question 4

Has he responded to the questions and criticisms put by (an individual) on behalf of the Wiltshire Domiciliary Care Association in her email of 5 October, and copied to all Councillors?

Response

Sue Redmond and I met with the individual concerned and the vice-chair of the Wiltshire Domiciliary Care Association on 14 October 2011 and agreed, and then circulated to all providers, a joint letter on 17 October 2011 (Appendix C).

Following feedback from this the HTLAH project team subsequently met with the individual you refer to and representatives of the Wiltshire Domiciliary Care Association on Friday, 28 October 2011 to discuss how agencies can continue to work with the Council and the HTLAH Providers. Action points were agreed at this meeting that we hope will enable both parties to work through the customer transfers effectively with others.

Question 5

At what stage, and why, was the number of 'preferred providers' for Wiltshire reduced from the originally advertised 12 to the eventual 4?

Response

The original advert was worded to reflect that we could award "up to" 12 contracts at the time the advert was produced, which was based on a rationale of having 4 areas with 3 providers working in each area. The project team worked with Corporate Procurement to agree the most appropriate model for delivering the contracts. One of the key innovations of this contract was to bring together responsibility for sheltered accommodation support and domiciliary care support into a single service. This could not be achieved by having multiple providers operating in a single contract area and required a provider to be responsible for a complete area.

During the Invitation to Tender process, this was explained to the successful applicants and that this would mean that up to 8 contracts could be awarded. The evaluation model was a balance between quality and cost, with quality being the highest factor. Due to the economies of scale within the bids, some providers were awarded more than one contract area. Therefore, 8 contracts have been awarded, but to 4 providers. The model had factored in the potential for multiple bids from Providers and would have not allowed a situation to occur where a single Provider was awarded all the business.

Question 6

How many providers were working with the Council in this area prior to the tendering process? How many of these were Wiltshire based? Which of four chosen providers are Wiltshire organisations and which are national?

Response

We believe there are up to 120 agencies providing support to people at home, although many of these are very small agencies with very few hours. 80% of the business was performed by 20 agencies across Wiltshire.

All 4 providers currently work in Wiltshire and have done for some time. The slight exception would be Enara / Complete Care. Complete Care were a local provider but were taken over by Enara, who are not a local provider and submitted the successful bid.

Question 7

As of 1 November how many staff had transferred in from previous providers to the four preferred providers chosen by this Council?

Response

Transfers of staff to the new providers has only taken place between the Council and the 4 Providers. 105 staff were expected to transfer, the final figure of 86 staff transferred to the new providers on 3 October 2011. The 4 providers are due to transfer staff between themselves between 1 November 2011 and 21 November 2011, to ensure customers can continue with their current care support workers.

We are still in the process of agreeing with existing providers the staff that are eligible to transfer to the new providers. We are particularly concerned to try to ensure that as many customers as possible are able to have continuity in who provides their support. To this end we are working with the existing providers to identify staff that would be eligible to transfer to the new providers under TUPE.

Question 8

In what circumstances have clients been able to remain with their existing providers?

Response

Customers who want to take up a direct payment will be able to choose which agency provides their support. We are currently expecting to complete direct payment reviews by the end of November 2011.

There are a few customers who we have agreed should continue to stay with their current provider due to their particular circumstances, e.g. end of life support or highly complex requirements.

Question 9

Given the Government's push for direct payments, is it the Council's policy to encourage clients to move to this system, and what support is now being given to them for that?

Response

The Council will always make sure customers are informed about their choices and the option to take up a direct payment. This is, and will, remain an integral part of the assessment process.

The Council funds an independent organisation to provide advice and support to customers wanting to take a direct payment. They are also helping the Council to carry out the current high demand for Direct Payment reviews.

The Council however has commissioned this service as we believe it will offer a better outcome for customers and give them a better quality of life. As such, we would encourage customers to use the service, but this will never remove their right to choose a direct payment.

Questions from Councillor Jon Hubbard
Melksham South Division

To Councillor Jane Scott, Leader of The Council

Question 1

Concerning the Membership of the Royal Overseas Club in London, paid for by Wiltshire Council, who authorised the payment?

Response

Verbal answer will be given at Full Council meeting

Question 2

How much longer will Wiltshire Council be paying for Membership of London clubs, and can we have the Council's reassurance that this will not be available for future senior managers?

Response

Verbal answer will be given at Full Council meeting

Appendices

- Appendix A – Winter funding list
- Appendix B – Urban Roads and footways
- Appendix C – Joint letter dated 17/10/11