

SUMMONS

Council Meeting

Date: 13 November 2012

Time: 10.30 am

Place: Melksham Assembly Hall, Market Place, Melksham, SN12 6ES

**PLEASE SIGN THE ATTENDANCE
BOOK BEFORE ENTERING THE
COUNCIL CHAMBER**

Please direct any enquiries on this Agenda to Yamina Rhouati, of Democratic Services, County Hall, Trowbridge, direct line 01225 718024 or email Yamina.Rhouati@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

This summons and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

PART I

Items to be considered while the meeting is open to the public

1 **Apologies**

2 **Minutes of Previous Meeting** (*Pages 1 - 34*)

To approve as a correct record and sign the minutes of the last meeting of Council held on 10 July 2012

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Announcements by the Chairman**

5 **Petitions**

5a) **Petitions Received**

No petitions have been received for this meeting

5b) **Petitions Update** (*Pages 35 - 38*)

Report of the Head of Democratic Services.

6 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named above for any further clarification.

Questions

To receive any questions from members of the public received in accordance with the constitution. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named above (acting on behalf of the Corporate Director) no later than 5pm on Tuesday 6 November 2012. Please contact the officer named on the first page of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Councillors prior to the meeting and made available at the meeting and on the Council's website.

POLICY FRAMEWORK

Under its Constitution, the Council is responsible for approving the Policy Framework of the Council expressed in various plans and strategies which includes the subjects referred to in item 7 below

These items were considered by Cabinet at its meetings on 24 July and 23 October 2012

[\(Link to Cabinet agenda 24 July 2012\)](#)

[\(Link to Cabinet agenda 23 October 2012\)](#)

7 **Emergency and Civil Contingency Plans**

7a) **Emergency and Civil Contingency Plans - Introduction** (*Pages 39 - 42*)

Report by Maggie Rae, Corporate Director of Public Health and Public Protection.

7b) **Review of Major Incident Plan** (*Pages 43 - 48*)

The report previously considered by Cabinet on 24 July 2012 (including Cabinet's recommendation to adopt the Plan) is attached.

The plan itself has been printed and circulated separately, and is available to view online.

7c) **Review of Recovery Plan** (*Pages 49 - 54*)

The report previously considered by Cabinet on 23 October 2012 (including Cabinet's recommendation to adopt the Plan) is attached.

The plan itself has been printed and circulated separately, and is available to view online.

ITEMS OF BUSINESS

8 **Electoral Arrangements 2013** (*Pages 55 - 60*)

Report of the Monitoring Officer.

9 **Council Tax Support Scheme** (*Pages 61 - 94*)

Report previously considered by Cabinet on 6 November 2012 is attached. Cabinet's recommendation will be circulated prior to Council.

10 **Membership of Committees**

To determine any requests from Group Leaders for changes to committee membership in accordance with the allocation of seats to political groups previously approved by the Council.

COUNCILLORS' MOTIONS AND QUESTIONS

11 **Notices of Motion**

None received.

12 **Councillors' Questions** (*Pages 95 - 98*)

Please note that Councillors are required to give notice of any such questions in writing to the officer named on the first page of this agenda (acting on behalf of the Corporate Director) not later than 5pm on Tuesday 4 November 2012. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Councillors prior to the meeting and made available at the meeting and on the Council's website.

MINUTES OF CABINET AND COMMITTEES

13 **Minutes of Cabinet and Committees**

(a) The Chairman will move that Council receives and notes the minutes of Cabinet and the various Committees of the Council as listed in the Minutes Book enclosed separately.

(b) The Leader, Cabinet members and Chairmen of Committees will be given a brief opportunity to make any important announcements.

(c) Councillors will be given an opportunity to raise general issues relating to Area Boards but not specific local issues.

(d) Councillors will be given the opportunity to raise questions on points of information or clarification on the minutes presented.

EXTERNAL ORGANISATIONS

To receive reports from external organisations.

Please note that under the Constitution, Councillors wishing to ask a question in relation to the reports of the Wiltshire Police Authority and the Wiltshire and Swindon Fire Authority are required to give written notice to the officer named on the front of this agenda (acting on behalf of the Corporate Director) no later than five clear days before the Council meeting – 5pm on Monday 5 November 2012.

The documents referred to in the following items 14 (a) and (b) and 15 were previously circulated to Councillors to provide an opportunity to submit any questions within the above mentioned timescale. The documents are also circulated with this agenda for ease of reference.

14 **Wiltshire Police Authority**

To receive and note:

14a) **the minutes of the Wiltshire Police Authority meeting held on 20 July 2012 and 20 September 2012** (*Pages 99 - 114*)

14b) **the report of the Wiltshire Police Authority** (*Pages 115 - 116*)

15 **Wiltshire and Swindon Fire Authority** (*Pages 117 - 120*)

To receive and note the minutes of the Wiltshire and Swindon Fire Authority meeting held on 27 September 2012.

Carlton Brand
Corporate Director
Wiltshire Council
Bythesea Road
Trowbridge
Wiltshire

COUNCIL

DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 10 JULY 2012 AT THE WELLINGTON ACADEMY, TIDWORTH, WILTSHIRE, SP11 9RR.

Present:

Cllr Richard Beattie, Cllr Chuck Berry, Cllr John Brady, Cllr Richard Britton, Cllr Liz Bryant, Cllr Allison Bucknell, Cllr Trevor Carbin, Cllr Nigel Carter, Cllr Chris Caswill, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Christopher Cochrane, Cllr Peter Colmer, Cllr Linda Conley, Cllr Mark Connolly, Cllr Christine Crisp (Chairman), Cllr Brian Dalton, Cllr Paul Darby, Cllr Andrew Davis, Cllr Tony Deane, Cllr Christopher Devine, Cllr Mary Douglas, Cllr Peter Doyle, Cllr Rod Eaton, Cllr Nick Fogg, Cllr Peter Fuller, Cllr Jose Green, Cllr Howard Greenman, Cllr Mollie Groom, Cllr Lionel Grundy OBE, Cllr Brigadier Robert Hall, Cllr Russell Hawker, Cllr Mike Hewitt, Cllr Alan Hill, Cllr Charles Howard, Cllr Jon Hubbard, Cllr Chris Humphries, Cllr Keith Humphries, Cllr Peter Hutton, Cllr George Jeans, Cllr David Jenkins, Cllr Julian Johnson, Cllr John Knight, Cllr Jacqui Lay, Cllr Alan MacRae, Cllr Ian McLennan, Cllr Jemima Milton, Cllr Francis Morland, Cllr Bill Moss, Cllr Christopher Newbury, Cllr John Noeken, Cllr Helen Osborn, Cllr Jeff Osborn, Cllr Mark Packard, Cllr Graham Payne, Cllr Nina Phillips, Cllr Leo Randall, Cllr Fleur de Rhé-Philipe, Cllr Bill Roberts, Cllr Ricky Rogers, Cllr Jane Scott OBE, Cllr Jonathon Seed, Cllr John Smale, Cllr Carole Soden, Cllr Toby Sturgis, Cllr Julie Swabey, Cllr Dick Tonge, Cllr Anthony Trotman, Cllr Bridget Wayman, Cllr Fred Westmoreland, Cllr Ian West, Cllr Stuart Wheeler, Cllr Roy While (Vice Chairman), Cllr Christopher Williams and Cllr Graham Wright

55 Apologies

Apologies for absence were received from Councillors Pip Ridout, Judy Rooke, Sheila Parker, Howard Marshall, Peggy Dow, Laura Mayes, Stephen Petty, Steve Oldrieve, Jane Burton, Mike Cutherbert-Murray, John Thomson, Tom James, Mark Griffiths, Richard Gamble, Jeffrey Ody and Bill Douglas

56 Minutes of Previous Meeting

The minutes of the following Council meetings were presented:

- Annual Council 15 May 2012
- Extraordinary Council meeting 26 June 2012

Resolved:

1. That the minutes of the Annual Council meeting held on 15 May 2012 be approved as a correct record and signed by the Chairman.
2. That the minutes of the Extraordinary Council meeting held on 26 June 2012 be approved as a correct record and signed by the Chairman subject to the following amendments:
 - minute no. 52 - amendment in respect of wind turbines to include Cllr Bridget Wayman's name in the list of those for the amendment.
 - Minute no. 53 – 6th paragraph, 2nd line – after 'were within his Division' add 'and that of the adjoining Minety Division represented by Cllr Carole Soden.'

57 **Declarations of Interest**

The following Councillors declared pecuniary interests in the Report of the Independent Remuneration Panel (minute no. 67 refers) for the under mentioned reasons:

- Cllr Richard Britton by virtue of his position as Chairman of the Wiltshire Police and Crime Panel.
- Cllr Julian Johnson by virtue of his position as Chairman of the Standards Committee.
- Cllr Jon Hubbard by virtue of his position as Chairman of a Scrutiny Select Committee.
- Cllr Nigel Carter by virtue of having benefitted from payments to overview and scrutiny members.

58 **Announcements by the Chairman**

a) **Hidden Shakespeare**

The Chairman informed Council that Councillor Nick Fogg had recently published a biography of William Shakespeare, 'Hidden Shakespeare' which looked at some of the unanswered questions about the bard's life.

b) **Order of Agenda**

At the request of the Chairman and with the consent of the Council, the order of the agenda was altered to take item 12 – Report of the Independent Remuneration Panel immediately following item 9 – Returning Officer's Fees and Expenses.

59 **Petitions**

(a) **Petitions Received**

The Chairman explained that no petitions had been received for presentation to this meeting.

(b) **Petitions Update**

A report by the Head of Democratic Services was presented which gave details of three petitions received for the period since the last Council meeting.

Resolved:

That Council note the report, the petitions received and the actions being taken in relation to them, as set out in the Appendix to the report presented.

60 **Public Participation**

The Chairman reported that no requests for public participation had been received for this meeting.

61 **Electoral Arrangements - 2013 Elections**

Councillor John Noeken, Cabinet member for Resources presented a report appraising members of anomalies within the electoral arrangements for 2013, details of which were presented. The report recommended a number of measures to deal with such anomalies.

Cllr Noeken explained that the only practical solution would be for the Council to undertake a tightly defined governance review of the areas affected. It was noted that any review would be undertaken after the elections in 2013.

Council was also asked to express a view on whether to alter the electoral names of the unitary divisions and town wards in Royal Wootton Bassett to adopt the 'Royal' prefix, in which case a governance review would be started in respect of the naming only.

Resolved:

- 1. That Council undertake a governance review of Warminster, Corsham and Calne with no change proposed to electoral areas, but to consider proposals for the number of seats in each town ward,**

with the Councils preferred solution detailed in Appendices C and D of the report presented.

- 2. That no further action be taken for 2013 in respect of parish wards at Calne Without, Melksham Without and Roundway, but the anomalies be noted for a future review.**
- 3. That authority be given to consulting on an order to add the prefix 'Royal' to the unitary divisions and towns wards at Royal Wootton Bassett.**

62 Review of Polling Districts

Cllr John Noeken, Cabinet member for Resources presented a report concerning a review of polling districts in line with Section 16 of the Electoral Administration Act 2006 which introduced a requirement for councils to review polling districts and polling places within their Parliamentary constituencies at least every four years.

Council had previously appointed a Working Party to oversee the review and report back to Council, the recommendations from which were presented.

The formal review of all the polling districts and polling stations had only identified a few areas where improvements could be made and a revised schedule of polling districts, polling places and polling stations was circulated and detailed the comments received during the review.

The Working Party had also looked at polling districts and stations where there were fewer than 150 electors registered and considered that this should be examined further after 2013 in association with the community affected.

In addition to the comments made in the revised schedule at Appendix B to the report, the following amendments were accepted by Council during debate:

1. 'no change to existing arrangements' for Barford St Martin
2. 'no change to existing arrangements' for Sutton Mandeville

Councillors expressed their thanks to officers and members involved in the Working Party and congratulated them on their efforts in overseeing the process and producing the proposals detailed at Appendix B to the report presented.

Resolved:

- 1. To adopt the scheme of polling districts, polling places and polling stations contained in the revised Appendix B as presented subject to there being no change to existing arrangements in respect of Barford St Martin and Sutton Mandeville, to take effect from the May 2013 elections, with authority delegated to the (Acting) Returning**

Officer to make any urgent and necessary changes should they be needed.

- 2. That polling districts and stations with fewer than 150 electors be further examined after 2013 in association with the community affected.**

63 Returning Officer's Fees and Expenses

Cllr John Noeken, Cabinet member for Resources presented a report on the scale of expenses which determine the Returning Officers expenditure for elections.

It was noted that the last review was undertaken in November 2008 in preparation for the new Council elections and traditionally the common scale used across Wiltshire was updated every two years. It was felt that generally the present scales were fair and workable, however there were a few areas where improvements could be made and these were detailed in the report and recognised in the recommendations as moved by Cllr Noeken and duly seconded.

A concern was expressed over who paid the full fee for the Deputy Returning Officers with full powers and whether this came out of the Returning Officer's fee as one charge or met by council tax payers. Assurances were given that there would only be one charge, however further guidance would be sought from the Ministry of Justice to ensure the Council was compliant.

As further reassurance to Council, the Leader proposed that the following amendment which was duly seconded:

To add an additional recommendation to read as follows:

- (7) That payment to the Deputy Returning Officer (Full Powers) be drawn from the Returning Officer's fees if this complied with guidance from the Ministry of Justice.**

Cllr Noeken confirmed he was happy to incorporate the amendment within his motion.

Resolved:

- 1. A new heading be included in the scale of fees and charges for the payment of Deputy Returning Officers with Full Powers, and the level be set at one third (33.3%) of the Returning Officer's fee according to the scale.**
- 2. Fees for counting assistants be raised from £15 per hour to £20 per hour.**

3. **A new heading be introduced to enable count supervisors at casual vacancy counts, where appropriate, to be paid at a rate of £25 per hour.**
4. **Mileage rates for all elections and polls be set at the HMRC rate in force at the time**
5. **Headings B3, B4, B5, B10 and B11(subject to paragraph 6.1 of the report) relating to parish polls should be brought into line with the rates for parish elections**
6. **Other than the amendments set out above, no change be made to the 2009 scale of fees and charges, with the new scheme to take effect from 1 April 2013**

7. **That payment to the Deputy Returning Officer (Full Powers) be drawn from the Returning Officer's fees if this complied with guidance from the Ministry of Justice.**

64 **Appointment of Co-opted Members of the Standards Committee**

Cllr Julian Johnson, Chairman of the Standards Committee presented a report which asked Council to consider the number of co-opted members to be appointed to the Standards Committee within the terms of reference agreed by Council on 15 May 2012, to delegate to the Standards Committee the authority to make these appointments and to confirm the appointment of three Independent Persons.

Cllr Johnson reminded Council that it had previously authorised that steps be taken to secure the appointment of 3 Independent Persons. He advised Council that interviews for these posts had taken place that week and that the three candidates proposed for appointment were all very highly qualified. Council was therefore asked to ratify the appointment of the following as Independent Persons:

- Stuart Middleton
- Caroline Maddocks
- Colin Malcolm

Cllr Nigel Carter, a member of the Selection Panel, agreed that the three candidates were very highly qualified and that he was very satisfied with the outcome of the interviews.

A debate ensued on the number of co-opted members that would best serve the Standards Committee and a suggestion of 4 non-voting co-opted members was generally welcomed.

Councillor Jon Hubbard suggested that in the spirit of fairness he would prefer to have appointments from a geographical spread based on the old four districts. It was felt that this could be difficult to achieve as it was likely that two of the co-opted would be independent people and two would be from Parish Councils. It was felt that this suggestion would make the appointing process very challenging.

Resolved:

- 1. That four non-voting co-opted members be appointed to the Standards Committee within the maximum of 8 set under the terms of reference agreed by Council on 15 May 2012.**
- 2. Subject to (1) above, to delegate the appointment of the non-voting co-opted members to the Standards Committee.**
- 3. To ratify the appointment of the following as Independent Persons:**
 - Stuart Middleton**
 - Caroline Maddocks**
 - Colin Malcolm**

65 Police and Crime Panel - Panel Arrangements

Cllr Richard Britton, Chairman of the Police and Crime Panel presented a report on the arrangements for the Panel.

Council at its meeting on 15 May 2012 was informed of the requirement placed on local authorities in each police force area by the Police Reform and Social Responsibility Act 2011, to establish and maintain a Police and Crime Panel for its police force area. Council had appointed its Councillors to the Panel which had now met for the first time.

The report detailed the Panel's meeting arrangements, the terms of reference and rules of procedure.

In moving the recommendations in the report presented, Councillor Richard Britton proposed the following additional recommendation:

- 4) Agrees that a submission be made to the Home Secretary for the approval of a fourth membership of the Panel for Swindon Borough Council.**

Cllr Britton thanked John Quinton, Head of Democratic Services for all his hard work in supporting the Panel.

Resolved:

- 1. That the Panel arrangements as circulated at Appendix 1 of the report presented be agreed and endorsed.**
- 2. That the terms of reference and rules of procedure for the Panel circulated at Appendix 2 be noted.**
- 3. To give delegated authority to the Monitoring Officer to make any appropriate consequential changes to the Council's constitution.**
- 4. To agree that a submission be made to the Home Secretary for the approval of a fourth membership of the Panel for Swindon Borough Council.**

66 Report of the Independent Remuneration Panel - Members' Allowances

For interests declared in this item, please refer to minute no. 57 above.

Cllr John Noeken, Cabinet Member for Resources presented the report of the Independent Remuneration Panel which reviewed and advised on Members' allowances.

The Panel had met to consider the level of allowances that would be appropriate for the following roles:

- Standards Committee Chairman, independent co-opted members and town and parish council members
- Scrutiny Committee allowances
- Police and Crime Panel members
- Health and Wellbeing Board members

The report detailed the issues discussed for each of the above areas and the conclusions reached. It was noted that there would be an opportunity to pick up any discrepancies in any subsequent review.

A discussion ensued on the fund of £10,000 for Overview and Scrutiny members and it was confirmed that the fund was intended to reward Councillors for performing additional specific scrutiny functions such as chairing task groups and rapid scrutiny exercises. It was agreed to better reflect the latter point in the recommendation before Council.

Cllr Noeken moved the recommendations of the Independent Remuneration Panel and an additional recommendation in respect of the Health and Wellbeing Board and this was duly seconded.

Resolved:

- 1. To set the Special Responsibility Allowance payable to the Chairman of the Standards Committee at £2,517 per annum (Band 9) to reflect the anticipated reduced workload and number of meetings.**
- 2. Set the co-optee's allowance payable to independent and town and parish members of the new Standards Committee at £1,120 per annum.**
- 3. Retain the current allowances for those engaged in the scrutiny process and in particular to note that:-**
 - a. The issue of paying an allowance to vice chairmen of scrutiny committees would be considered along with all other vice chairmen as part of the larger review later in the year; and**
 - b. The £10k pot for allocation to scrutiny members is to recognise significant additional responsibility, such as charring Task Groups and Rapid Scrutiny Exercises.**
- 4. Agree an SRA for the Chairman of the PCP of £7550 representing 30% of the Leaders SRA.**
- 5. Agree an allowance of £1926 for the independent co-opted members of the Police Crime Panel.**
- 6. Agree that no allowance be paid to the ordinary members of the Police Crime Panel at present as this was covered by the basic allowance and that the issue of an allowance for the vice-chairman be considered as part of the overall review of allowances along with all other vice-chairs.**
- 7. Agree that no allowances be payable for any members of the Health and Wellbeing Board.**
- 8. To ask the Independent Panel to reconsider the issue of a special responsibility allowance (SRA) payable to the chairman of the Health and Wellbeing Board as part of its wider review on the basis that its current recommendation that no SRA be payable, is based on the current situation that the Leader chairs the Board and this may not always be the case – the SRA should be based on the position not the person who occupies it.**

67 **Licensing Committee - Change to Scheme of Delegation**

Cllr Jonathon Seed, Chairman of the Licensing Committee presented a report which sought approval of additions and amendments necessary to the scheme of delegation for Licensing in the Constitution due to changes in primary legislation.

The report informed that the current scheme of delegation for Licensing was last approved in December 2010. Since that time the Police Reform and Social Responsibility Act 2011 amended the Licensing Act 2003 and gave a number of new powers to Licensing Authorities, details of which were highlighted in the report and Appendix.

Council noted that the Licensing Committee, at its meeting held on 6 June 2012 had approved the additions and amendments contained in the report and commended them to Council.

Resolved:

That the additions and amendments (highlighted in bold in the table) to the scheme of delegation of the Licensing Committee be approved.

68 **Annual Report on Treasury Management 2011/12**

Cllr John Brady, Cabinet Member for Finance, Performance and Risk, presented the Annual Report on Treasury Management 2011-12 which gave Members an opportunity to consider the performance of the Council against the parameters set out in the Treasury Management Strategy.

Councillor Brady reported that there were no breaches of the Treasury Strategy in 2011-12. He congratulated Keith Stephens, the Treasury and VAT Officer for the work undertaken to secure the best return on the Council's investments in very difficult times.

References were made to the recent LIBOR interest rate scandal involving Barclays Bank. Assurances were given that the LIBOR scandal had no affect on the Local Authority's finances and the interest rate offered by Barclays was a very good rate at the time of the investment.

The Council were informed that since the housing subsidy system being abolished and housing debt being reallocated nationally between housing authorities, the Council had made a capital payment to the Department of Communities and Local Government of £118.8m, resulting in an increase in the

Capital Finance Requirement. Assurances were given that this was a positive move in reducing long term debt and the Council would be in a better position financially.

Resolved:

- 1. That the actual cash position at the end of 2011-12 against the original forecast for the year be noted.**
- 2. That the Prudential Indicators, Treasury Indicators and other treasury management strategies set for 2011-12 against actual positions resulting from actions within the year as detailed in Appendix A to the report presented be noted.**
- 3. That investments during the year in the context of the Annual Investment Strategy, as detailed in Appendix B of the report be noted.**

69 **Membership of Committees**

No requests for changes to committee membership were made.

70 **Notice of Motion No. 28 - Land at Innox Hall, Trowbridge - From Councillors Jeff Osborn and Helen Osborn**

The Chairman reported receipt of the following notice of motion No. 28 from Cllrs Jeff Osborn and Helen Osborn:

‘That this Council instructs the relevant Cabinet members to drop all moves to place housing on the site of the old Innox Hall, Trowbridge and to speedily proceed with the construction of the changing facilities for sports players on this site.’

A report from Carlton Brand, Corporate Director was presented to assist Council in its consideration of the motion.

Having been moved and seconded, the Chairman invited Cllr Jeff Osborn to speak to his motion.

Cllr Jeff Osborn explained that planning permission had already been granted for changing facilities on the site of the Old Innox Hall, Trowbridge and arrangements were well advanced to secure necessary funding. He felt that to succeed with this sports related development would be one important step in tackling the shortage of recreational facilities in the Trowbridge area.

Cllr Stuart Wheeler, Cabinet member for Transformation, Culture, Leisure and Libraries confirmed that in order to follow due process, a report detailing options

for the site including the changing facilities referred to in the above motion would be considered by the Cabinet (Capital Assets) Committee on 24 July 2012. He reassured Council that the provision of changing facilities on the site mentioned would be given favourable consideration.

The Chairman moved that the motion be referred to the Leader without debate to enable the Leader to progress through the Cabinet (Capital Assets) Committee.

However, Cllrs Jeff Osborn and Helen Osborn withdrew the motion in light of the assurances given.

Resolved:

That motion no 28 be withdrawn.

71 **Councillors' Questions**

The Chairman reported receipt of questions from Councillors Jon Hubbard, Brian Dalton and Chris Caswill, details of which were circulated and attached as Appendix A to these minutes together with the responses given.

Questioners agreed to take their questions as read and were given an opportunity to ask a relevant supplementary question to which the relevant Cabinet member responded. Supplementary questions are summarised as follows and should be read in conjunction with the questions and responses:

Cllr Jon Hubbard – the size of any backlog for Housing Benefit and comparisons with the last eight quarters – Cllr Hubbard asked what steps were being taken to reduce the processing times. Cllr John Brady gave details of improved performance in this area. He also referred to the universal credit system whereby rent would be paid direct to the tenant who would be responsible for paying their landlord on time. Arrangements could be made to pay a landlord direct in the case of vulnerable members of society.

Cllr Jon Hubbard – assurances that no residents would sign an agreement to reduce the number of visits by Housing Support Officers without a full understanding of the implications; and how the cost savings would be passed back to the Council – Cllr Jemima Milton responded on behalf of Cllr John Thomson. Cllr Milton explained that it was too soon to realise the cost savings to the Council at this time but once the numbers of residents signing the agreement was known then the savings to the Council would be known.

Cllr Brian Dalton – Highway maintenance issues for the roads in south Wiltshire – Cllr Dick Tonge spoke referred to the levels of investment for this service. He explained that a criteria was used for prioritising highway maintenance in the County and that the overriding aim was one of road safety. All requests for

highway maintenance were treated equally in accordance with the agreed priority criteria.

Cllr Jon Hubbard – the steps being taken to compensate for the loss of the Education Maintenance Allowance – Cllr Lionel Grundy agreed that it was very unfortunate that the Allowance had been withdrawn nationally but that he was not aware that this had affected the education of children in the County.

Cllr Chris Caswill – when would an agreement be reached in relation to the redevelopment of the Bath Road site in Chippenham and was there any risks associated with the delay – Cllr Toby Sturgis reassured that nothing was being put at risk.

Cllr Chris Caswill – the charge on the Council for this year's carbons emissions – Cllr Toby Sturgis reported that for the current year it was anticipated that the charge would be £400,000. The reduction for this year was mainly due to energy efficiency savings and a reduction in the Council's estate.

Cllr Chris Caswill – legal representation at the public examination of the core strategy – Cllr Fleur de Rhe-Philippe confirmed that the Council would be making its own case.

Cllr Chris Caswill – If the findings of the Care Quality Commission's latest national review of learning disability services report could also be reviewed by the Health Select Committee – on behalf of Cllr John Thomson, Cllr Jemima Milton agreed that it would be helpful for the Health Select Committee to also review the report's findings, subject to the Committee being able to accommodate this within its work plan.

72 **Minutes of Cabinet and Committees**

The Chairman moved that Council receive and note the following minutes as listed in the separate Minutes Book and this was duly seconded by the Vice-Chairman.

<u>Meeting</u>	<u>Date</u>
Cabinet	19 June 2012
Cabinet Capital Assets Committee	24 May 2012
Overview and Scrutiny Management Committee	30 May 2012
Children's Select Committee	31 May 2012
Environment Select Committee	11 June 2012

Licensing Committee	6 June 2012
Northern Area Planning Committee	16 May, 6 June and 27 June 2012
Eastern Area Planning Committee	7 June 2012
Southern Area Planning Committee	10 May and 21 June 2012
Western Area Planning Committee	9 May, 30 May and 20 June 2012
Strategic Planning Committee	16 May 2012
Standards Committee (Old regime)	2 May 2012
Audit Committee	20 June 2012
Staffing Policy Committee	9 May 2012
Wiltshire Pension Fund Committee	23 May 2012

The Chairman then invited questions from councillors on points of information or clarification on the above minutes and gave the Chairmen of those meetings the opportunity to make any important announcements on the work of their respective Committees.

Cabinet – 19 June - resolution (ii) of minute 70 – Wiltshire Core Strategy

Cllr Caswill raised the following questions on the above mentioned minute. It was agreed to provide him with written responses:

1. Can the Leader confirm that the Cabinet's recommendation of the Core Strategy and the changes listed in Appendix 1 to the Cabinet paper was based on due consideration of the consultation views and recommended responses in Appendix 2 to the same paper?
2. Specifically, did the Cabinet's positive recommendation of Core Policy 42 and the changes listed in Appendix 1 on pages 37 and 38 of the Cabinet papers take account of the consultation views and recommended responses in Appendix 2, page 75?
3. Did the revised text for Core Policy 42, as recommended by the June 19 Cabinet, constitute a policy of unrestricted wind farm development in Wiltshire, or a set of criteria and previous policies on which case by case by judgements of local impact should be based?

Resolved:

That the above mentioned minutes be received and noted.

73 **Wiltshire Police Authority**

The report and minutes of the Wiltshire Police Authority meeting held on 19 April 2012 was received and noted. No questions from Councillors had been received on these documents.

74 **Wiltshire and Swindon Fire Authority**

The minutes of the Wiltshire and Swindon Fire Authority meetings held on 30 May and 21 June 2012 were received and noted. No questions had been received from Councillors.

Appendix A - Questions and Answers

(Duration of meeting: 10.30 am - 1.00 pm)

The Officer who has produced these minutes is Yamina Rhouati, of Democratic & Members' Services, direct line 01225 718024, e-mail Yamina.Rhouati@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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Wiltshire Council

Council

10 July 2012

Questions From Councillors

From Cllr Jon Hubbard, Melksham South Division

To

Cllr John Brady, Cabinet Member For Finance, Performance And Risk

Question 1

What is the current size of any backlog for Housing Benefit Claims and how does the size of that backlog compare with the last eight quarters?

Response

The council's revenue and benefits service undertook one of the largest migrations of data ever undertaken by a local authority completing the merger of data in December 2011. The merger did have an impact upon the performance of the service, whilst at the same time demand, in terms of benefit claims reached an all time high.

The figures below confirm the position in terms of the main types of work carried out. The spreadsheet attached indicates the rise in demand brought about by firstly the change in the system and secondly, in April, 2012, a further increase and subsequent slowing of performance as a result of year end billing and the annual up-ratings of all claims. It is encouraging to report that performance has improved in May 2012 and will do again in June, however the figures are not available yet.

The position, at the beginning of this week, , with work outstanding was :-

Claims currently being worked on = 26/6/2012 Total 636

Change of Address currently being worked on = 25/06/2012 Total 96

Change of circumstances currently being worked on 27/06/2012 Total = 208

Should you have any further query regarding this matter please do not hesitate to contact Ian P Brown for an explanation.

Wiltshire Council

Council

10 July 2012

Questions From Councillors

From Cllr Jon Hubbard, Melksham South Division

To

**Cllr John Thomson, Deputy Leader And Cabinet Member For Adult Care,
Communities And Housing**

Question 2

I note that Enara are asking some residents to sign an agreement that the resident will not receive a daily visit.

Could the cabinet member please:

- i) Assure me that no resident is being encouraged to sign an agreement without having a full understanding of the implications of such as change;
- ii) Inform me of how any cost savings from reducing the level of care is being passed back to this council.

Response

Enara, and the other 3 Help to Live at Home providers, are currently meeting every tenant in sheltered housing to talk to them about their future requirements for support. Some tenants do not wish to receive regular visits from housing support officers whilst others have indicated that they would like to receive more support.

Those tenants who do not want this service at this time can review this decision and choose to receive the service once more at anytime.

Once this work is completed and meetings held with every tenant in the county, the Council will have a complete picture of the services that sheltered housing tenants require and the funding required to deliver that service and will work with partners to deliver this.

Wiltshire Council

Council

10 July 2012

Questions From Councillors

From Cllr Jon Hubbard, Melksham South Division

To

**Cllr John Thomson, Deputy Leader And Cabinet Member For Adult Care,
Communities And Housing**

Question 3

The introduction of benefit changes by the Government is going to lead to a number of challenges for landlords. In particular are the changes which will stop Housing Benefit being paid directly to Landlords and instead directly to tenants.

This could lead to an increase in rental arrears and, as a consequence, an increase in tenants being evicted.

Could the cabinet member please:

- i) Inform me of what steps the council is taking to support their own tenants manage these changes when they are implemented;
- ii) Give me some understanding of the planning that is taking place to mitigate the impact of the changes on Wiltshire residents who find themselves in financial difficulty and how the potentially significant increase in families/people presenting themselves as homeless will be managed.

Response i)

Because some customers will be experiencing a number of changes to their benefits the council are preparing as a whole a communications campaign, extending into 2013, which aims to provide accessible information and deliver it in a number of ways. This includes the council's website, mail shots and interacting with the local radio and media to inform and share information. This work is being carried out in conjunction with the voluntary sector and specifically the CAB and also with the housing providers so that best practice / knowledge is shared.

For our own tenants we will also be providing information to them through our tenant magazine and_ are currently recruiting a dedicated financial inclusion officer. We already provide significant funding to the CAB, who also support our tenants. Training on the impact of welfare reform has begun for all our front line staff and we be able to target our resources to contact each individual tenant who will be impacted by these changes

We will also make best use of our ability to transfer applicants who would be in financial hardship to move into smaller accommodation that better suits their needs, which in turn will free up larger accommodation for other households.

Response ii)

The impact of these changes are varied and that is why a cross-departmental group has been put together working with other partners as above on a county wide action plan and communication strategy. Wiltshire Assembly members who also looked at this issue in detail at the June meeting and in addition we have done and will continue to provide presentations and briefings for members.

For people who may be in still then be in danger of homelessness we will continue to focus on prevention measures and have extra funding from government for rough sleepers and single homeless; extra funding to assist households at risk of losing their home; A mortgage rescue scheme and ongoing housing advice and support.

Wiltshire Council

Council

10 July 2012

Questions From Councillors

From Cllr Brian Dalton, Salisbury Harnham Division

To

Cllr Dick Tonge, Cabinet Member For Highways And Transport

Question 1

The massive roads maintenance backlog of £43.5 million, as reported in the Gazette & Herald, is rife across Wiltshire.

There seems to be a lack of maintenance on south Wiltshire's roads and many are in a dire need of repair. Here are just some of the roads in south Wiltshire that require immediate attention; but there are many more:

- A30 London Rd
- A338 London Rd to the Winterbournes and beyond

In the City:

- Catherine St
- Silver St
- Minster St
- Castle St
- Blue Boar Row
- Winchester St
- Endless St
- Brown St
- St Ann St

In my own ward:

- Harnham Gyrotory
- Folkestone Rd
- Essex Square
- Norfolk Rd
- Harnham Rd

I am aware that the gyratory will be resurfaced in September and about time too; but not after filling potholes in two places, probably more than a dozen or so times each recently!

The roads through the City are a total disgrace and probably match that of third world countries.

Just when will south Wiltshire's Roads get attention? It's no good just adding them to an endless list, that is £43.5 million long and growing each year. A failing 'target' that the council needs to get a grip of.

Response

A verbal response will be given at the meeting.

Wiltshire Council

Council

10 July 2012

Questions From Councillors

From Cllr Jon Hubbard, Melksham South Division

To

Cllr Lionel Grundy, Cabinet Member For Children's Services

Question 1

Department of Education figures show that in 2011 Wiltshire had the highest proportion of 16-18 year olds not in employment education and training amongst the counties of the South West. Wiltshire also has the highest percentage of young people between the ages of 16 and 18 for whom no activity is known (17% overall and 36% in the case of 18 year olds). Given that the Council retains a statutory duty "to enable, encourage and assist young people's participation in education and training", what steps are this administration taking:

- a. To help improve the situation in Wiltshire for school leavers?
- b. To help compensate for the loss of the Educational Maintenance Allowance and the disbanding of the Connexions advice service?
- c. To ensure better collection of NEET data under the new devolved arrangements?

Response

NEET Performance:

Wiltshire's annual NEET figure for 2011 was 6.3%.

The monthly NEET figure for Wiltshire in May 2012 was 5.4%. This is a reduction on the same period last year when the figure was 5.9%. In May 2012 there were 751 young people NEET.

It is important to note that 2011 data cannot be compared with that published in previous years because significant changes have been made to the information collected in preparation for the Government's commitment to raise the participation age. 2011 figures:

- i) Relate to young people resident in the local area. Data for previous years was related to the area in which the young person was attending school or college.
- ii) Relate to the young person's academic age; i.e. their age on 1st September 2011. Data for previous years was based on calendar age. This is in line with other statistical collections and has the effect of increasing the number and percentage of NEET.

A report on Youth Unemployment, NEET & Support for Young People to move into Employment and Training was presented to the Public Services Board on 26th April 2012. The report provides detail on the cross cutting and extensive work that is underway across the Council and its partners to support young people to move into employment and training.

Not Known Performance:

The not known figure refers to 16-18 year olds whose activity is not known. For example, whether they are on a full-time college course, in a job etc.

In 2011 Wiltshire's not known figure was 16.5%.

In May 2012 the not known figure was 10.8% Tracking involves internal and external partners including Integrated Youth, Jobcentre Plus, schools and post-16 learning providers.

A number of steps have been taken to support improvements to tracking and reducing our not known figure;

- A former member of Connexions staff has been seconded into a Tracking Coordinator role.
- A Tracking Coordination Plan has been developed and is being implemented.
- Information Sharing arrangements have been reviewed and strengthened with relevant internal and external partners.

- a) **What steps are the administration taking to help improve the situation in Wiltshire for school leavers?**

Targeted Personal Advisors within the Integrated Youth Service are continuing to provide information, advice and guidance to school leavers. This will continue until September 2012 when the delivery of careers guidance to all pupils will become the responsibility of schools (for which schools have been funded by central Government).

The Local Authority continues to fulfil its duty to encourage, enable or assist young people's participation in education or training through work with partners, including:

- The Integrated Youth Service assisting the most vulnerable young people and those at risk of disengaging with education or work. This includes carrying out Learning Difficulty Assessments for young people with a learning difficulty and/or disability.
- Ensuring that eligible 16 and 17 year olds have received an offer of a suitable place in post-16 education or training, and that they are assisted to take up a place. This is called the September Guarantee which is coordinated by the Integrated Youth Service.
- The new Swindon and Wiltshire Local Enterprise Partnership (LEP) is providing strategic leadership for the Employment & Skills agenda in the local area. One of its key priorities includes delivering Apprenticeship growth and maximising take-up.
- As part of the Wiltshire Strategic Economic Partnership (now Enterprise Wiltshire) the Employment & Skills Board (ESB) is the delivery arm for the employment & skills agenda in Wiltshire. Delivery of work for the ESB is undertaken by two sub groups, Wiltshire Works and the Apprenticeship sub group. The former involves a number of partners working together to address worklessness, whilst the latter is focused on driving up Apprenticeship growth in the county. Wiltshire Works is currently supporting the development of an employability and informal skills development programme for young people. This is being supported with funding from the Council. A Work and Skills Plan is also in place with a focus on reducing worklessness and promoting economic inclusion. It places an emphasis on support for key groups including young people who are NEET and Looked After Children.
- An Apprenticeship Action Plan is being implemented which has a key objective of increasing the proportion of 16-18 year olds participating in Apprenticeships.
- The Employment and Skills Board has supported the following initiatives for young people:

Delivered for Young People:

- 5,150 'Have a Go' workplace skills activities undertaken by young people during Apprenticeship Week (Feb 2012)
- 495 jobs created for out of work young people
- 300 Work Experience opportunities created for unemployed young people
- 169 people (aged 16+) across Wiltshire and Swindon supported with travel to work/training
- 136 EET outcomes for 13-17 year olds at risk of offending or NEET
- 100 new Apprenticeship enrolments including the creation of 52 new jobs through Wiltshire's first Apprenticeship Campaign
- In-Council Apprenticeship Programme launched
- Wiltshire Council awarded the 2010 JCP (South West) award for a major employer's contribution to supporting youth employment

Current Initiatives to Support Young People:

- 1000 Apprenticeships to be created through Wiltshire's second Apprenticeship Campaign
- 350 Work Experience opportunities to be created specifically for unemployed young people
- 150 further Work Experience opportunities and 30 new jobs to be created for JSA/ESA customers aged 18 years + who are not currently supported by other initiatives. Individuals will also receive support with overcoming personal and employment barriers and personal development mentoring and job coaching to support progression into employment
- 100+ unemployed young people supported into work through Sector Based Work Academies
- 62 further EET outcomes for 13-17 year olds at risk of offending or NEET
- Self-employment advice and support to start a new business through the Wiltshire Business Support Service linking in with relevant Government 'Get Britain Working' initiatives such as the Enterprise Allowance and Enterprise Clubs and the recently announced Enterprise Loans under the Youth Investment Fund
- Development of volunteering opportunities for young people to assist with the development of transferable skills, experience and increase employability
- Encouraging the establishment of more community led Work Clubs

Planned Initiatives to Support Young People:

- 350 disadvantaged 14 and 15 year olds across Wiltshire and Swindon supported to participate and succeed in education or training in order to achieve better future employment outcomes subject to a successful bid to the DWP Innovation Fund
 - 275 individuals (aged 16+) benefitting from in-work/self employed support services for a period of between 9 and 18 months for employees who have recently gained employment/entered self-employment following a period of unemployment to help them sustain that employment/achieve career advancement subject to a successful bid to Channel Programme (INTERREG)
 - 30 Work Placements created abroad subject to a successful bid to Leonardo Mobility 2012 for young unemployed people to gain vital experience of the work environment and enable them to broaden their life experience and confidence
 - Further development of the In-Council Apprenticeship Programme to provide opportunities for Looked After Children/NEET
- The 11-19 Commissioning Strategy and Implementation Plan includes a priority related to supporting young people to move into employment and training. A number of high level actions have recently been

identified in collaboration with partners to support delivery of the commissioning priority mentioned above.

- A Partnership NEET Reduction Action Plan has been developed and is being implemented.
- A Raising Participation Age Strategy and Plan has been developed which sets out the actions which are required in order to secure full participation for 17 year olds by 2013 and 18 year olds by 2015. As part of the plan a Risk of NEET Indicator Tool has been developed to help identify young people in schools who are at risk of NEET so that they can be supported much earlier.
- The Integrated Youth Service has recently funded a number of specific local based projects within community areas to support young people who are NEET or at risk of becoming so.

b) What steps are the local authority taking to help compensate for the loss of the Educational Maintenance Allowance and the disbanding of the Connexions advice service?

The Connexions Service has not been disbanded in Wiltshire. Instead the Service has been realigned in the light of changes to the delivery of careers advice in September 2012.

Remaining staff from the former Connexions Service continue to work with and support young people who are NEET and/or are at risk of becoming so. This involves supporting vulnerable school leavers to make a successful transition from pre to post-16 learning. Many of the initiatives mentioned earlier will help to compensate for the removal of the EMA. However in addition to these:

- A government Bursary Fund is available to support young people who are vulnerable in post-16 learning and colleges have use of a discretionary fund to support the most in need post-16 learners.
- The provision of careers guidance from schools and the National Careers Service will encourage young people to continue to participate in learning.
- The Raising of the Participation Age to 17 in 2013 and 18 by 2015 will mean that young people continue in learning for longer and this should help to increase participation rates and reduce NEET.
- Further development of the In-Council Apprenticeship Programme is being considered to provide opportunities for Looked After Children/NEET.
- The Integrated Youth Service is funding a range of small scale projects across Wiltshire focussed on targeting those young people who are NEET/at risk of NEET and supporting them into education, employment or training.

c) **What steps are the local authority taking to ensure better collection of NEET data under the new devolved arrangements?**

- The Council has set up new information sharing protocols with the following:
 - Schools, including academies
 - Post-16 learning providers, including colleges
 - Education Funding Agency
 - Jobcentre Plus
 - The Data Service (Apprenticeship data)
- Appointment of a tracking co-ordinator to oversee the collection and recording of the activity/destinations of young people aged 16-19.
- Working with relevant staff within the Integrated Youth Service so that they fully understand their responsibilities in relation to tracking work. Requirements in relation to tracking are being clarified through the development and implementation of a specification for the Integrated Youth Service.
- Exploring the option of taking on a young apprentice to work alongside the tracking coordinator to develop innovative approaches for tracking, including use of social networking and applications.
- Will have introduced by September 2012 a new electronic single case management system across the whole of the Integrated Youth Service

Mal Munday

Head of Service

Integrated Youth

James Fortune

Lead Commissioner 11-19

Commissioning Team

5th July 2012.

Wiltshire Council

Council

10 July 2012

Questions From Councillors

From Cllr Chris Caswill, Chippenham Monkton Division

To

**Cllr Toby Sturgis, Cabinet Member For Waste, Property, Environment
And Development Control Services**

Question 1

Are you yet in a position to give a definitive answer to my question at the May meeting about the Council's agreement with ING for the redevelopment of the Bath Road site in Chippenham? Are ING being asked to provide alternative facilities for the services currently housed in the Bridge Centre (such as the youth cafe) or is the Council adopting the more sensible course of asking for cash payments in lieu?

Why has it taken so long to come to this decision?

Response

The Council has requested a cash payment for replacing YPSS, the skate barn and youth storage facility. The amount of such payment is currently the subject of discussions with ING.

The Council is keeping its options open in relation to the replacement youth cafe. Both parties would prefer the Council to take responsibility for securing the facility and in this respect the Youth Service are preparing a specification. This will mean that a cost estimate can then be prepared to enable either party to acquire such premises should a suitable opportunity present itself. Naturally, ING will only release such funds to the Council once the contract has gone unconditional (grant of planning consent, minimum number of pre-lets secured etc). Therefore Member approval would be needed for an acquisition in advance of receiving payment from ING.

Wiltshire Council

Council

10 July 2012

Questions From Councillors

From Cllr Chris Caswill, Chippenham Monkton Division

To

**Cllr Toby Sturgis, Cabinet Member For Waste, Property, Environment
And Development Control Services**

Question 1

- (a) Has the Council now paid the £600,000 fine which it incurred last year for carbon emissions?
- (b) How much do you expect the Council to be charged for this year's performance?

Response

- (a) The Council has not paid a fine of £600,000, as the reporting deadline is not until 31 July 2012. The changes in the Carbon Reduction Commitment Energy Efficiency Scheme have been reported to The Environment Select Committee. This is not a fine but a mandatory payment for all organisations, both public sector and private companies, that consumed over £500k worth of electricity in 2008.
- (b) For the year 2011-12 the projected energy consumption figures and the current unit price of £12 per tonne announced by the Government in March equates to a payment of £524k. (this includes the schools estate). Schools will be taking on individual financial liability for their allowances from 2012-13.

Wiltshire Council

Council

10 July 2012

Questions From Councillors

From Cllr Chris Caswill, Chippenham Monktondivision

To

**Cllr Fleur De Rhé-Phillipe, Cabinet Member For Economic Development
And Strategic Planning**

Question 1

Given the legal challenges to the Core Strategy being threatened by at least one developer, is it the administration's intention that the Council retain external legal representation for the Inspector's Hearing?

Response

It is government policy to discourage legal representation at public examination of the core strategy. Because of the importance of the core strategy, each step will be monitored by the Legal Unit to ensure appropriate legal representation is present. If formal Court proceedings were to be instigated, the Head of Legal Services would ensure there were appropriate resources to enable the Council to protect the Council's interests.

Wiltshire Council

Council

10 July 2012

Questions From Councillors

From Cllr Chris Caswill, Chippenham Monkton Division

To

**Cllr John Thomson, Deputy Leader And Cabinet Member For Adult Care,
Communities And Housing**

Question 1

Given the distressing news that the Care Quality Commission's latest national review of learning disability services has found that more than half of those reviewed did not meet Government standards, what assurances can be given about the provision of learning disability support in Wiltshire?

What actions will this Council be taking in response to the CQC Report?

Response

This report focused on residential provision for people with learning disabilities, most of that provision is commissioned by the health services across the country. However as a council we do commission places within Wiltshire with 55 providers who are all compliant with CQC regulations.

The key messages highlighted in the report apply to a 'whole system approach' and within Wiltshire we already have joint commissioning and provision and will be reviewing the report's findings with the Learning Disability Partnership Board and the Health and wellbeing Board.

Wiltshire Council

Council

10 July 2012

Questions From Councillors

From Cllr Chris Caswill, Chippenham Monkton Division

To

**Cllr John Thomson, Deputy Leader And Cabinet Member For Adult Care,
Communities And Housing**

The Council will no doubt welcome the web based publication of the Care Quality Commission reviews of Care and Nursing Homes in Wiltshire and elsewhere.

Question 10

(a) What steps will the Council be taking to publicise this resource?

Response

a) The Council in partnership with Care Choices has recently published a directory of services that details all care homes and domiciliary care agencies operating in Wiltshire. There are references throughout the directory to the CQC website and the information contained therein. Any family or individual that contacts the Council for advice or information about care homes is forwarded a copy of this directory which is also available on line via the Council's website. Staff, when discussing care home options with members of the public, advise people to review the information about that care home on the CQC website.

Question

(b) What use will the Council itself be making of this information, particularly of the several care homes in Wiltshire where improvement is being required or in some cases enforced?

Response

b) We work closely with CQC not just by reviewing information on their website but through bi monthly meetings to review registered services in Wiltshire. In this way we can share informally information about

services of concern. This information then directs the work of the Quality Assurance officer whose role is to work with those providers to develop and implement an action plan to improve those services. Our aim is to work with providers to help them improve however, in some circumstances it is necessary to stop new placements or care packages with those organisations until improvements have been delivered. This has a financial impact on the provider. Whilst an action plan is being developed and improvements being implemented we monitor this closely with providers through regular meetings and progress reports.

Our priority is to ensure the safety of those receiving care and every effort is made to improve the service rather than moving residents. However, where a provider fails to comply and does not deliver the required improvements steps would be taken to move residents. However our primary aim is to work with providers to deliver improvements that will enable residents to remain in their home.

Wiltshire Council

Council

13th November 2012

Petitions Update

Petitions Received

As of 2nd November, nine petitions have been received by Wiltshire Council, since the last Council meeting on July 10th. Further details are shown at Appendix 1 to this report.

No requests have been received to present petitions at this meeting.

Proposal

That Council notes the petitions received and the actions being taken, as set out in the Appendix to this report.

John Quinton
Head of Democratic Services

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Date Received	Subject	No of signatures	Action taken
E petition start date 29. 1.2012 finish date 31.7.2012	Urchfont Manor Closure	77 hard and 425 e signatures	Epetition signatures and paper copies sent to Cabinet Members and Services Directors – petitioners informed that it would be reported to Full Council for information.
17 th July	Support for Innox Riverside development	1025	The petition has been brought to the attention of the Cabinet Member with responsibilities for planning and will be reported to Full Council for information.
22 nd August	Pavement request for Wingfield	18	Referred to Bradford on Avon Area Board for consideration by the CATG
6 th September, 2012	Bollards required Wiltshire Drive/dryham road trowbridge	304	Referred to Trowbridge Area Board for consideration by the CATG. Highways department are investigating and will report to the Trowbridge Area Transport Group on the 7 th February.
On line 10 th Sept – 31st October	Speed Limit – Horton road Warminster online petition		<i>Petition still open at time of writing report.</i>
25 th September	Affordable English language teaching for Women – submitted by Mr Abdel Boutarfas	32	Copied to the Leader of the Council and referred to Stephanie Denovan
16 th October	Urchfont Manor Closure	113	Sent to Cabinet members and service Directors – petitioner s informed that it would be reported to Full Council for information.
25 th October	Request for a Morroccan Community Centre	55	Referred to the Trowbridge Area Board for Consideration

Note: This does not include petitions received in respect of regulatory matters ie planning and licensing which are dealt with under different procedures

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Wiltshire Council

Council

Date of meeting 13 November 2012

Subject: Civil Contingencies Act 2004 - Review of the Major Incident Plan and Recovery Plan

Executive Summary

The council's Major Incident Plan and Recovery Plan have been reviewed and extensively amended to reflect council structures. They have been approved by cabinet on 24 July and 23 October respectively.

Proposal(s)

That Council:

- a) notes this report, and
- b) adopts the Major Incident Plan and Recovery Plan

Reason for Proposal

Adoption of the Major Incident Plan and Recovery Plan will ensure compliance with the Civil Contingencies Act 2004. It will enable subsequent training and exercising on the plans to improve the council's state of readiness and resilience, and enhance its role in assisting communities to recover from major incidents and other significant events.

1 Purpose of Report

- 1.1 To inform members of the recent revision and approval by Cabinet of the council's Major Incident Plan, and Recovery Plan and to recommend their adoption.

2. Background

- 2.1 Under the Civil Contingencies Act 2004 Wiltshire Council is designated as a Category 1 responder. As such it is required to develop and maintain emergency plans that are appropriate, up to date and kept in readiness for emergencies. The council works in close cooperation with the other partner organisations of the Wiltshire and Swindon Local Resilience Forum (LRF). Multi-agency arrangements have been agreed by the LRF and internal plans and procedures are designed to work within these arrangements.
- 2.2 The previous plans were out of date and did not reflect the existing council structures. A review was required to make them fit for purpose.

3. Main Considerations for the Council

- 3.1 The Major Incident Plan sets out arrangements for the council's response to emergencies within or affecting Wiltshire, and potentially impacts on the entire range of council services. In this context an emergency is defined as a situation or series of events that threatens or causes serious damage to human welfare, the environment or UK security. This definition covers a wide range of scenarios including adverse weather, severe flooding, animal diseases or terrorist incidents and their impact on essential services and critical infrastructure.
- 3.2 The plan is generic, and provides a mechanism for mobilising staff and resources in response to an emergency and for performing council functions in relation to a wide range of possible scenarios. While it is an internal council plan, it has been designed to comply with the multi-agency arrangements of the Wiltshire and Swindon Local Resilience Forum (LRF).
- 3.3 It is comprehensive, but officers only need to be familiar with the sections that are relevant to their services or particular roles, and are not expected to be conversant with the entire plan.
- 3.4 Action cards are contained within the plan, which act as easy to use "aide memoir" for staff in the event of an incident.
- 3.5 The aim of the Recovery Plan is to establish the processes and procedures necessary for any Wiltshire community to overcome and/or adapt to the effects resulting from a significant disruptive challenge, whatever the cause.
- 3.6 The recovery effort will commence as soon as possible after the initial incident. This means that the council will be involved in both response and recovery at an early stage, which is likely to severely test our resilience and resources. Wiltshire Council will take the lead for the recovery phase following any incident, which may last for a significant period.
- 3.7 The Recovery Plan is designed around a set of principles which recognise that recovery is an enabling and supportive process which is best approached on a community development perspective. In order to assist any community in the recovery following an incident it is important for that community to fully engage with the process and where relevant manage its own recovery. To this end training is being arranged for parish and town councils through Area Boards to assist them in emergency planning and community resilience.

4. Environmental and climate change considerations

- 4.1 The plans provide the framework for the council's initial and ongoing response to incidents which may include environmental and climate change issues, such as flooding and severe weather. There will be impacts resulting from the council's response to such events, but these are difficult to quantify due to their unknown nature and frequency. They may however include increased vehicle usage, and setting up of temporary shelters or even temporary mortuaries with all the related requirements for heating and lighting.

5. Equalities Impact of the Proposal

- 5.1 The purpose of the Major Incident Plan and Recovery Plan is to provide support to individuals and communities, assisting their resilience when affected by in difficult scenarios. This support would be delivered to the areas of greatest need and would not discriminate in the way it was provided.

6. Risk Assessment

- 6.1 If the plans are not adopted then the council could be criticised for not having appropriate and up to date plans. This is likely to be seen to be a breach of the Civil Contingencies Act, and as such the council could be failing in its legal duty and open to serious reputational risk.

7. Financial Implications

- 7.1 The plans have been developed and will be delivered within the 2012-13 approved budget. If either plan was to be instigated there is the potential for considerable expenditure to be incurred. Whilst the council holds a general fund reserve to cover risk, contingency and unforeseen events, some of the incurred expenditure may be covered by the Government's Bellwin scheme of emergency financial assistance to local authorities. This scheme provides a level of grant funding for expenditure incurred.

8. Legal Implications

- 8.1 Section 2 of the Civil Contingencies Act 2004 requires the Council to assess the risk of, and make and maintain appropriate plans for, any emergency which would be likely to seriously obstruct it in the performance of its functions. It also has a duty to make and maintain plans for the purpose of ensuring that if an emergency occurs or is likely to occur, and it would be unable to take that action without changing the deployment of resources or acquiring additional resources, it is able to perform its functions so far as necessary or desirable for the purpose of:

- (i) preventing the emergency,
- (ii) reducing, controlling or mitigating its effects, or
- (iii) taking other action in connection with it.

Approval of the Major Incident and Recovery Plans will enable the council to comply with these requirements of the Civil Contingencies Act.2004 If the plan is not adopted there is a risk of legal challenge, as set out in paragraph 6.1 above.

9. Options Considered

- 9.1 The Major Incident Plan and Recovery Plan comply with legal requirements and with the Wiltshire and Swindon LRF procedures, and as such adoption of the revised plans is the best option.

Conclusions

14. Council is asked to note this report and adopt the Major Incident Plan and Recovery Plan.

Name of Director Maggie Rae

Designation Corporate Director of Public Health and Public Protection

Report Author:

John Carter

Head of Public Protection (Food and Environment)

Tel: 01225 770590.

Email: john.carter@wiltshire.gov.uk

Date of report: 26 October 2012

Background Papers

Cabinet Report on the Major Incident Plan - 24 July 2012

Cabinet Report on the Recovery Plan - 23 October 2012

The following unpublished documents have been relied on in the preparation of this report: None

Appendices

Wiltshire Council Major Incident Plan

Wiltshire Council Recovery Plan

Wiltshire Council

Cabinet

24 July 2012

Subject: Review of the Major Incident Plan

Cabinet member: Councillor Keith Humphries – Public Health and Public Protection

Key Decision: No

Executive Summary

The council's Major Incident Plan has been reviewed and extensively amended to reflect council structures following extensive internal consultation.

Proposals

That Cabinet:

- a) notes this report,
- b) approves the revised major incident plan and recommends its adoption by Council, and
- c) agrees that any minor amendments to the plan are delegated to the Corporate Director for Public Health and Public Protection in consultation with the appropriate cabinet member

Reason for Proposal

Approval of the Major Incident Plan will ensure compliance with the Civil Contingencies Act 2004, and allow subsequent training and exercising on the plan to improve the council's state of readiness and resilience.

Maggie Rae

Corporate Director of Public Health and Public Protection

Wiltshire Council

Cabinet

24 July 2012

Subject: Review of the Major Incident Plan

Cabinet member: Councillor Keith Humphries – Public Health and Public Protection

Key Decision: No

1 Purpose of Report

- 1.1 To inform the cabinet of the revision of the council's Major Incident Plan, and to recommend its approval and adoption.

2. Background

- 2.1 Under the Civil Contingencies Act 2004 Wiltshire Council is designated as a Category 1 responder. As such it is required to develop and maintain emergency plans that are appropriate, up to date and kept in readiness for emergencies. The council works in close cooperation with the other partner organisations of the Wiltshire and Swindon Local Resilience Forum (LRF). Multi-agency arrangements have been agreed by the LRF and internal plans and procedures are designed to work within these arrangements.
- 2.2 The previous plan was out of date and did not reflect the existing council structures. A review was required to make the plan fit for purpose.
- 2.3 The consultation period for the review of the Major Incident Plan started on 5 August 2011 with a kick off meeting, attended by 25 officers from 18 council services. Following a two month period during which services were invited to comment on the plan, the consultation period closed with a review meeting on 14 October 2011.
- 2.4 Through the consultation process a number of issues were identified which affect the council's resilience and ability to respond appropriately and proportionally to a major incident.

3. Main Considerations for the Council

- 3.1 The Major Incident Plan sets out arrangements for the council's response to emergencies within or affecting Wiltshire, and potentially impacts on the entire range of council services. In this context an emergency is defined as

a situation or series of events that threatens or causes serious damage to human welfare, the environment or UK security. This definition covers a wide range of scenarios including adverse weather, severe flooding, animal diseases, terrorist incidents and their impact on essential services and critical infrastructure.

- 3.2 The plan is generic, and provides a mechanism for mobilising staff and resources in response to an emergency and for performing council functions in relation to a wide range of possible scenarios. While it is an internal council plan, it has been designed to comply with the multi-agency arrangements of the Wiltshire and Swindon Local Resilience Forum (LRF).
- 3.3 It is comprehensive, but officers only need to be familiar with the sections that are relevant to their services or particular roles, and are not expected to be conversant with the entire plan.
- 3.4 The key changes to the original plan are:
 - Revised roles and responsibilities for corporate directors
 - Revised management systems and staff roles
 - New major incident callout system
 - User friendly action cards have been incorporated for the following roles:
 - On-call corporate director/ council gold commander (CGC)
 - CLT chair (one of the Corporate Directors)
 - Local authority liaison officer (LALO)
 - Tactical advisor to CGC
 - Local authority incident officer (LAIO)
 - Technical support officer
 - Council intelligence officer
 - Duty emergency planning officer
 - Scientific Tactical Advice Cell (STAC) officer
 - Duty Communication officer
 - Council communications officer
 - CLT communications officer
 - Media handling centre manager
 - Council media officer

The action cards are contained within the plan, which act as easy to use “aide memoir” for staff in the event of an incident.

- 3.5 The plan seeks to implement a command and control structure for dealing with emergencies which is very different to the usual day to day management arrangements and style of the organisation.
- 3.6 Should the plan be approved it will require further training of the corporate leadership team and other senior managers on the new arrangements.
- 3.7 Following this training an exercise will need to be held to test the practical implementation of the plan.

4. Environmental and climate change considerations

- 4.1 The Major Incident Plan provides the framework for the council's response to incidents which may include environmental and climate change issues, such as flooding and severe weather. There will be impacts resulting from the council's response to such events, but these are difficult to quantify due to their unknown nature and frequency. They may however include increased vehicle usage, and setting up of temporary shelters with all the related requirements for heating and lighting.

5. Equalities Impact of the Proposal

- 5.1 The purpose of the Major Incident Plan is to provide support to individuals and communities, assisting their resilience when affected by in difficult scenarios. This support would be delivered to the areas of greatest need and would not discriminate in the way it was provided.

6. Risk Assessment

- 6.1 If the Major Incident Plan is not approved then the council could be criticised for not having an appropriate, up to date plan. This is likely to be seen to be a breach of the Civil Contingencies Act, and as such the council could be failing in its legal duty and open to serious reputational risk.

7. Financial Implications

- 7.1. The plan has been developed and will be delivered within the 2012-13 approved budget. If it was to be instigated and a major incident declared there is the potential for considerable expenditure to be incurred. Whilst the council holds a general fund reserve to cover risk, contingency and unforeseen events, some of the incurred expenditure may be covered by the Government's Bellwin scheme of emergency financial assistance to local authorities. This scheme provides a level of grant funding for expenditure incurred.

8. Legal Implications

- 8.1 Section 2 of the Civil Contingencies Act 2004 requires the Council to assess the risk of, and make and maintain appropriate plans for, any emergency which would be likely to seriously obstruct it in the

performance of its functions. It also has a duty to make and maintain plans for the purpose of ensuring that if an emergency occurs or is likely to occur, and it would be unable to take that action without changing the deployment of resources or acquiring additional resources, it is able to perform its functions so far as necessary or desirable for the purpose of:

- (i) preventing the emergency,
- (ii) reducing, controlling or mitigating its effects, or
- (iii) taking other action in connection with it.

Approval of the Major Incident Plan will enable the council to comply with these requirements of the Civil Contingencies Act.2004. If the plan is not adopted there is a risk of legal challenge, as set out in paragraph 6.1 above.

9. Options Considered

- 9.1 The Major Incident Plan complies with the legal requirements and with the Wiltshire and Swindon LRF procedures, and as such adoption of the revised plan is the best option.

Conclusions

- 14. Cabinet is asked to note this report and approve the Major Incident Plan.

Maggie Rae
Corporate Director of Public Health and Public Protection

Report Author:
John Carter
Head of Public Protection (Food and Environment)
Tel: 01225 776655 ext 15590
Email: john.carter@wiltshire.gov.uk

Date of report: 12 June 2012

Background Papers

The following unpublished documents have been relied on in the preparation of this report:

None

Appendices

Wiltshire Council Major Incident Plan

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Wiltshire Council

Cabinet

23 October 2012

Subject: Review of Wiltshire Council's Recovery Plan

Cabinet member: Councillor Keith Humphries – Public Health and Public Protection

Key Decision: No

Executive Summary

The council's Recovery Plan has been reviewed and extensively amended to reflect council structures following internal consultation.

Proposal

That Cabinet:

- a) notes this report;**
- b) approves the Recovery Plan and recommends its adoption by Council, and**
- c) agrees that any minor amendments to the Plan are delegated to the Corporate Director for Public Health and Public Protection in consultation with the appropriate cabinet member.**

Reason for Proposal

Approval of the Recovery Plan will ensure compliance with the Civil Contingencies Act 2004, and allow subsequent training and exercising on the plan to improve the council's state of readiness and resilience in assisting communities to recover from major incidents and other significant events.

Maggie Rae

Corporate Director of Public Health and Public Protection

Wiltshire Council

Cabinet

23 October 2012

Subject: Review of Wiltshire Council's Recovery Plan

Cabinet member: Councillor Keith Humphries – Public Health and Public Protection

Key Decision: No

1 Purpose of Report

- 1.1 To inform the cabinet of the revision of the council's Recovery Plan, and to recommend its approval and adoption to Council.

2. Background

- 2.1 Under the Civil Contingencies Act 2004 Wiltshire Council is designated as a Category 1 responder. As such it is required to develop and maintain plans that are appropriate, up to date and kept in readiness for responding to incidents.
- 2.2 The Recovery Plan sits alongside the Major Incident Plan which was considered by Cabinet at its meeting in July. It provides a framework for council services to assist communities to return to a state of normality. The design of the plan complies with Government guidance on response and recovery. It is modular in concept so it can be evoked either in whole or in part, and sets out responsibilities for specific service directors and heads of service.
- 2.3 The plan has been the subject of internal consultation. The consultation period lasted from 25 May to 13 July. The plan was sent out to CLT members and all service directors, asking that they pass it on to all relevant heads of service for views and comments.

3. Main Considerations for the Council

- 3.1 The aim of the Recovery Plan is to establish the processes and procedures necessary for any Wiltshire community to overcome and/or adapt to the effects resulting from a significant disruptive challenge, whatever the cause.
- 3.2 The recovery effort will commence as soon as possible after the initial incident. This means that the council will be involved in both response and recovery at an early stage, which is likely to severely test our resilience

and resources. Wiltshire Council will take the lead for the recovery phase following any incident.

3.3 The objectives of the plan are:

- to establish a common set of processes and procedures to cope with the varying scales of any incident which could affect Wiltshire
- to outline the recovery structure and responsibilities for the strategic coordinating board, the tactical recovery groups and the operational recovery teams
- to identify key personnel within the management structures of the local responding agencies to take on management roles within the plan
- to enable engagement with the communities within Wiltshire through the community area boards to contribute to the recovery of their own communities
- to provide firm guidance on the formal handover process from the response phase to the recovery phase with particular regard to the legal requirements
- to compliment and support the arrangements established within local and national plans and guidance in respect of response and recovery arrangements
- at all times to ensure that the religious and cultural rites and customs of any individual affected by the recovery process are taken into account
- at all times to ensure that the requirements of vulnerable members of the affected community are met in a caring and dignified manner.

3.4 The plan would be triggered if one of the following were to occur:

- loss of or severe damage to homes and businesses
- loss of community facilities and/or amenities
- severe damage to the natural environment
- disruption of services to the community
- loss or severe disruption to the supply of essential goods (food, water etc.)
- disruption to utility supplies
- disruption to the infrastructure
- disruption to the economy and businesses.
- Multiple loss of life i.e. pandemic flu

3.5 The Recovery Plan is designed around a set of principles which recognise that recovery is an enabling and supportive process which is best approached on a community development perspective. In order to assist any community in the recovery following an incident it is important for that community to fully engage with the process and to some extent manage its own recovery. To this end training is being arranged for parish and town councils through Area Boards to assist them in emergency planning and community resilience.

3.6 Should the plan be approved it will require further training of the corporate leadership team and other senior managers on the new arrangements. Following this training an exercise will be held to test the practical implementation of the plan.

4. Environmental and climate change considerations

4.1 The Recovery Plan provides the framework for the council's response to incidents which may include environmental and climate change issues, such as flooding and severe weather. There will be impacts resulting from the council's response to such events, but these are difficult to quantify due to their unknown nature and frequency. They may however include increased vehicle usage, setting up of temporary shelters or even temporary mortuaries with all the related requirements for heating and lighting.

5. Equalities Impact of the Proposal

5.1 The purpose of the Recovery Plan is to provide support to individuals and communities, assisting their resilience when affected by difficult scenarios. This support would be delivered to the areas of greatest need and would not discriminate in the way it was provided.

6. Risk Assessment

6.1 If the Recovery Plan is not approved then the council could be criticised for not having an appropriate, up to date plan, which may result in failure to deliver the required services and support following an incident. This is likely to be seen to be a breach of the Civil Contingencies Act, and as such the council could be failing in its legal duty and open to serious reputational risk.

7. Financial Implications

7.1. The plan has been developed and will be delivered within the 2012-13 approved budget. If it was to be instigated following an incident or event there is the potential for considerable expenditure to be incurred. Whilst the council holds a general fund reserve to cover risk, contingency and unforeseen events, some of the incurred expenditure may be covered by the Government's Bellwin scheme of emergency financial assistance to local authorities. This scheme provides a level of grant funding for expenditure incurred.

8. Legal Implications

8.1 Section 2 of the Civil Contingencies Act 2004 requires the council to assess the risk of, and make and maintain appropriate plans for, any emergency which would be likely to seriously obstruct it in the performance of its functions. It also has a duty to make and maintain plans for the purpose of ensuring that if an emergency occurs or is likely to occur, and it would be unable to take that action without changing the deployment of resources or acquiring additional resources, it is able to perform its functions so far as necessary or desirable for the purpose of:

- (i) preventing the emergency,
- (ii) reducing, controlling or mitigating its effects, or
- (iii) taking other action in connection with it.

8.2 Approval of the Recovery Plan will enable the council to comply with these requirements of the Civil Contingencies Act. If the plan is not adopted there is a risk of legal challenge, as set out in paragraph 6.1 above.

9. Options Considered

9.1 The Recovery Plan complies with the legal requirements, Government guidance and with the Wiltshire and Swindon LRF procedures, and as such adoption of the revised plan is the best option.

10. Conclusions

10.1. Cabinet is asked to note this report, approve the Recovery Plan and recommends its adoption by Council.

Name of Director Maggie Rae

Designation Corporate Director of Public Health and Public Protection

Report Author:

John Carter, Head of Public Protection (Food and Environment)

Tel: 01225 770590. Email: john.carter@wiltshire.gov.uk

Date of report: 6 September 2012

Background Papers

The following unpublished documents have been relied on in the preparation of this report: None

Appendices

Wiltshire Council Recovery Plan

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Wiltshire Council

Council

13 November 2012

Electoral Arrangements – 2013 elections

1. Purpose of Report

- 1.1. The purpose of the report is to update members with the results of consultation relating to anomalies within the electoral arrangements for 2013, to recommend the making of an Order to correct them and to make changes at Warminster and Royal Wootton Bassett.

2. Background

- 2.1. The 2009 County of Wiltshire (Electoral Changes) Order set up the electoral arrangements for the new unitary council and a number of parish and town councils. The unitary arrangements took effect from 2009, but the town arrangements will not take effect until the 2013 elections. The 2009 Order contained inaccuracies in respect of Corsham and Calne Town Councils, and also introduced an elector-to-seats ratio on Warminster Town Council which is unbalanced.
- 2.2. Details of these errors and anomalies were presented to Council in July, and it was resolved to undertake further consultation as the first part of making an order under the Local Government and Public Involvement in Health Act 2007.
- 2.3. In July, Members resolved to consult on to altering the electoral names of the unitary divisions and town wards in Royal Wootton Bassett to adopt the “Royal” prefix. Any change of electoral name would also require the making of an Order, but this could be included in the same order as for Calne, Corsham and Warminster.
- 2.4. Responses to the consultation are set out below.

3. Calne Town Council

Final recommendations of BCE review (with seats)	2009 Order (with seats)
Calne Town Council should comprise 19 councillors, as at present, representing four wards: Calne Chilvester & Abberd (4), Calne North (5) Calne Central (5) Calne South (5).	The parish is divided into four wards named respectively <u>Calne Chilvester and Abberd (3)</u> , Calne North (5) Calne Central (5) Calne South (5)

- 3.1. Anomaly – The Order did not reflect the findings of the review. There should be 19 seats in total, with four representing Calne Chilvester and Abberd town ward, not three.
- 3.2. The Council’s preferred option, as set out in the July Council report, was for Calne Town Council to consist of 19 councillors, representing four wards: Calne Chilvester & Abberd (4) Calne North (5), Calne Central (5) and Calne South (5).
- 3.3. The only response was received from the town council, who support the council’s preferred option.

4. Corsham Town Council seats

Final recommendations of BCE review (with seats)	2009 Order (with seats)
Corsham Town Council should comprise 20 councillors, as at present, representing <u>three</u> wards: Corsham Town (7), Corsham Pickwick (7), Corsham Gastard (2), Corsham Neston (3) Corsham Rudloe (1).	The parish shall be divided into <u>five</u> wards which shall be named: Corsham Town (7) Corsham Pickwick (7) <u>Corsham Gastard (3)</u> and Corsham Rudloe (1)

- 4.1. Anomaly – The review correctly identified the names of the town wards described in the review report, but the recommendation refers to three wards, not the five listed. The 2009 Order correctly refers to five wards, but omits all reference to the three proposed seats at Corsham Neston. It also shows Corsham Gastard with three seats, not two.
- 4.2. The Council’s preferred option, as set out in the July Council report, was for Corsham Town Council to consist of 20 councillors representing five wards: Corsham Town (7), Corsham Pickwick (7), Corsham Gastard (2), Corsham Neston (3) and Corsham Rudloe (1).
- 4.3. The only response was received from the town council, who support the council’s preferred option.

5. Warminster Town Council seats

Final recommendations of BCE review (with seats)	2009 Order
Warminster Town Council should comprise 12 councillors, as at present, representing four wards: Warminster Broadway (returning three members), Warminster East (returning three members), Warminster West (returning three members) and Warminster Copheap & Wylde (returning three members).	The Order correctly reflected the Final Recommendations of the review

- 5.1. Anomaly – the Warminster town wards are co-terminous with the unitary divisions, but the Warminster Copheap and Wylde division extends beyond the town boundary. By allocating the same number of seats to each of the town wards, the smaller Copheap town ward receives an over-allocation of town seats.
- 5.2. The Council's preferred option, as set out in the July Council report, was to increase the number of seats in Warminster Broadway, Warminster East and Warminster West from 3 to 4, and reduce the number of town council seats in Warminster Copheap from 3 to 1, making thirteen seats on the town council in total.
- 5.3. The proposal to increase the seats to 13 originated with the Town Council and has been re-iterated by them on numerous occasions. A further response was received from a Warminster unitary and town councilor during the consultation, in total agreement with the "4-4-4-1" solution.

6. Electoral names in Royal Wootton Bassett parish

- 6.1. From May 2013, the names of the town wards and Unitary divisions within the parish of (Royal Wootton Bassett) are Wootton Bassett North, Wootton Bassett South and Wootton Bassett East (although the East ward also takes in the parishes of Lydiard Millicent, Broad Town and Lydiard Tregoz).
- 6.2. With the conferring of the "Royal" prefix on the town and parish, it was felt this would be an appropriate time to consider altering the unitary division and town ward names to reflect this.
- 6.3. The Town Council supports the council's preferred option, and the only other response suggested that the name of the (Royal) Wootton Bassett East division should be amended to reflect the other parishes included in that division, whose combined electorate exceeds the number of Wootton Bassett electors in the division.

7. Equalities Impact of the Proposal

- 7.1. There are no significant equality issues arising from these proposals. At Warminster, the proposals will ensure better electoral equality.

8. Risk Assessment

- 8.1. The solution all of these anomalies lies within the powers of the council to resolve and need to be addressed in time for the 2013 town council election process.

9. Financial Implications

- 9.1. There are no significant financial consequences arising from this review.

10. Legal Implications

- 10.1. The Local Government and Public Involvement in Health Act 2007 devolved power to local authorities to undertake governance

reviews. Paragraph 1.12 of Part 3 of the Constitution of the Council reserves this decision to full Council.

11. Proposals

- 11.1. As the town wards were established by a review which was completed by the Boundary Committee for England within the last five years, the council is obliged to obtain the consent of their successor body, the Local Government Boundary Committee for England (LGBCE) before an Order can be made under the Local Government and Public Involvement in Health Act 2007.
- 11.2. The LGBCE has been consulted throughout the whole process, but their formal approval is still awaited. Subject to there being no objection from the LGBCE, it is recommended the provisions of the Statutory Instrument 2009 No. 531 The County of Wiltshire (Electoral Changes) Order 2009 be amended as follows:
 - 11.2.1. The Calne Town Council to consist of 19 councillors, representing four wards: Calne Chilvester & Abberd (4 members) Calne North (5 members), Calne Central (5 members) and Calne South (5 members), with no alteration to the areas shown on the 2009 Order maps.
 - 11.2.2. The Corsham Town Council to consist of 20 councillors representing five wards: Corsham Town (7 members), Corsham Pickwick (7 members), Corsham Gastard (2 members), Corsham Neston (3 members) and Corsham Rudloe (1 members) with no alteration to the areas shown on the 2009 Order maps.
 - 11.2.3. Warminster Town Council should comprise 13 councillors, representing four wards: Warminster Broadway (4 members), Warminster East (4 members), Warminster West (4 members) and Warminster Copheap & Wylve (1 member) with no alteration to the areas shown on the 2009 Order maps.
 - 11.2.4. The names of the Unitary Divisions of Wootton Bassett North, Wootton Bassett South and Wootton Bassett East and the town wards of Wootton Bassett North, Wootton Bassett South and Wootton Bassett East be amended by the inclusion of the prefix "Royal" in their titles with no alteration to the areas shown on the 2009 Order maps.
- 11.3. It is further recommended:
 - 11.3.1. The effective date for the commencement of the Order be set to provide for the effective conduct of the 2013 parish and town council elections in May 2013.
 - 11.3.2. Power be delegated to the Head of Legal Services to complete the Order in accordance with the contents of this report.

Dr Carlton Brand
Corporate Director

Report Author: John Watling

Head of Electoral Services.
Telephone 01249 706599.
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25 October 2012.

Background Papers None

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Wiltshire Council

Cabinet

6 November 2012

Subject: Council Tax Support and Technical Changes

Cabinet Member: Councillor John Thomson - Adult Care, Communities and Housing

Key Decision: Yes

Executive Summary:

The Welfare Reform Act 2012 is bringing about huge changes in the way welfare benefits are administered. The Welfare Reform Act 2012 provides for the abolition of council tax benefit with effect from April 2013. The local government finance bill prescribes the way in which a local authority should introduce any replacement for the current scheme, known as the local council tax support scheme.

The way in which council tax benefit is financed has been changed by the Coalition Government. The estimated annual spend in Wiltshire in 2012-13 will be £27 million and the Government in the past have met the full cost of the scheme. In future allocations will be given to the Council, Police and Fire, amounting to between 10% and 14% in total less than the current award.

This report proposes ways in which a local scheme could minimise the impact of the changes and where monies could be found within the discretionary aspect of the council tax scheme to partly fund this reduction.

Legislation states that

Before making a scheme the billing authority must in the following order:

(a) consult any major precepting authority which has power to issue a precept to it

(b) publish a draft scheme in such a manner as it thinks fit, and

(c) consult such persons as it considers are likely to have an interest in the operation of the scheme

The purpose of this report is twofold. Firstly it brings the proposed scheme and discretionary changes to council tax exemptions before the council for ratification and secondly demonstrates that the above obligations have been met and considered as part of the legal decision making process.

Through analysis and discussions with neighbouring authorities as well as national

bodies, the four possible options for consideration were reduced to one and whilst this option appears to be similar to those proposed by neighbouring authorities, it provides greater incentive to work and for non-dependants to live at home.

Our option is to:-

- a) Reduce maximum eligible council tax support to 80% of the Council Tax chargeable for all those of working age except those in receipt of disability premium and war widows/ disablement pension.
- b) No longer apply second adult rebates.
- c) Determine whether those with savings of more than £6,000 or £10,000 should be excluded from the scheme.
- d) Moderate non-dependant deductions to a single rate regardless of their income.
- e) Lower the income deduction taper from 20% to 15%.
- f) Cease backdating claims.
- g) Cease the calculation for underlying entitlement.
- h) Protect those with children and continue to disregard child benefit as income.

Of the options originally considered, this option delivers a local council tax support scheme, for non-pensioners, which supports the principles of simplicity, protects vulnerable people and minimises the impact on incentives to work. The scheme offers the greatest ability to manage the reduction in central government funding, and creates opportunities to give greater incentives for those who work and greater protection for those who are most vulnerable. It is a scheme that is more generous than many of our neighbours, which may make any resulting bill, better targeted and therefore more collectable.

In addition to these changes it is noted that the council tax technical changes provide new legislative powers that will enable authorities to raise additional charges by amending entitlement to discounts and exemptions. Various options have again been considered as set out in detail at Appendix 2 of the attached report. These changes support the council's aims to bring empty homes back into occupation, more quickly.

In addition, in considering the impact of welfare reform and in support of the Council's objective to support the vulnerable, Wiltshire recognise the need to introduce a scheme for those most severely affected and to encourage those who can to return to work and enable transition from the old to the new scheme.

The detailed report therefore sets out:

- The final option which will become the Wiltshire Council's Council Tax Support

scheme that will replace Council Tax Benefit with effect from April 2013, having given due consideration to the results, ideas and suggestion made as part of the consultation process.

- Further options to employ new powers to reduce some council tax discounts and exemptions proposed by new technical reforms to council tax legislation which also come in to effect from April 2013. These are presented at Appendix 2
- A proposal to create a discretionary fund in year one of the scheme to support the transition for those who may be particularly disadvantaged. In the past these people may have qualified for a discretionary housing payment, but with other welfare reforms around under occupation and benefit cap, this fund is likely to be oversubscribed.

In order to meet our obligations it was agreed that the consultation period would last 8 weeks, ending on 31st October. A targeted, multi-media campaign to raise awareness and to gather opinions on the proposed changes has taken place and a summary of Responses are attached at Appendix 3. (Please note that the date to upload this report was 29th October to meet statutory reporting lines, therefore this report will be supported with a verbal presentation and explanation of any significant changes in the consultation in the final two days of consultation after this report is/was uploaded).

Proposals

Cabinet recommend to Council that:

- a) A local council tax support scheme is introduced, as set out at paragraphs 16 to 18 of the report.
- b) Technical changes are made to the way in which council tax discounts for second homes and exemptions for properties in classes A, C and L are applied from 1st April 2013, as set out at Appendix 2 of the report, and paragraph 20.
- c) Council introduce a discretionary fund to be administered in conjunction with the discretionary housing payments (DHP) and ring fence the Social Fund grant allocation to mitigate the impact of transition from the old scheme to the new, in cases where householders may feel the impact of other changes to benefit entitlement, under-occupancy costs, for example. Criteria for awards under this scheme to be approved by Cabinet and Council by January / February 2013 and implemented from 1st April 2013.

Reason for Proposals

For the purpose of setting 2013/14 council tax it is also important that a decision is made now to ensure that having maximised the period for consultation on the draft scheme, the council is able to introduce the scheme within its budgetary timetable and the statutory timetable ending on 31 January 2013.

Michael Hudson Service Director, Finance

The following supporting documents are attached:

**Detailed report on Council Tax Support and Technical Changes
Appendices**

Appendix 1 = Scheme Options
Appendix 2 = Council tax Technical changes.
Appendix 3 = Results of consultation
Appendix 4 = Equality Analysis

The following supporting documents are available from the officer named above:

Report Author: Ian P Brown, Head of Revenues and Benefits
(ianp.brown@wiltshire.gov.uk, 01380734743)

**Background Papers
Financial models analysing impact of Option 1, 3 and 4.**

Cabinet member: Cllr John Thomson, Deputy Leader

Cabinet member contact details: 01225 713000

Date: 31st October 2012

Wiltshire Council

CABINET

6th November 2012

Subject: COUNCIL TAX SUPPORT AND TECHNICAL CHANGES

Cabinet Member: Councillor John Thomson

Key Decision: Yes

Purpose of Report

1. This report provides options in response to the Coalition Government's Welfare Reform changes that see a significant reduction in the Council's funding of Council Tax Benefit. It therefore proposes to bring in a local, means tested, method of calculating a reduction in council tax; as well as a number of technical changes to council tax discounts and exemptions to go in part to meet that imposed funding gap.
2. The council tax support scheme will only be applied to non-pensioners, on a low or fixed income and be introduced by next April. Legislation requires that this is a decision of full council and that decision then enables a series of defined steps the council must take to introduce a robust and lawful scheme approved by DCLG by 31st January in order to set it's 2013/14 Council Tax and budget requirement thereafter.
3. At the same time the report identifies ways in which the Council proposes to help those most affected through further discretionary support schemes in order to meet its objective of protecting the most vulnerable and strengthening and building resilient communities.

Background

4. Currently almost 30,000 households in Wiltshire receive full or partial help with their council tax through the current scheme which is fully funded by Government, amounting to an estimated £27 million for the current financial year.
5. Welfare reform and efforts to reduce the cost of the welfare bill have resulted in the planned abolition of the current council tax benefit scheme with effect from April 2013. Councils are expected to introduce a locally designed scheme, specifically for working age claimants, which must realise a minimum 10% reduction in current funding levels and /or generate further income.

6. The alternative is to adopt the Coalition Government's default scheme, meaning all of the savings would have to be met from cuts to other services rather than the claimants', whose benefit would not change.
7. Currently 48% of households (c14,500 properties) who receive council tax benefit are of pensionable age and are protected from any reduction in their award. The government announced what is now known as the 'default scheme' on 17th July 2012, determining the means and criteria by which these claims should continue to be paid. This default scheme mirrors the existing scheme, and therefore the costs, as well.
8. Analysis of the remaining 52% of caseload (c15,500 properties) suggests that around 3,500 householders are deemed highly vulnerable and are in receipt of multiple benefits which means they currently receive full council tax benefit. This means that any shortfall will have to be met by the remaining 12,000 recipients, who are either working or looking for work.
9. In order to produce a cost neutral local scheme, or as close as possible, a number of choices will have to be made which may result in some families currently on full benefits paying council tax for the first time. Many, previously in receipt of some council tax benefit, will find themselves with more council tax to pay.
10. In addition, provision has been made within the proposed, local council tax support scheme to accommodate and in some ways anticipate the impact the introduction of Universal Credit will have, which will replace a number of means tested benefit, from October 2013 and the replacement of disabled living allowance (DLA) with personal independence payment (PIP).

Main Considerations for the Council

- Council Tax

11. The council has to publish a draft local scheme (if it intends not to use the default scheme) for the purposes of consultation, and having undertaken the consultation process Cabinet must present the final version for agreement before full council and completion by 31 January 2013.
12. In reaching a conclusion on the preferred scheme it has to:
 - Be relatively simple to understand from both the customer's perspective and from an administrator's perspective.
 - Must minimise the impact on vulnerable groups such as the disabled and those entitled to either war disablement or war widow's pensions.
 - Support the aim of making work pay.
 - Share the impact equally across all working age claimants.
 - Be feasible in terms of adapting existing software.

- Be fully operational by January 2013 and embedded for the purposes of tax base setting in autumn, 2012.
 - Consider protecting vulnerable groups in the design of the scheme taking into account existing duties and responsibilities.
13. If the council were to implement the default scheme it is unlikely to simplify the scheme or provide an incentive to make work pay.
14. In order to provide options for consideration the data currently held on the council's revenues and benefits system (Northgate) has been analysed using specially designed software. It is however very difficult to anticipate behaviour or the full impact of other welfare reforms with so much changing and an element of estimation has been deployed. Analysis has provided only a partial 'snap-shot' enabling us to drill down through data held at individual claimant level offering some understanding of the impact planned changes and the cost or saving any proposal will generate.
15. Through analysis and discussions with neighbouring authorities as well as national bodies, the four possible options for consideration were reduced to one and whilst this option appears to be similar to those proposed by neighbouring authorities, it provides greater incentive to work and for non-dependants to live at home.
16. The proposed option is to:-
- a) Reduce maximum eligible council tax support to 80% of the Council Tax chargeable for all those of working age except those in receipt of disability premium and war widows/ disablement pension.
 - b) No longer apply second adult rebates.
 - c) Determine whether those with savings of more than £6,000 or £10,000 should be excluded from the scheme.
 - d) Moderate non-dependant deductions to a single rate regardless of their income.
 - e) Lower the income deduction taper from 20% to 15%.
 - f) Cease backdating claims.
 - g) Cease the calculation for underlying entitlement.
 - h) Protect those with children and continue to disregard child benefit as income.
17. Of the options originally considered, this option delivers a local council tax support scheme, for non-pensioners, which supports the principles of simplicity, protects vulnerable people and minimises the impact on incentives to work. The scheme offers the greatest ability to manage the reduction in central government funding, and creates opportunities to give greater incentives for those who work and greater protection for those who are most vulnerable. It is a scheme that is more generous than many of our neighbours, which may make any resulting bill, better targeted and therefore more collectable.

18. The scheme is set out in detail at Appendix 1. There are a number of options to raise more or less income and these are covered in financial comments below. In order to encourage employment and reduce administration, within this scheme it is proposed that the earning taper for those returning to employment is set at £0.15 deduction for every £1.00 earned, above the needs assessment. This is higher than many of our neighbouring authorities. It is also proposed that Non-Dependent deductions remain at £3.30 per week and thus introduce no new administrative burdens. It is not possible to exactly assess the impact of setting these rates at these levels due to uncertainty of application as it is dependent on several external factors. The complex modelling has thus applied only formulistic assumptions and these will need to be assessed and potentially provided for during early application of the new scheme.

- **Technical changes**

19. In addition to these changes it is noted that the council tax technical changes provide new legislative powers that will enable authorities to raise additional charges by reducing the discounts on second homes and reducing the time exemptions are applied to empty homes. These are set out in detail at Appendix 2. This gives the ability to raise more Council Tax income than is presently collected, all other things being equal, and thus potentially reduce the draw arising from the 2013/14 reduction in government Council Tax Benefit grant.

20. The areas of current discounts and exemptions proposed are:

- a) **Second homes** – currently the Council awards a 10% discount to owners of second homes. We estimate that there are 1,822 such properties. The proposal is to remove this discount and require 100% council tax on such properties. This will raise approximately £0.32m.
- b) **Properties requiring structural repair** – (Class A) currently the Council provides a 12 month 100% exemption council tax. Based on 2012 figures a change proposed to reduce this exemption to three months and 50% thereafter for the remaining 9 months, then reverting to 100% for the period after would raise approximately £0.17m.
- c) **Unoccupied and unfurnished properties** – (Class C) it is proposed to end the 6 month exemption and allow only 3 month 100% exemption, after which a 50% charge will be applied for a further three months and 100% charge thereafter. This is to encourage earlier occupation of empty properties. It is estimated this would bring in a further £0.42m.
- d) **Charge mortgage companies** – (Class L) under current exemptions where a property has been repossessed we do not charge the mortgage company. Under the proposed changes we would stop this exemption. Based on current figures that would raise approximately £0.089m.

21. It was proposed in the consultation that we could look at levying additional charges, up to 150% council tax for properties that had been empty for more than two years. It was thought this would raise around £0.4m from 440 properties charged 150%. However, subsequent guidance issued and out for consultation at present would introduce three exceptions to this, including properties 'genuinely being advertised for sale or rent'; or the main residence of members of the armed forces absent from the property as a result of service. A review of the existing 440 properties would leave only 113 properties subject to the additional charge, however many of these properties that have been left empty, are sheltered flats where until the last resident leaves, the other flats cannot be demolished. Any additional charge would simply have an adverse impact upon the council and other housing providers who are managing the disposal of unsuitable property. Therefore unless the current guidelines are changed the implementation of this additional charge, whilst originally well intended, is not supported. Instead the current discount is proposed to be removed and 100% chargeable. This would raise around £0.062m.
22. Thus in total the proposed changes to the Council's discounts and exemptions are estimated to raise around £1m.

- **Transitional support**

23. The Government have announced that the Social Fund will transfer from DWP administration to local government from 1st April 2013. For Wiltshire this will bring an un-ringfenced grant of £0.614m of which £0.120m is to fund the schemes administration. In addition, the Council will receive a Discretionary Housing Payment to assist with tenants who find themselves in real hardship in paying rents. At this stage it is unclear what the level of DHP will be and no announcement is due until December 2012. It is proposed that officers review the criteria for awarding both these funds, and create a Council Tax Support transition fund to also assist the most vulnerable in society and those assisting the Council in the delivery of its key objectives. These funds are felt necessary due to the number of other changes introduced by the Welfare Reform Act 2012 that are not covered here, in addition to those proposed in this report. They most notably include Housing Benefit cap and Housing Under Occupancy reductions. We estimate as many as 2,000 residents could be affected by all welfare reform changes. Also current or future deliverers of the Council's objectives, such as foster carers could be hit by changes such as under occupancy and council tax.
24. It is proposed that schemes are thus developed around these principles and presented to Cabinet to help protect the most vulnerable in Wiltshire Communities and maintain a drive to build and strengthen resilient communities. These should be reported and agreed by Cabinet no later than February 2013 in order to be delivered by 1st April 2013 and for awareness to have been raised.

- **Financial Impact**

25. The total indicative funding gap is £3.5m based on current data. This will not be confirmed until the funding announcement expected in mid December 2012. The proposals set out below cover the full extent of the imposed Coalition Government changes.
26. However, within the proposed scheme there are a number of options around the support provided to families with children under 5. The scheme currently proposes maintaining support to those families by continuing to disregard child benefit as income. This is not the case in Swindon's proposals for example and has been raised by the Police in their consultation with us. The withdrawal of this support is not favoured as it will have a detrimental effect on child benefit recipients many of whom are women (see equality impact assessment appendix 4). It is proposed that families with children under 5, who meet the criteria, would be subject to the 80% cap on entitlement. To do otherwise would cost the council an additional £530,450 based on current data. Given the scale of the funding short fall this is not supported, from a financial perspective or through initial public consultation, however paragraphs 23 and 24 of this report do recognise ways in which to support the most vulnerable through transition.
27. Another potential option to consider around the calculation of council tax chargeable limit is consideration of the level of capital assets a claimant has in savings/investments. The two options are over £6,000 or £10,000. The impact is estimated to only be a difference of £65,000. As such and to recognise and encourage saving in society a £10,000 level is supported.
28. The overall impact of the proposed local scheme and removal of technical discounts/exemptions is shown in the table below:

Proposal	Total estimated raised – Option A £m	Total estimated raised – Option B £m	Total estimated raised – Option C £m	Total estimated raised – Option D £m
Local Council Tax Support scheme at maximum 80% discount per Appendix A:	2.339	2.339	2.339	2.339
Option A - Retaining allowance for children under 5		(0.530)	-	(0.530)
Option B - Regard child benefit as income			0.900	0.900
Option C - £6,000 capital/assets level			0.065	0.065

Total estimated to be raised from Local Council Tax Support Scheme proposed	2.339	1.809	3.304	2.774
Technical Changes:				
• Second homes	0.320	0.320	0.320	0.320
• Requiring structural repair	0.170	0.170	0.170	0.170
• Unoccupied & unfurnished	0.420	0.420	0.420	0.420
• Charge Mortgage companies	0.089	0.089	0.089	0.089
• Long term empty properties	0.062	0.062	0.062	0.062
Total Technical	1.061	1.061	1.061	1.061
Total savings	3.400	2.870	4.365	3.835

29. Whilst option C would result in the most reduction in benefit expenditure, it is proposed that option A is applied as this protects families with children through continuing to disregard child benefit income.
30. Overall therefore the scheme proposed above as Option A together with technical changes would raise around £3.4m of the current shortfall brought about by the imposed funding reduction.
31. An additional complexity is that the adjustments made through the incorporation of the council tax support scheme is that the council's tax base is reduced to account for those not liable, as new legislation determines them to be receiving a discount. This has an impact on precepting bodies. The reduction for Police and Fire will be funded under their formulae adjustments. For parish councils the shortfall is expected to be transferred to the local authority and add further pressures to be absorbed by the Council, and there will be no impact thus on Wiltshire's Town and Parish Councils. The impact of this could be a further £1.2m. However, given the level of previous collection fund surpluses of between £1m to £2m it is assumed it will be funded from this surplus.
32. One point to note is that on 16th October 2012 the Department for Communities and Local Government Secretary of State (Rt. Hon E. Pickles) issued a new £100m grant to support the Council Tax support scheme. This proposes new centrally imposed requirements that had previously not been known. This proposes councils will be invited to bid for a one off grant to support the transition where:

- Those who would be on 100% support under current council tax benefit arrangements pay between zero and no more than 8.5% of their council tax liability;
 - The taper rate does not increase above 25%; and
 - There is no sharp reduction in support for those entering work - for claimants currently entitled to less than 100% support, the taper will be applied to an amount at least equal to their maximum eligible award.
33. The timing of this announcement given the fact Wiltshire like other councils has been out to consultation; the fact that it is only a one off grant which will require changes next year; and that in reality this will only fund a small proportion of the imposed reduction in grant means this does not give sufficient call to change the scheme.
34. The final points to note are, firstly that this scheme as a means tested benefit will introduce greater administration. As yet no announcement has been made confirming whether a 10% reduction in Council Tax administration grant announced under the 2012 Comprehensive Spending Review will be carried out. Although a one off administration grant has been awarded to cover some of the additional cost of implementation of the new scheme (£0.090m).
35. Secondly, at this stage it is anticipated that there will be considerable risk both in terms of the assumptions applied to the estimations used in this report and to the ability to collect and on recovery rates next year. As such there will need to a clear assessment in the risk assessment of reserves in setting the 2013/14 budget requirement for these factors. At this stage it is thought this could be as high as 25% of the £3.400m. It is not clear if this will require any increase in reserves at this stage without further budget setting due diligence. This will be reported to members as part of the budget and council tax setting process.

Consultation and Communication

36. Government guidance states the process councils should follow in order to deliver their preferred scheme. It states:

Before making a scheme the billing authority must in the following order:

(a) consult any major precepting authority which has power to issue a precept to it

(b) publish a draft scheme in such a manner as it thinks fit, and

(c) consult such persons as it considers are likely to have an interest in the operation of the scheme

It also provides that whilst the Government's code of practice on consultation, states that normally 12 weeks is appropriate, it is for billing authorities to consider the appropriate length of their consultation depending on the impact of their proposals and the ability to complete the consultation exercise within budgetary timetables.

The results so far of the consultation are contained within Appendix 3. The key messages are:

- 68% of responses indicated that where feasible, households should contribute toward their council tax
 - 74% of responses thought it right to protect the most vulnerable.
 - Of the 74%, 35% of responses agreed with protecting the disabled
 - Of the 74%, 16.4% responses agreed with protecting those with children under 5 years old
 - Of the 74%, 24.3% of responses agreed with protecting war widows and widowers
 - And of the 74%, 21.6% agreed with the protection of all families on a low income.
 - 58.7% of all respondents suggested we support those who are in work
 - 61% Agreed that savings of less than £16,000 could exclude people entitlement
 - 59.3% supported a lowered and simplified rate of deduction for non-dependants
 - 64.7% rejected the proposal to allow the backdating of claims
 - 75.7% agreed with the withdrawal of single adult rebate and
 - 83.4% supported the idea of a providing a discretionary fund for exceptional cases.
37. The Council has already sought some views of the major precepting bodies in relation to the preferred option. This has not identified any issues but further, more detailed consultation has taken place between the Fire and Police Authorities once the specific option was agreed.
38. If the recommendations contained in Appendix 2 are accepted then the effect of reducing discounts and exemptions will be to increase the tax base, and will initially help mitigate the impact the change to council tax support will have. As part of the consultation this approach will have to be conveyed, in detail, to the major precepting authorities who will be more exposed to any deficit or shortfall in collection.

Environmental and climate change considerations

39. None

Equalities Impact of the Proposal

40. An Equalities Impact Assessment will be completed in the light of the outcome of the consultation, and this is attached at Appendix 4. In summary the key points are :
- In designing the scheme every attempt has been made to minimize the effect of the reduced funding in delivering the scheme, and to prevent discrimination against people who are disadvantaged, vulnerable or

with protected characteristics

- Disabled people can find it much harder to secure employment than non – disabled people. The new scheme provides additional protection for disabled people from the 20% reduction in support.
- The new scheme is likely to have a negative impact on all working age people who currently receive council tax benefit and do not fall within the protected groups. In mitigation the new scheme does provide incentive for people to gain work by introducing an enhanced earnings taper
All current recipients of council tax benefit will automatically be reassessed for eligibility to the new scheme.
- War pensioners and their widows will also receive protection from the 20% reduction in support

Risk Assessment

41. The introduction of any new scheme, specifically a local scheme, carries with it the inherent risk, in terms of its design, to minimise challenge and dispute whilst offering a simple and cost effective solution.
42. Through consultation, creating media attention, awareness of the impending changes has been raised with residents, however the final outcome will need explaining to those affected, to help them prepare.
43. The change in funding arrangements will mean that the council will inherit a new financial risk due to the uncertainty over estimations of the collectability of income arising from the volatility of processing arising from these changes and other welfare reforms. This risk is all the greater going forward, through the introduction of a new national benefit in the form of universal credit.

Risks that may arise if the proposed decision and related work is not taken

44. Maintaining the default scheme will mean the financial burden will have to be met in full by the council. Changes to exemptions alone, will not be sufficient to meet the anticipated shortfall in funding which means that the shortfall would have to be met from cuts to other services. This falls at the same time as the Council faces reduction in other funds and increasing costs and demands for other services. Further reductions in spending to cover the imposed cut in benefit grant could affect services that support the most vulnerable in society and adversely affect the cost of other services increasing.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

45. The revenues and benefits team have a reputation for delivering change projects. They are suitably equipped and have the skills, knowledge and equipment to introduce a local scheme.

46. The team as a whole manage customers and their debts in a sensitive and understanding way and are establishing relations across the council to mitigate the impact of these changes. They also have robust procedures in place for managing debt in what will no doubt be an increasingly difficult arena in which to collect payment.

	Risk	Action to mitigate the risk
	1.communication	Corporate communications plan and consultation
	2.cost	Analyse all possible options (See supporting papers)
	3. complexity	Ensure understanding of staff & customers who will have to operate and claim for a growing number of benefit schemes

Financial Implications

47. The Council has consulted on a scheme to fund an anticipated gap of £3.5m in its funding. Since the consultation began, provisional allocations from Central Government on funding changes and analysis of the Councils technical and legislative changes to its tax base have resulted in suggestions that the gap for the Council could be considerably higher. All the proposals recommended within this report would raise £3.4m. The remaining £0.1m it is suggested can be funded from the new Council Tax support grant announced recently and previous Collection Fund balances.
48. As such the proposed scheme is supported as this realises a way to partially meet the reduction in funding.
49. Should recommendations around both a new localised Council Tax Support Scheme and changes to exemptions and discounts be adopted it should be noted that these are likely to create new and considerable challenges in terms of collecting the additional sums, which are estimated to be between £200 and £300 per annum, per affected household which in turn will have an impact on administration and collection rates. This has been factored into the financial considerations of the option and will continue to be reviewed alongside the assessment of reserves and income monitoring.
50. Whilst there are implications on both major precepting authorities (Police and Fire Services), the impact upon towns and parish councils as a result of the changes in funding will now be mitigated by Wiltshire Council. It is vital therefore that the full impacts of the proposals are discussed and regularly revisited with major precepting authorities.

Legal Implications

51. The Local Government Finance Bill currently passing through Parliament makes provision for the localisation of council tax support in England by imposing a duty on billing authorities to make a localised council tax reduction scheme by 31 January 2013.
52. Under section 13A (2) of the Local Government Act 1992, substituted by clause 9 of the Bill, a billing authority must make a council tax reduction scheme. Schedule 1A to the 1992 Act, inserted by Schedule 4 to the Bill, makes further provision about council tax reduction schemes wherein it specifies that before adopting a scheme the billing authority must, in the following order:
 - a) consult any major precepting authority which has power to issue a precept to it
 - b) publish a draft scheme in such manner as it thinks fit and
 - c) consult such other persons as it considers are likely to have an interest in the operation of the scheme.

The Bill clearly sets out that Councils must consult in the order set out above and therefore when the public consultation was carried out the major precepting authorities were consulted and were involved in drawing up the initial proposals.

Although Councils have a broad discretion as to how consultation should be carried out, it is commonly accepted that certain fundamental propositions must be adhered to:

- (i) consultation must take place when the proposal is still at a formative stage;
 - (ii) sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response;
 - (iii) adequate time must be given for consideration and response; and
 - (iv) the product of consultation must be conscientiously taken into account.
53. With regard to the options set out in this report and to the preferred option, such consultation has taken place with the major precepting authorities as they have been actively involved in shaping them. Further, more detailed consultation has now taken place on the proposal and the results are analysed in appendix 3.

Options Considered

54. The option for consideration to replace the current Council Tax Benefit scheme with a localised support scheme is set out in Appendix 1.

55. Appendix 2 provides details of the technical changes to council tax exemptions and discounts. Recommendations will be made to incorporate all these changes from April 2013.
56. Appendix 3 provides the results of the consultation including correspondence and notes of meeting held with the major precepting authorities.
57. Appendix 4 contains the Equality Impact Assessment.

Conclusions

58. The changes proposed are part of a huge change in the way our customers are awarded benefits. These changes are being brought about as part of the wider Welfare Reforms that will affect a variety of services we provide and impact upon some of the most disadvantaged members of our community; they are also being enacted at a time when household budgets are under great pressure. Whilst we have undertaken consultation it is expected that with so many changes being proposed, that further communication will need to take place with those affected between now and next March.
59. Through the ratification of this proposal the council has seized the opportunity to design a simplified scheme that offers some degree of protection to all working age claimants, and encourage work. The scheme is also based on ability to pay, rather than ensuring the council covers all additional burdens.
60. The proposals for the council tax support scheme have therefore been designed to limit the impact on those least able to afford council tax. The proposals are made based on the principle that any scheme should be simple and equitable across all groups and offers incentives for those who can work, wherever possible. It will not apply to those of pension age or the most vulnerable in our communities.
61. Full advantage of the Council tax technical changes to exemptions and discounts presents the council with an opportunity to generate further revenue and lessen the impact of the grant reduction on the council's budget. It will also enable the council to support the ambition to bring empty houses back in to occupation as quickly as possible and ensure funding is secure to benefit the wider community.

Recommendations

62. Cabinet recommend to Council that:
 - a) A local council tax support scheme is introduced, as set out at paragraphs 16 to 18 of the report.
 - b) Technical changes are made to the way in which discounts for empty and second homes and exemptions for properties in classes A, C and L are applied from 1st April 2013, as set out at Appendix 2 of the report, and paragraph 20.

- c) Council introduce a discretionary fund to be administered in conjunction with the discretionary housing payments (DHP) and ring fence the Social Fund grant allocation to mitigate the impact of transition from the old scheme to the new, in cases where householders may feel the impact of other changes to benefit entitlement, under-occupancy costs, for example. Criteria for awards under this scheme to be approved by Cabinet and Council by January / February 2013 and implemented from 1st April 2013.

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Date of report: 26th October 2012

Background Papers
Financial impact of Options.

Appendices

Appendix 1 = Scheme

Appendix 2 = Council tax Technical changes.

Appendix 3 = Consultation Summary

Appendix 4 = Equality Analysis

Council Tax Support Options Paper

Base data @ 30/04/12	Caseload: Pension Age: 14,411 Non Pension Age 15,440 (broken down into three elements) Working Age Passported: 8,576 Working Age Vulnerable: 1,523 (Disability or WDP/WWP) Working Age Other: 5,341 Estimated expenditure @ 01/04/2013: £26,995,940.67			
Note:	CTB posted @ 30/04/12 = £26,897,600.97 CTB posted @ 31/05/12 = £27,096,774.06 Analysis tool calculates total awards on imported data as £27,030,623.58 (difference < 0.5%)			
Caseload trend:	April 2010	April 2011	April 2012	%age change used for future year caseload
All claims	29068	29725	30388	
Pensioners	12734	12740	12756	0.13%
Vulnerable	1360	1399	1252	1.00%
Passported	10366	10063	10153	0.00%
Other	4608	5523	6227	13.00%
Forecast Caseload stats based on increase	Caseload: Pension Age: 14,585 Working Age Passported: 8,486 Working Age Vulnerable: 1,534 (Disability or WDP/WWP) Working Age Other: 5,966 <u>Estimated benefit expenditure @ 01/04/2013: £27,551,931.07</u>			

<p>Proposed Option</p>	<p>Maximum eligible amount is reduced to 80% of the Council Tax chargeable limit to all those of working age except those in receipt of disability premium or disabled status and war widows/ disablement pension</p> <p>Plus</p> <ul style="list-style-type: none"> • Withdraw entitlement to Second Adult Rebate for all working age claims • Withdraw entitlement to Underlying Entitlement <i>(we cannot estimate at this stage how much this will exactly save us)</i> • Withdraw entitlement to backdates <i>(for cases of hardship with small needs, we could have a contingency arrangement similar to Discretionary Housing Payment, DHP)</i> • Capital/assets of over £6,000 will not be entitled to CTS or (Option A) • Capital/assets of over £10,000 will not be entitled to CTS(B) • Non-Dependant deduction standardised at the current minimum amount = £3.30 per week • Earnings taper £0.15 deduction for every £1.00 earned, above need assessment. <p>NOTE ADJUSTMENTS TO BE CONSIDERED:</p> <p>Approx no. of claims affected: 12,000</p> <p>No. of vulnerable cases will increase as DLA is added to those passported claims where applicable</p> <p>(estimated no. of passported cases where DLA is in payment 25% = 2,122, therefore expenditure will increase by approx 2,122 x 1515.25 x 20% = £643,072</p> <p>Children under 5 – there are 3463 claims with children under 5, estimated annual expenditure = £2,652,249.46 protecting these cases, would cost an additional: £530,450</p>	<p>Estimated benefit expenditure if changes are applied:</p> <p>(A) £24,947,000</p> <p>(B) £25,012,000</p> <p>Total benefit expenditure = £25,655,000 (Saving £1.9 million)</p> <p>Total benefit expenditure £26,185,000 (Saving £1.4million)</p>
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1. Council Tax Technical Changes (as at April 2012)

These tables highlight the additional income which could be generated if this Council chooses to apply the maximum discretion in relation to technical reforms of Council tax liability.

2. Second Homes

In Wiltshire we have identified 1,822 properties which come in to this category. At present these properties are awarded 10% discount. Under the technical reforms, if we were to remove the 10% discount from April 2013 we would raise additional debit of £320,525.95 based on the average 2012 charge.

Band	No of Properties	Amount raised by charging additional 10%
A	214	£21,617.56
B	219	£25,809.75
C	290	£39,059.77
D	247	£37,426.67
E	269	£49,818.05
F	175	£38,302.15
G	300	£75,762.60
H	108	£32,729.40
Total	1822	£320,525.95

Source – CTB1 return October 2012

Note if we are to charge 100% for second homes and 100% for empty unfurnished properties it will become increasingly difficult to differentiate between the two categories as there is no incentive for owners to report such a change.

3. Properties requiring structural repair to make them habitable - Class A Exemptions

In Wiltshire we have identified 278 properties which come in to this category currently and if we were to stop giving the 12 months exemption of 100%, then based on average 2012 charges, and if we were to charge nothing for three months levying a 50% charge for the following nine months, we would raise an additional debit of £170,050.49. The discount will be applied for a total of 12 months after which a full charge would apply.

Band	No of Properties	Amount raised by charging additional 50%
A	27	£10,237.28
B	40	£17,694.06
C	54	£27,299.41

D	51	£29,005.62
E	49	£34,185.38
F	28	£23,002.28
G	23	£21,801.61
H	6	£6,824.85
Total	278	£170,050.49

Source – CTB1 return October 2012

Again this would support the principle of bringing empty property in to occupation sooner and would have similar impacts to those proposed under long term empty changes.

It may however, lead to some cases of hardship and support in these cases may need to be considered.

A change in behaviour here would not necessarily mean a change in the amount of potential debit to be raised as an occupied property would realise the same level of charge in most cases.

4. Unoccupied, unfurnished properties - Class C Exemptions

In Wiltshire we have identified 3,771 properties that fall in to this category, at some point during the year. Although this category of exemption won't be abolished, the council has the discretion to set a discount at 100% or any lower percentage that seems reasonable (0 % if the council thought this was reasonable) however the duration of any award cannot be less than 6 months. If we were to charge nothing for three months and then 50% for properties empty more than 3 months, then a full charge after 6 months, based on average 2012 charges, we would raise additional debit of around £416,727.

Band	No of Properties	Amount raised by charging additional 10%
A	794	£64,481
B	849	£77,976
C	888	£94,319
D	545	£64,415
E	349	£51,409
F	195	£33,172
G	136	£27,147
H	15	£3,808
Total	3771	£416,727

Source – CTB1 return October 2012

This technical reform has potential for realising the highest level of increase in collectable debit and would again serve to encourage the earlier occupation of empty properties.

Without differentiation between the charge for occupied and unoccupied premises it will make classification more difficult and raising a charge in all cases could cause hardship in some cases.

5. Long Term Empty Properties

In Wiltshire 440 properties were identified as empty for a period longer **than two years** and are currently charged 90% of the full charge. If we were to charge them 150% as proposed by the technical reforms, we would potentially raise an additional debit of £370,225.36 based on the average 2012 charge.

To be prudent, it would be realistic to charge all properties empty for longer than 12 months 100% and generate an additional £61,704.21.

These properties are currently charged at 90% Council Tax liability and it is recommended to increase this to 100%, rather than the 150% set out below.

Band	No of Properties	Amount raised by charging additional 60%
A	128	£77,580.08
B	78	£55,155.10
C	81	£65,458.80
D	63	£57,276.45
E	42	£46,669.70
F	29	£38,083.28
G	15	£22,728.75
H	4	£7,273.20
Total	440	£370,225.36

Bringing long term empty properties back in to occupation is a major challenge for all authorities and this ability to raise the levy in these cases should act as a spur to encourage owners to do so. This will of course subsequently lead to a reduction in the amount of debit collectable from such premises and should be noted.

However since the original proposals were made the Government have issued a consultation paper regarding the exclusion of certain empty homes from any additional charge and at the time of writing the results are not known, however they would if agreed, greatly reduce the number of properties in this table. The proposal includes:

- A dwelling which is genuinely on the market for sale or letting
- A dwelling which is the sole or main residence of a member of the armed forces, who is absent from the property as a result of such service
- An annex deemed unoccupied because it is being treated by the occupier of the main dwelling, as part of that main dwelling)

The estimate of the number of properties that would not be affected by the proposals equate to around 113, however many of these properties are former

sheltered housing units where both the council and our housing providers are managing the gradual vacation of residents, pending demolition of the properties.

6. Exempt Class L's

Our current records only identify 66 properties in this category on our system and if we were to stop giving them an exemption and charge the mortgage company we would raise additional debit of £88,558.06.

Band	No of Properties	Amount raised by charging additional 10%
A	19	£19,193.23
B	16	£18,856.48
C	14	£18,856.46
D	11	£16,667.75
E	1	£1,851.97
F	0	0.00
G	4	£10,101.67
H	1	£3,030.50
Total	66	£88,558.06

Source – CTB1 October 2012

7. Summary

If all of these options as set out in the new Council Tax Technical Reforms are adopted then they would realise an increased debit within the collection fund of around £1million. This increase can be used to meet the Council's very tough spending requirements and support the delivery of services to all Council Tax payers.

There will need to be adjustments to the Council Tax Base to reflect a decision on these options and this should also take account of potential changes in behaviour and variances that are likely in these options.

These additional changes in administration will all attract an additional cost which is yet to be determined and needs to be viewed in light of the final scheme for this and Council tax Support, as well as funding towards administrative costs.

NB. All of these numbers are taken as a snapshot and will be subject to change!

Appendix 3 to be delivered as a separate and verbal report

Equality Analysis

1. What is the name of the service that is being assessed?

From April 2013 Council tax benefit will be abolished and replaced by a new localised scheme of support. The new scheme will be known as the 'Council Tax Support Scheme'.

The Council Tax scheme was abolished by the Welfare Reform Bill 2011. The Local Government Finance Act amended by Section 13A allows for the development of a new localised Council Tax Support scheme.

2. What are the aims of the service, whose needs is it designed to meet, what are the current priorities?

Unlike the current Council Tax Benefit scheme, which is fully funded by central government, the new Council Tax Support scheme will be a cash limited, substantially reduced, pot of money. In funding the new scheme the Government intends to transfer to local authorities their estimate of what would have been spent on Council Tax Benefit in each area (had the old scheme continued) minus 10 per cent. With an estimated spend of £27 million on Council Tax benefit across Wiltshire in 2012/2013 a 10% reduction in funding equates to a shortfall of at least £2.7 million. Within these financial boundaries Wiltshire Council has the discretion to design their own local scheme and decide who to support financially.

The new scheme is just one of a number of measures in a much wider set of reforms to the welfare system. The overall aims of these reforms are to improve incentives to work, reduce worklessness and end a culture of benefit dependency.

Wiltshire council has developed a scheme that seeks to support the government's aims and provides help for those on low income, taking into account the reality of the funding cut. The Council's approach in designing the new scheme has been to continue to deliver a means tested reduction in council tax aimed to support those with the greatest need and to provide work incentives through enhanced income thresholds. Many of the current recipients of the existing Council Tax benefit scheme as well as applicants to the new scheme will be affected by these changes.

2.1 New scheme

Although the new scheme will retain many of the features of the current Council Tax Benefit Scheme the value of the award for many working age people will be reduced. This is because there are some nationally prescribed elements to the new scheme which include protecting people of pension age from any reduction in benefit. Therefore it is inevitable that the burden of the reduced funding will largely fall upon people of working age.

In targeting support to those most in need, the Capital savings limit at the point support can be claimed has been lowered and a discretionary fund established to support anyone who may suffer severe financial hardship as a result of the planned changes. The design of the scheme has been simplified as well as the introduction of work incentives. The key differences under the new scheme include:

- Putting a maximum limit on the amount of council tax benefit that can be paid. This means working age people who claim council tax benefit will have to pay up to 20% of their bill.
- Changing the amount of savings a person can have before benefits are given. In the current scheme, a person is not entitled to council tax benefit when their savings are more than £16,000. Any savings their partner may have are also taken into account. Under the new scheme the savings limit will be £10,000.
- Removing second adult rebate, at the moment, if you can afford to pay your council tax but live with someone on a low income, you may be able to receive help with your council tax. This will change so that a discount will no longer be offered.
- Removing the right to have council tax support backdated if someone fails to claim within the prescribed period. All existing Council Tax Benefit recipients that are eligible will be automatically transferred to the new council tax support scheme.
- Enhanced earnings taper, this means the rate at which council tax benefit is withdrawn where a person has more income than the law says they need to live on will be reduced.
- In order to simplify the scheme a new flat rate non-dependant deduction will be introduced.
- In order to simplify the scheme changes to the treatment of underlying entitlement will be made.

3. In what ways might the policy or service affect some groups of people differently? Might some groups find it harder to access the service? Do some groups have particular needs that are not well met by the service?

In addition to the nationally prescribed rules for people of pension age, the government requires local authorities to consider protecting vulnerable groups in the design of the new scheme, drawing council's attention to existing duties and responsibilities including the Child Poverty Act 2010, the Disabled Person Act 1986 and Housing ACT 1996 as well as the public sector duties in section 139 of the Equality Act 2010.

During the development of the scheme the council has tried hard to balance the reality of a significant cut in funding to protecting the most vulnerable members of our community as far as possible. The scheme acknowledges that recipients will need to contribute more to meet the shortfall but also seeks to support those people with protected characteristics as much as possible. Recognition is also

given to the fact that some people may be more vulnerable to the reductions in financial support under the new scheme particularly where they may have difficulty gaining employment.

3.1 Age

Pension Age people

Older people (those of pension age) are protected from any reduction under the new scheme by the legislation. The government state in their 'Localising Council Tax – EIA' in January 2012 that:-

“The government has considered the situation for low income pensioners who would currently be eligible for support with their council tax bill. Unlike most other groups, pensioners cannot be expected to seek paid employment to increase their income. The Government therefore proposes that as a vulnerable group, low income pensioners should be protected from any reduction in support as a result of this reform”.

Working Age people

The decision to protect people of pension age means that the impact of reduced funding for the scheme falls disproportionately upon those of working age. This is likely to have a negative impact on all working age people who currently receive council tax benefit and are transferred to the new scheme.

The new scheme does provide incentives to working age people to seek employment by introducing an enhanced earnings taper, this means the rate at which council tax benefit is withdrawn where a person has more income than the law says they need to live on will be reduced

3.2 Sexual orientation

The proposed scheme is likely to have a negative impact on all working age people who currently receive council tax benefit and are transferred to the new scheme irrespective of sexuality.

The Council does not currently keep case level data on sexuality as it is not relevant to the calculation of Council Tax Benefit. The merits of collecting information with regard to those with protected characteristics will form part of the wider review of the scheme in 2013.

3.3 Sex

The proposed scheme is likely to have a negative impact on all working age people who currently receive council tax benefit and are transferred to the new scheme irrespective of gender.

In designing the new scheme consideration was given to making changes to income disregards including child benefit which would have had a detrimental effect on child benefit recipients, many of whom are women. These changes were rejected on equality grounds.

Current disregards under the council tax benefit scheme which tend to favour more females than males such as child benefit disregards will continue to be a feature of the new scheme.

3.4 Marriage and civil partnership

The proposed scheme is likely to have a negative impact on all working age people who currently receive council tax benefit.

Married couples and civil partnerships are recognised equally in the current Council Tax Benefit scheme. The equal and fair treatment of couples will continue in the proposed CTS scheme from 1st April 2013.

3.5 Disability

Disabled people can find it much harder to secure employment than non-disabled people. In the first quarter of 2012, DWP national figures show an increasing gap in the employment rate for disabled people compared to that for non-disabled.

The new scheme extends all current favourable treatment of income of disabled people. National benefits such as disability living allowance, attendance allowance will continue to be disregarded in full and recipients will continue to benefit from the enhanced premiums and personal allowances which favour people with disabilities

Furthermore, the new scheme will provide protection for disabled people of working age from the reduction 20% reduction in support.

3.6 Gender Reassignment

The proposed scheme is likely to have a negative impact on all working age people who currently receive council tax benefit and are transferred to the new scheme. The Council does not currently keep case level data on gender reassignment as it is not relevant to the calculation of Council Tax Benefit. The merits of collecting information with regard to those with protected characteristics will form part of the wider review of the scheme in 2013.

3.7 Race

The Council does not keep case level data on race as it is not relevant to the calculation of Council Tax Benefit. Although the Council does regularly take positive action in terms of promoting take up of the benefits it administers amongst minority and hard to reach groups.

Support currently offered in terms of improving accessibility will continue under the new scheme this includes, interpretation services, visiting service, information leaflets in different formats and languages, correspondence in plain English and targeted benefit take up campaigns.

The merits of collecting information with regard to those with protected characteristics will form part of the wider review of the scheme in 2013.

3.8 Religion or Belief

The proposed scheme is likely to have a negative impact on all working age people who currently receive council tax benefit and are transferred to the new scheme irrespective of religion or belief.

The Council does not keep case level data on a person's religion or belief as it would not be relevant to the calculation of Council Tax Benefit. Support currently offered in terms of improving accessibility will continue under the new scheme this includes, interpretation services, visiting service, information leaflets in different formats and languages, correspondence in plain English and targeted benefit take up campaigns.

The merits of collecting information with regard to those with protected characteristics will form part of the wider review of the scheme in 2013.

3.9 Pregnancy and maternity

The proposed scheme is likely to have a negative impact on all working age people who currently receive council tax benefit and are transferred to the new scheme.

Current disregards under the council tax benefit scheme which tend to favour more females than males such as child benefit disregards will continue to be a feature of the new scheme

3.10 Protected groups

Another group that will receive protection from the 20% reduction in support will be War pensioners and their widows in recognition of the sacrifices they or their partners have made.

3.11 Discretionary fund

The new scheme incorporates the creation of a discretionary hardship fund in year one to help mitigate against the negative impact of any changes and support those who may be particularly disadvantaged taking into consideration individual circumstances.

3.12 Migration of existing claims

All current recipients of Council Tax Benefit will be automatically reassessed for eligibility to the new scheme from April 2013 when the scheme begins. See summary of caseload data this includes groups with protected characteristics:

Council Tax Benefit Caseload trend:	April 2010	April 2011	April 2012
All claims	29068	29725	30388
Pensioners	12734	12740	12756
Vulnerable	1360	1399	1252
Passported benefit cases	10366	10063	10153*
Other	4608	5523	6227

As the table illustrates, currently 30,400 people claim Council Tax Benefit in Wiltshire, of these current recipients 12,000 will face a reduction in support; the remaining 3,400 being those classified as vulnerable above, plus an estimate of those who fall within the passported* category, who will qualify for protection.

4. What evidence do you have for your judgement? Is there any evidence of public concern? Is there local or national research to suggest that there could be a problem?

In designing the new scheme the council undertook an in depth analysis of the current council tax processing system. A specially designed software tool facilitated the modelling of various scheme options examining the impact on people, according to their age, disability, family circumstances and level of income.

The modelling of the statistical data enabled the council to produce case studies to illustrate how each of the options considered would affect individuals. Models considered included:

- Restricting benefit according to Council Tax bands
- Eliminating income disregards for child benefit
- Making 20% deduction from passported cases (i.e. people eligible to income support etc)

The above models were later rejected as they disproportionately affected vulnerable groups. A summary of the modelling options and case scenarios can be found at appendix 1 to this document.

5. What other data, research and other evidence was used to write the Equality Impact Assessment.

In addition to the in depth modelling and case analysis to inform the design of the new scheme a range of other local and national data, research and evidence was considered.

5.1. National Data

The Department for Communities and Local Government (DCLG) have completed an Impact assessment for the implementation:-

www.communities.gov.uk/localgovernment/localgovernmentfinance/counciltax/counciltaxsupport

5.2 Funding options considered

Wiltshire council considered the options of allowing the cost of the scheme to fall on the general fund and, ultimately the tax payers or designing a revised scheme that supports incentivises to work. The preferred option approved by cabinet for public consultation was to :-

Develop a new Local Council Tax Support scheme that would continue to be means tested and aimed at helping those with greatest need, this would be along similar lines to the council tax benefit. To avoid passing the cost of the reduction to tax payer's further charges would need to be applied. Changes to current scheme would include;-

- Calculating award based on 80% of maximum eligible council tax
- Removing Second Adult rebate
- Creation of a discretionary hardship fund to help those most in need
- Removing backdating
- Adjusting earnings taper to incentives work
- Removing underlying entitlement
- Introducing a capital limit

5.3 Public consultation

The council has undertaken a full public consultation exercise about the proposal for the new scheme. The consultation period run between 5th September and the 31st October 2012

Customer representative groups such as CAB, Housing advice centres, landlords, disabled groups and Wiltshire assembly have also been invited to actively participate in the public consultation

In addition to the public consultation formal meetings were held with all the major precepting authorities, stakeholders and parishes.

The full analysis of the public consultation can be found at appendix 3 to this document.

6. What practical changes will help reduce any adverse impact on particular groups?

Raising awareness

Writing to all customers affected in plain English

Visiting those most badly affected by welfare reform in general

Ability to share information across the council in order to identify those most affected

Discretionary fund to support anyone experiences exceptional financial hardship

Right of appeal

7. Does the policy meet the Council's responsibilities in relation to equality and human rights?

In designing the scheme every attempt has been made to minimise the effect of reduced funding in delivering the scheme, and to prevent discrimination against people who are disadvantaged, vulnerable or with protected characteristics.

This is a completely new area of work, and responsibility for the council. In future it is likely the councils scheme will by necessity adapt and change to reflect local circumstances.

8. How will you monitor the take-up impact of the service in future?

Take up of the service will be measured via the Northgate I.T. council tax support delivery system and supported by measurement of the demand on the discretionary hardship fund.

The provision of monthly reports with regard to take up and expenditure in relation to the new scheme to the Head of finance will help to understand it's interaction with the full range of planned changes to the welfare system. These changes include the introduction of Universal Credit and new areas of responsibility such as localisation of community grants and crisis loans. Whilst every effort is being made to understand how all these changes can interact positively, it is impossible at this stage to fully understand their combined effect.

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Wiltshire Council

Council

13 November 2012

Questions from Councillors

From Cllr Ernie Clark, Hilperton Division

To

Cllr Allison Bucknell, Chairman of Staffing Policy Committee

Question 1

How many full time staff are currently employed by Wiltshire Council as 'office staff' (i.e. excluding teachers etc.)? How many of these employees work 'compressed hours' in order to work on four, rather than five, days a week? When working 'compressed hours', how are members of the public able to contact these members of staff outside the time when the telephone switchboard is open?

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Wiltshire Council

Council

13 November 2012

Questions from Councillors

From Cllr Nicholas Fogg, Marlborough West Division

To

Cllr John Brady, Cabinet Member for Finance, Performance and Risk

Question 1

How many businesses have applied for rate relief in the county and, in particular, in towns such as Marlborough and Devizes by specific number?

Response

20 applications received so far 2012/13 (6 awards made - 4 still being determined - 10 refused)

1 application received for Devizes (refused)

3 for Marlborough (refused)

Question 2

What has been the overall cost through the county and, again specifically, for Marlborough and Devizes?

Response

Total cost to Wiltshire council £7869.08 to date for 2012/13

No awards have been made in Devizes or Marlborough

Question 3

What publicity and promotion has the council undertaken to ensure that businesses in difficulties in these hard times are aware that they can apply for discounts?

Response

Details of all discounts and exemptions are on the council's website, with application forms.

Question 4

Have the Chambers of Commerce in all Wiltshire's main towns been given promotional material?

Response

No, but we use the Wiltshire Business Support Service to help determine each application. They are fully aware of the scheme.

WILTSHIRE POLICE AUTHORITY

MINUTES of a MEETING held at POLICE HEADQUARTERS, DEVIZES, on FRIDAY 20TH JULY 2012

PRESENT: Mr C Hoare (Chairman), Mr J Ali, Mr R Britton, Mr C Caswill, Mr B Ford, Ms J Hillyer, Mr C Humphries, Mr A Johns, Mr A Macpherson, Mrs G Mortimer, Mrs C Soden, and Mrs G Stafford

IN ATTENDANCE: T/Chief Constable P Geenty, Mr M Bennion-Pedley, Mr K Kilgallen, Mr M Prince, and Miss S Kyte

1. **Apologies** Apologies for absence were received from Mr Bluh, Mr Fishlock, Mr Rogers, Mr Sample, and Ms Tawiah.

2. **Public Questions** There were none.

3. **Declarations of Interest** There were none.

4. **Chairman's Announcements**

Death in Service – Richard Baptiste

The Chairman informed Members of the death of Mr Baptiste, a member of Police Staff. The Chairman and Members wished for their condolences to be recorded.

Bluez 'n' Zuz

The Chairman notified Members that Bluez and Zuz had been awarded the Queens Voluntary Award Service. The Chairman stated that, on behalf of Members, he would write to Supt Jerry Dawson congratulating them on this.

Resolved: 1) *To record the condolences of the Chairman and Members on the death of Mr Richard Baptiste.*

2) *That the Chairman would write to Supt Jerry Dawson congratulating Bluez and Zuz on being awarded the Queens Voluntary Award Service.*

5. **Minutes of the Meeting held on 14th June 2012**

Minute 12, Page 4: Mrs Stafford asked whether the T/Chief Constable would be responding more fully to the Authority in relation to Neighbourhood Policing Teams (NPTs) working bank holidays. The T/Chief Constable stated that although he believed this to be an operational matter he was happy to respond due to the impact on the public. The T/Chief Constable stated that the Authority and the Force were looking to reduce costs as quickly as possible and bank holiday working was very expensive. With regard to NPTs working bank holiday there was usually very little risk and threat to the public and was, therefore, not considered best use of resources. However, should intelligence / risk assessments suggest differently then NPTs for the highlighted area would obviously be required to work. Core emergency policing response would always be provided over bank holidays. The T/Chief Constable assured Members that he recognised the community issues in relation to this policy.

Mr Caswill suggested that this should be communicated to the public and that it would seem appropriate to do this at the time the outcome of the NPT review was announced.

- Resolved:
- 1) To note the response by the T/Chief Constable in relation to bank holiday working.
 - 2) To agree to sign the minutes as a true and accurate record of the meeting held on 14th June 2012.

6. Outstanding Actions

Police Authority

27th March 2012, Minute 12: The Chief Executive informed Members that the Authority and Force were currently in negotiations with the National Police Air Service (NPAS) in relation to terms and start date. NPAS were happy for WPA to continue in its contract with Great Western Ambulance Service (GWAS) but at cost to WPA and whilst paying for the national contract. The Authority had responded asking NPAS to take over the contract and a response was currently awaited.

27th March 2012, Minute 13.i.6): The Chief Executive was asked to confirm that these contracts were now in place.

19th April 2012, Minute 20.1): The Chief Executive stated an agreed approach to the consultation was being worked on with the two WPA Councillor Members from the Salisbury area.

14th June 2012, Minute 11.3): The T/Chief Constable stated this had been done and that the action could be closed.

14th June 2012, Minute 12.2): The Chief Executive confirmed that Members comments had been taken on board but that the Joint Annual Report was yet to be published.

14th June 2012, Minute 12.3): This would be covered at Agenda Item 10.

14th June 2012, Minute 19.4): This had been done and the action may now be closed.

14th June 2012, Minute 18): The Chief Executive informed Members that the required amendments to the MEL questionnaire had been carried out and that details of cost were now awaited.

Strategy, Direction and Progress Committee

22nd May 2012, Minute 7): Ms Hillyer stated that the Force action plan in response to the HMIC report Anti-Social Behaviour would be considered at the Value and Productivity Group meeting taking place on 25th July 2012.

22nd May 2012, Minute 8): This would be discussed at Agenda Item 10.

22nd May 2012, Minute 9): Cllr Caswill stated he would have welcomed a discussion with the Force on the staff survey in advance of the Force producing an action plan. The T/Chief Constable stated that he was looking to each business area to generate their own response to the staff survey with guidance from senior managers. The People Strategy was being designed to address some of those significant areas highlighted in the staff survey and the next pulse survey would be conducted at the end of August. The T/Chief Constable informed Members that current sickness levels were good with Police Officers 2.8% below national average and Police Staff 3.9% below. The Force would obtain this information in terms of days for distribution to Members.

22nd May 2012, Minute 10): The staff survey would be the method by which staff moral would be gauged.

Members raised the issue of reports missing for substantive items and not having adequate opportunity to read those reports circulated late. The T/Chief Constable responded that this did not mirror how the Force wished to present items of business but this was a time of busy operational matters. Whilst Members accepted this, some items, such as the Neighbourhood Policing Team (NPT) review, were long standing requests. The T/Chief Constable stated that the NPT review was not as extensive as he would like and further work needed to be done on this linking in with other areas of business and taking into account potential issues arising from the Comprehensive Spending Review (CSR2). NPTs are working well and effective in the current model and there was no intention to change this at this moment in time. Ms Hillyer stated that if this were the case then the Force needed to be clear on what was happening with regard to a strategic NPT review and implement a comms strategy to allay staff fears.

- Resolved:
- 1) *That the T/Chief Constable would inform Members of current sickness levels in terms of days.*
 - 2) *For the Force to note Member concerns about late or missing papers.*
 - 3) *To note Member concerns in relation to the Neighbourhood Policing Team review.*
 - 4) *To note the updates provided and to update the Outstanding Actions as detailed above.*

7. **WPA and Force Risk Register**

Cllr Caswill asked the Force what contracts does it currently have with G4S and were these performing satisfactorily? The Assistant Chief Officer stated that there are two contracts. One was to the value of £23k and related to the movement of detainees whilst Melksham custody unit was closed for refurbishment works. The second contract was initially with Essex Forensic Medical Services and had now moved to G4S. £847k had been spent on the contract in 2011 and was performing well. The Force stated that additional pressure on Force resources was expected due to the failure of G4S to provide the required number of security staff for the Olympics. The Home Office had asked for details on contingency plans but additional requirements were not yet known. The T/Chief Constable assured Members that additional resource for the Olympics could be supplied and the Force would still be able to maintain a service to the public.

WPA Risk Register

There were currently 4 red risks on the WPA Risk Register:

- Risk 3.20 collaborative working is being hindered
- Risk 4.10 Estate management which does not deliver facilities with working environments for the Force which are healthy and safe as they should be
- Risk 11.10 Capacity of the Finance team
- and Risk 12.10 Loss of public money

Members asked that these be referred to the Committee / Group owner to be reviewed and to ensure the mitigating factors were being met. These should also be highlighted within the transition programme.

- Resolved:
- 1) *That the four red risks detailed on the WPA Risk Register be referred to the relevant Committee / Group owner to be reviewed ensuring the mitigating factors were being met, and that these be highlighted within the transition programme.*
 - 2) *To note the content of the WPA and the Force Risk Registers.*

8. **Capital Update** A report by the T/Chief Constable had been circulated. The Assistant Chief Officer stated that there was a centrally mandated programme run by the Home Office (Criminal Justice Efficiency Programme) and that, as part of this, there was a capital requirement to invest in video conferencing facilities. The business case for this had been considered at the Change Management Board where the Authority was represented. Whilst not attached to the report, the Assistant Chief Officer informed Members that the Business Case was available for them to view should they wish. Ms Hillyer stated that she noted the internal management requirement for video conferencing was on hold, but she would not want to see this unduly delayed and would like this progressed.

Five further projects were included within the Capital Plan where Authority approval was outstanding. Business cases for these projects would be submitted in due course.

Mr Caswill informed the Force that at the most recent meeting of the Professional Standards Committee, Members were informed that a business case was being formed with regard to CCTV coverage in custody units. Members of that Committee had felt capital funds should be used to bring CCTV coverage up to Home Office standards within the custody units wherever this need was identified.

- Resolved:
- 1) *To note the amended Capital Plan and to approve expenditure to £64k for video conferencing facilities as part of the Criminal Justice Efficiency Programme.*
 - 2) *To note that following the recent meeting of the Professional Standards Committee, Members felt that capital funds should be used to bring CCTV coverage up to date and in line with current Home Office standards and that a business case was being formed to support the works that were required.*

9. **Health and Safety Annual Report** A report by the T/Chief Constable had been circulated. Although there had been a 42% increase in police staff assaults the actual numbers was a rise from 7 in 2010-11 to 12 in 2011-12. Members wished to recognise the work of the Force Health and Safety Manager and the progress the Force had made in relation to Health and Safety matters in recent years.

Resolved: *To welcome the content of the report and to continue to support effective health and safety management within the Force.*

10. **Creating a Sustainable Policing Model for Wiltshire** The Assistant Chief Officer presented to Members an overview on the current position with regard to Vision Wiltshire and future appetite for additional savings. The presentation incorporated Neighbourhood Policing Review (Agenda Item 12) and IT projects (Agenda Item 13). The key points to note were:

- Comprehensive Spending Review 2012 would be due shortly and was expected to contain further significant challenges;
- Response to incidents and time out of station was good;

- Departmental savings and the 'squeezing' of resources had helped to achieve £8m savings so far;
- Further £6m in savings required – Human Resources and Operational Support Services were currently being reviewed and should yield approximately £2m savings;
- Now looking to redesign the 'customer experience' and consider how Neighbourhood Policing Teams fit into this;
- A list of key strategic choices had been developed where the appetite of the organisation and partners needed to be gauged and then prioritised.
- No decision was required to be made at this moment in time and information was shared with Members so they were aware of the current landscape.

Members responded as following:

- Cllr Caswill stated that there were some points within the presentation he would like to see debated;
- Members could not disagree with the key strategic choices listed but would want to ensure property consultation had taken place before the business case appeared to go in a particular direction of travel – what would be the process for writing a business case ensuring maximum consultation but minimum amount of angst for staff? Equally at what stage would the Authority be consulted?
- It was felt that a PCC would want all the listed key strategic choices explored further so any work carried out at this stage would not be wasted – Members were keen that work was not put on hold during this interim process;
- A major concern of Members sitting on the Change Management Board was the progress of IT projects – none of the proposals would be easy to implement without resolving the issues associated with IT. The relevant IT projects needed to be prioritised and there needed to be an understanding as to what was deliverable whilst making sure there was clear accountability for IT projects.

Resolved: *To note the content of the presentation delivered by the Assistant Chief Officer and that this matter would be discussed further at the Value and Productivity Group meeting to be held on 25th July 2012.*

11. **Special Constables** A report by the T/Chief Constable had been circulated. 235 Specials were currently in place with between 60-70 available for independent patrol. In the first six months of this year, Specials had carried out 9,500 hours of patrol (equating to £230k based on the same amount of hours being carried out by Police Officers). Specials had been heavily involved in Solstice and Olympic Torch events. Members expressed their view that the Force should ensure Specials were used to their maximum potential and considered a component part of deployable resources. They should feel included and part of the policing family.

Resolved: *To note the content of the report.*

12. **Neighbourhood Policing Review** Discussed at Agenda Item 6 and Agenda Item 10.

13. **IT Projects** Discussed at Agenda Item 10.
14. **Interim Governance Structure and Scheme of Consent** A proposed Interim Management Board Structure and draft Scheme of Consent had been circulated. It was felt that IT should be more visible on the structure and the T/Chief Constable asked for the Director of Finance to be listed as the Assistant Chief Officer. The Chief Executive informed Members that the Joint Strategic Board was due to meet following the rising of Police Authority to consider the latest transition matters. It was agreed that discussion on these items would be delegated to Joint Strategic Board and any proposed amendments would be returned to full Authority for Members' approval.

Resolved: *That the proposed Interim Management Board Structure and the draft Scheme of Consent would be considered at the next meeting of the Joint Strategic Board and that any proposed amendments would be returned to full Authority for Members' approval.*

15. **Financial and Contractual Regulations**

Resolved: *To defer this item to the September meeting of the Police Authority.*

16. **WPA and PCC Audit Committee** A report by the Chief Executive had been circulated.

Resolved: 1) *To ratify the decision of the Audit and Risk Committee to establish an independent Audit Committee as from September 2012.*

Resolved:

17. **Committee Reports**

<u>Meeting</u>	<u>Date</u>
Audit and Risk	25 th June 2012
Professional Standards	19 th July 2012

Resolved: 1) *To note the content of the minutes circulated.*
 2) *To note the update provided by Professor Johns on the Professional Standards meeting held on 19th July 2012.*

18. **Group Reports**

<u>Meeting</u>	<u>Date</u>
Joint Strategic Performance Board	28 th June 2012

The T/Chief Constable informed Members that all crime had reduced by 3% during the first quarter which was against the national trend.

Resolved: *To note the update provided by the T/Chief Constable.*

19. **Conferences and Meetings Attended by Members since the Previous Meeting, and Future Conferences / Seminars**

None have been attended.

20. **Dates of Police Authority Meetings in 2012**

2012
 20th September
 1st November

21. **Urgent Items** The Chairman agreed to take the following urgent items:

i. Wiltshire Police Voluntary Cadet Corps

A report by the T/Chief Constable had been circulated. The following points were raised by Members:

- Need to promote the initiative within NPTs so they are fully aware of the objectives;
- Need to ensure that the right resource is available to engage with the children;
- Consideration should be given to running a similar scheme in Wiltshire;
- There should be liaison with Area Boards / Localities particularly if the Cadet Corp were looking to promote schemes such as Duke of Edinburgh;
- That the Cadet Corps should consider submitting a grant application to the Community Foundation which distributes funds collected by the Authority as part of the Police Property Act.

Resolved: 1) *To agree to the proposal to introduce a Voluntary Cadet Corps and to pilot this in Swindon.*
2) *That the Chairman would liaise with the T/DCC on the decision to pilot the scheme in Swindon and how it would link with communities.*

ii. People Change Programme

A report had been circulated by the T/Chief Constable. Ms Hillyer stated that this report would be considered at the Value and Productivity Group meeting to be held on 25th July. The one outstanding issue was the timeline for when delivery would commence on these projects but this was understood to be in hand.

Resolved: *To note the content of the report.*

22. **Exclusion of the Public**

Resolved: *In accordance with Section 100A (4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Items 23 and 24 below because it is likely that if a member of the public were present there would be disclosure to them of exempt information as defined in Paragraphs 3 and 4 of Schedule 12A to the Act.*

23. **Wiltshire and Swindon Road Safety Partnership** A copy of the report which had been submitted to and considered by the Wiltshire and Swindon Road Safety Partnership had been circulated. It was agreed to ask the author of the report to look at this issue again, considering the issues raised by Members and to include academic research that evidences the requirement for the establishment of a new safety camera unit.

Resolved: *To ask the author of the report to review the document, addressing the issues raised by Member, and to include information on academic research that evidences the requirement for the establishment of a new safety camera unit.*

24. **Pensions Administration** A report by the T/Chief Constable had been circulated.

Resolved: To agree the recommendation contained within the report.

25. **Confidential Urgent Item** The Chairman agreed to accept the following as a confidential urgent item.

Womad

The T/Chief Constable provided Members with an update on the current situation.

(Duration of Meeting: 10.00am to 1.15pm)

WILTSHIRE POLICE AUTHORITY

MINUTES of a MEETING held at DIVISIONAL POLICE HEADQUARTERS, SEMINGTON, on THURSDAY 20TH SEPTEMBER 2012

PRESENT: Mr C Hoare (Chairman), Mr J Ali, Mr R Bluh, Mr R Britton, Mr C Caswill, Mr B Fishlock, Mr B Ford, Ms J Hillyer, Mr C Humphries, Mr A Johns, Mrs G Mortimer, Mrs C Soden, and Mrs G Stafford

IN ATTENDANCE: T/Chief Constable P Geenty, Mr C Barker, Mr K Kilgallen, Mr M Prince, and Miss S Kyte

The Chairman welcomed everyone to the meeting and introductions were made.

1. **Chairman's Report**

The Chairman introduced his report and Members posed the following questions:

Performance

Cllr Ford queried why no data was available on the number of independent Special Constables. These were a valuable resource and should be utilised to their maximum capacity.

The Chairman responded that a plan to rectify this was in place with the Force. There was also a disparity within the Force recording system on the number of hours worked by Special Constables meaning accurate data could not currently be provided for this. Cllr Ford asked the Chairman to encourage the Force to enhance the role of the Special Constables and ensure they were fit for independent patrol at the earliest opportunity. The T/Chief Constable informed Members that there were national standards detailing the type and number of hours of training Special Constables were required to undertake. The Force had reduced the level of bureaucracy as much as possible to ensure that the amount of time in tutorship was not excessive. The Force would be working hard over the coming months to ensure as many Specials as possible were fit for independent patrol.

Cllr Caswill stated his surprise that data was not available for the percentage of 'filled Neighbourhood Policing Teams established posts' and hoped that figures for this would be available shortly.

Cllr Humphries queried the poor performance in relation to calls being answered by the Crime Recording Incident Bureau (CRIB) within 30 seconds and to the levels of sickness they were experiencing. This was an area of concern some years ago and investment was made by the Authority to ensure performance reached an agreed standard. This had been achieved but appeared to now be reducing.

The T/Chief Constable stated that an action plan for managing performance in this area had been put in place. The change programme had impacted upon both the Emergency Control Centre and the Force Control Centre and changes in operating procedures were made which affected the CRIB. These changes led to a number of vacancies at a time when the Force had a recruitment freeze in place. The action plan had now been implemented and the T/Chief Constable stated that improvements in performance should be seen at the end of September / early October.

The Chairman assured Members that he would monitor this closely and report back to the next Authority meeting on this issue.

Cllr Humphries asked a supplementary question on whether consideration should be given to informing the public of the reasons for the delay in these calls being answered. The Chairman stated that he would provide a summary of the situation to all Members for them to distribute to the public if they wished.

Cllr Caswill expressed concerned at the level of sickness within the CRIB and hoped that steps were being taken to reduce the pressures the staff were working under. Ms Hillyer stated she would like to be reassured that a similar situation would not arise as in 2010 which seriously dented the public's confidence in the ability of the Force answering the telephone. That reassurance was currently lacking. The T/Chief Constable stated that the Force Recruitment Department had been asked to look at smoothing the recruitment of operators to a monthly basis rather than recruiting a large intake at set times during the year.

Cllr Rideout (Police and Crime Panel Member) and Cllr Bluh questioned the Chairman on the level of domestic violence incidents where children were present. There would appear to be a worrying trend of these increasing but the reasons for this was not understood and a police view on this would be welcomed. The Chairman stated that this was difficult to respond to as partners were also involved in the measuring and recording of this crime type. He believed that there was previously under recording in this area but this was now at the correct level. This was an issue which would continue to be looked at through Multi-Agency Safeguarding Hubs (MASH).

Cllr Britton asked how the success of partnership working would be measured in relation to MASH matters. The T/Chief Constable stated that MASH would need to identify what outcomes they wish to see.

With regard to the quality of vulnerable people action plans, Cllr Caswill observed that 74% of 50 action plans had been assessed as poor. The T/Chief Constable informed Members that the process for the identification of vulnerable people was resource intensive and identified too many people as vulnerable, thus a number of action plans were created but could not be managed as there were too many of them. The Force were now looking to identify those which were considered a high risk and carefully manage responses to the individual with partner agencies. A new policy and process was now being established and would be implemented in January 2013. It was accepted that this problem would not be unique to Wiltshire and the T/Chief Constable confirmed other Forces were being contacted to see how they manage the process.

Presentation of Report

As this was the first report of this type, Members views were sought on the presentation and style of report. Members commented as follows:

- The report lacked a sense of direction of travel.
- Comparison of performance with Most Similar Forces should be included.
- Further information should be provided on performance areas highlighted red and detail on what is being done to address those issues.
- Explanatory narrative around complaints, direction and control complaints, and conduct issues would be useful for Police and Crime Panel Members.

- Resolved:
- 1) *For the Chairman to update Members in relation to Crime Recording Incident Bureau performance at the November Authority meeting.*
 - 2) *That the Chairman would provide Members with a summary of the current situation with regard to Crime Recording Incident Bureau performance which could be shared with the public if required.*
 - 3) *To note Members' comments in relation to the presentation and content of the Chairman's report to Members.*

2. **Apologies** Apologies for absence were received from Mr Macpherson and Ms Tawiah.

3. **Public Questions** There were none.

4. **Declarations of Interest** There were none.

5. **Chairman's Announcements**

Death in Service – Don Anderson

The Chairman informed Members of the death of Mr Anderson who was known to Authority Members through his excellent work on the Force Values and Behaviours. The Chairman and Members wished for their condolences to be recorded.

Murders of GMP Officers

The Chairman stated that both he and the T/Chief Constable had written to Sir Peter Fahey (Chief Constable, Greater Manchester Police) expressing their condolences on the deaths of Pc Fiona Bone and Pc Nicola Hughes. The Chairman had also written to the Chairman of the Authority, Cllr Paul Murphy.

Resolved:

- 1) *To record the condolences of the Chairman and Members on the death of Mr Don Anderson.*

- 2) *To note the update provided by the Chairman.*

6. **Minutes of the Meeting held on 20th July 2012**

Resolved: *To agree to sign the minutes as a true and accurate record of the meeting held on 20th July 2012.*

7. **Outstanding Actions for WPA**

27th March 2012, Minute 13.i.4): The Chief Executive stated that a further report would be received from the Community Foundation in advance of the November meeting.

19th April 2012, Minute 20.1): The Chief Executive informed Members that feedback was currently awaited from the Salisbury WPA Councillor Members before further progress on this matter could be made.

20th July 2012, Minute 15): Financial regulations had been drafted and were with the Force for consultation.

20th July 2012, Minute 21): The Chairman stated that he would provide a further update on the Police Cadet Scheme and links with Wiltshire at the next meeting.

20th July 2012, Minute 25): Cllr Ford requested that the financial detail of the agreement reached for the policing of Womad be circulated to all Members. The T/Chief Constable informed Members that the debrief from Womad was currently

ongoing and would include a review of costs and the safety issues. A report would be submitted by the Force to the local authority Licensing Committee. Cllr Ford requested that learning identified from the report be submitted to Swindon Borough Council Licensing Committee for their information. Cllr Humphries reminded the Force that they were entitled to ask for a review of the licence if they believed it necessary.

- Resolved:
- 1) *To ask the Force to forward a copy of the final debrief report on Womad to Swindon Borough Council Licensing Committee for their information.*
 - 2) *To note the updates provided and to update the Outstanding Actions as detailed above.*

8. **WPA and Force Risk Register**

Risk 10.10 (Continued diligence – can the Police Authority maintain an efficient and effective force pending the arrival of Police and Crime Commissioners): To include the establishment of the Corporate Management Board in the mitigating controls for this risk.

Members requested that a consolidated risk register be presented to the November Authority meeting following discussion at the September Audit Committee meeting.

Mrs Stafford expressed concern that the last two Estate Delivery Board meetings had been cancelled as there were a number of issues that remained. As the Value and Productivity Group was no longer meeting, there was also no oversight of estate matters through this Group. A report from the Master Planner was still awaited but there were a number of other matters which were still being progressed in the meantime which Members required updating on. The Force were asked to bring forward the next meeting of the Estate Delivery Board to the earliest date possible. It was also agreed that the Force would submit a report to the final Authority meeting detailing the lessons learned from the move to Monkton Park, Chippenham.

Force Risk Register

The T/Chief Constable stated that a new risk had been included (*Risk 3.1a Management of Vulnerable Victims*), scoring 64 and red. The T/Chief Constable informed Members he was satisfied that a robust action plan dealing with the relevant issues was in place.

- Resolved:
- 1) *To include in the WPA Risk Register the establishment of the Corporate Management Board in the mitigating controls for Risk 10.10 (continued diligence).*
 - 2) *That a consolidated WPA risk register would be presented at the final meeting of the Authority in November.*
 - 3) *To ask the Force to bring forward the next meeting of the Estate Delivery Board to the earliest date possible.*
 - 4) *To ask the Force to submit a report to the November meeting of the Authority detailing the lessons learned from the move to Monkton Park, Chippenham.*
 - 5) *To note the content of the WPA and the Force Risk Registers.*

9. **One Swindon Update** The Chairman gave a brief update on the current work of One Swindon.

Resolved: To note the update provided by the Chairman.

10. **Agenda Item Number Not Used**

11. **Update on PCC Transition Project** The business templates for Custody, Diversity, Professional Standards, and Protective Services had been circulated.

Cllr Caswill expressed his concern about the transition of Professional Standards matters from an Authority to a PCC. He felt this was an important area for the Panel and for them to ensure that the right procedures were in place and that this was done within the public domain.

Mrs Stafford stated that the Protective Services business template was still a draft and that she would continue discussions with the Secretariat off line.

Ms Hillyer informed Members that the Value and Productivity Group business template had been completed but needed to be cross referenced with the Human Resources and Procurement documents.

Resolved: To note the content of the circulated documents and that any outstanding business templates would be submitted to the November Authority meeting.

12. **Vision Wiltshire Sustainable Policing Model Flight Path and Review of Vision Wiltshire Workstreams** A report by the T/Chief Constable had been circulated. The T/Chief Constable provided Members with a brief overview of the Vision Wiltshire programme. It was felt that there could be further cuts within the next Comprehensive Spending Review so the opportunity was being taken to review the current planned change programme and whether the desired savings were achievable. There would also be consultation with the public on the type and level of service they wished to see. Revised options and proposals would be drafted for consideration by the PCC. Post implementation reviews and learning would be conducted more robustly. The post implementation review for the response model would be completed in October 2012 and submitted to Corporate Management Board for discussion and process for implementing lessons learned. A number of themed workshops would be held to which partner agencies, Police and Crime Panel Members, and Members would be invited to attend. The T/Chief Constable confirmed with Members that although not stated in the report, the public would also be included within the workshops.

Ms Hillyer felt that the report needed to address the IT issues as this was a particular area of concern. The model and plan should be defined first and the IT system identified that would be required to deliver it.

The Head of Finance and Logistics stated that he was in the process of identifying a number of different scenarios on which to base the Medium Term Financial Strategy which would be considered at the Corporate Management Board meeting on 3rd October 2012.

Cllr Britton stated that he felt it was important that the Police and Crime Panel were not simply presented with a report detailing the level of precept and that they were sighted on and understood the reasons for the suggested level.

Resolved:

- 1) To note the content of the report.
- 2) To ask the Force to ensure that the involvement of the public is built into the design process.

- 3) *To ask the Force to ensure that Authority Members and Police and Crime Panel Members are invited to attend the workshops.*
13. **People Services Project** A report by the T/Chief Constable had been circulated.
Resolved: *To note the content of the report.*
14. **Update on Winsor Review** A report by the T/Chief Constable had been circulated. The Head of Finance and Logistics stated that the new Police Officer pension scheme, which would be based on career average, would take effect from April 2015. The age at which a pension could be drawn would also be changed to between 55 and 60 years. There would be close liaison with the Corporate Comms team to ensure every member of staff was aware of the impact on their own personal circumstances.
Resolved: *To note the content of the report.*
15. **Update on Review of Neighbourhood Policing including an update on Anti Social Behaviour Call Handling** A report by the T/Chief Constable had been circulated.
Resolved: *To note the content of the report.*
16. **Implementation of Forging the Links Recommendation**
Resolved: *That a full update would be given by the Force at the November Authority meeting.*
17. **Update on Completion of Collaborative Arrangements within the Region** A copy of a letter from the WPA Chief Executive to Regional Chief Constables and Chief Executives had been circulated. It was expected that collaboration agreements for Telephony Single Point of Contact, Zephyr, Undercover Policing Service, and the new finance system would be completed by 21st September. A further meeting to be held the following week would take place to consider any outstanding agreements.
Resolved: *To note the content of the letter.*
18. **Governance on South West Police Procurement Department** A report by the Chief Executive had been circulated.
Resolved:
- 1) *To agree that, in line with the new corporate management structure for WPA, decisions on behalf of WPA in respect of procurements undertaken by the South West Police Procurement Department will continue to be made by the WPA Lead Member for Procurement. Whereas delegated authority was given to the WPA Procurement Lead Member subject to discussion at Budget Action Group, in future this will take place at Corporate Management Board.*
 - 2) *To agree that decision making will continue with a delegation to the Principal Solicitor and Head of Finance and Logistics after 22nd November 2012 discharging the respective functions of the Office of the Police and Crime Commissioner and the Force.*

19. **Committee Reports**

<u>Meeting</u>	<u>Date</u>
Professional Standards	19 th July 2012

Resolved: *To note the content of the minutes circulated.*

20. **Group Reports**

<u>Meeting</u>	<u>Date</u>
Joint Strategic Board	20 th July 2012 16 th August 2012
Budget Action Group	23 rd July 2012
Value and Productivity Group	25 th July 2012
Joint Strategic Performance Board	26 th July 2012 30 th August 2012

The Chairman informed Members that the Joint Strategic Board would no longer continue to meet and that the business from that Board would be covered at the Corporate Management Board. This also applied to the Budget Action Group.

Resolved: *To note the update provided by the Chairman.*

21. **Conferences and Meetings Attended by Members since the Previous Meeting, and Future Conferences / Seminars**

None have been attended.

22. **Dates of Police Authority Meetings in 2012**

2012

1st November

23. **Urgent Items** Members agreed that the Chief Executive's report on the Police Helicopter and National Collaboration should be taken within Part I of the meeting.

Police Helicopter and update on National Collaboration A report by the Chief Executive had been circulated.

- Resolved:
- 1) *To authorise the completion of the transfer of the interest of Great Western Ambulance Service (GWAS) in the contract between WPA / GWAS to Wiltshire Air Ambulance Trust (WAAT) on terms approved by the Chief Executive, Treasurer, and the Chief Constable.*
 - 2) *To authorise that WAAT takes over the payment liability of WPA under the contract with Police Aviation Services.*
 - 3) *To authorise the grant of a lease or licence to WAAT of the part of the Headquarters site for use by a helicopter approved by the Chief Executive, Treasurer, and Chief Constable and otherwise on terms approved by those officers.*
 - 4) *To authorise the entry by WPA into the National Police Air Service collaboration on terms approved by the Chief Executive, Treasurer, and Chief Constable.*

24. **Exclusion of the Public**

Resolved: *In accordance with Section 100A (4) of the Local Government Act 1972 to exclude the public from the meeting for the business*

specified in Items 25-28 below because it is likely that if a member of the public were present there would be disclosure to them of exempt information as defined in Paragraphs 3 and 4 of Schedule 12A to the Act.

25. Confidential Minutes of the Meeting held on 20th July 2012

Resolved: *To agree to sign the confidential minutes as a true and accurate record of the meeting held on 20th July 2012.*

26. Tri-Service Specialist Ops The T/Chief Constable informed Members that work was being progressed on an implementation plan for presentation to incoming Police and Crime Commissioners with the business case and a commitment to progress from the relevant Chief Constables.

Resolved: *To note the verbal update provided by the T/Chief Constable.*

27. Police Helicopter and update on National Collaboration Considered within Part I of the meeting.

28. Emergency Control Centre A confidential report by the Chief Executive had been circulated.

Resolved: *To authorise the recommendations broadly as agreed within the report.*

(Duration of Meeting: 10.30am to 2.15pm)

WILTSHIRE COUNCIL – November 2012 REPORT BY CAROLE SODEN

WILTSHIRE POLICE PERFORMANCE

The performance in this report relates to the period September 2011 to August 2012 and gives comparisons with the same period in the previous year. Figures relate to Force level performance and give a comparison against our Most Similar Forces (MSF). Crime groupings have changed slightly to reflect the new HMIC crime tree.

Overall Crime

- The total number of **All Crimes** has increased by 1% which equates to 495 more crimes with Wiltshire Police currently performing in line with peers and better than the MSF average.
- The rate at which crimes have been detected and resolved has improved to 28.4% which is slightly above the MSF average of 28.3% equating to 595 more detections. Local Resolutions (low level crime and anti-social behaviour settled locally between victim and perpetrator) are now included in all crime detection rates and are therefore reflected in the above figures.

Violence Against the Person

- The incidence of **Violence Against the Person** has risen by 8% (456 more crimes). This increase is being attributed to an under recording issue last year which has now been addressed. The Force is currently performing in line with peers and better than average with a total of 9.157 per 1,000 residents compared to an MSF average of 9.225.
- The rate at which Violence Against the Person has been detected and resolved has improved to 44.8% which is better than the MSF average of 42.8%. This equates to 99 more detections compared to last year.

Vehicle Crime has risen by 16% (541 more crimes) with performance in line with peers and worse than average (5.999 offences per 1,000 population compared to an MSF average of 5.540).

Domestic Burglary is performing better than peers with Wiltshire maintaining first position in their MSF grouping. Performance reflects a 14% decrease (207 fewer crimes) compared to last year which equates to 4.852 crimes per 1,000 residents against an MSF average of 7.172.

Criminal Damage and Arson has decreased by 3% (228 fewer crimes) but is performing above the MSF average at 9.953 per 1,000 residents compared to 9.372.

	Rolling 12 Months Sep 2011 - Aug 2012	MSF Average	Most Similar Force Position	Most Similar Force Position Previous Financial Year 2011/12	Sep 2011 - Aug 2012 compared to Sep 2010 - Aug 2011
All Crime	54.327	55.568	↔	↔	1% (495 more crimes)
All Detections*	28.39	28.25	↔	↘	+6% (595 more detections)
Violence Against the Person	9.157	9.225	↔	↔	+8% (456 more crimes)
Violence Against the Person Detections	44.77	42.78	↔	↔	4% (99 more detections)
Acquisitive Crime	28.608	29.026	↔	↔	0% (35 fewer crimes)
Acquisitive Crime Detections	17.41	18.26	↘	↘	+2% (56 more detections)
Vehicle Crime	5.999	5.540	↘	↔	+16% (541 more crimes)
Domestic Burglary	4.852	7.172	↑	↑	-14% (207 fewer crimes)
Criminal Damage and Arson	9.953	9.372	↘	↔	-3% (228 fewer crimes)

*Includes Local Resolutions

Key

Better than Peers			↑
Inline with peers - better than average			↔
Inline with peers - worse than average			↘
Worse than Peers			↓

Wiltshire Police Performance

On a national level Wiltshire are performing well in relation to rates of Violent Crime for the 12 months from September 2011 – August 2012, currently recording the ninth lowest rate nationally at 11.560 offences per 1,000 population. This is 15.05% lower than the national average of 13.608.

Police and Crime Commissioner

This will be my final report to you as Police Authorities are shortly to be replaced by elected Police and Crime Commissioners (PCCs). Elections take place on Thursday 15th November 2012. In Wiltshire, the ballot papers will be counted that night with results expected around 4am on Friday 16th November. The PCC will take up Office on 22nd November.

Decisions and actions taken by the Commissioner will be reviewed and scrutinised by the Police and Crime Panel of Wiltshire and Swindon. The Members of the Panel have been appointed. There are 13 Panel Members – 11 Councillor Members (reflecting the political make-up of Wiltshire and Swindon) and 2 Independent Members.

The Panel will review the budget and precept that is proposed by the Commissioner in February 2013. The Panel will also consider and comment on the Police and Crime Plan which the PCC is required to produce and publish by the end of March 2013.

A website for the Wiltshire and Swindon PCC is being created and will be launched on 22nd November. The address for this is: www.wiltshire-pcc.gov.uk.

Police Authority Meeting

The final meeting of the Authority was held on 1st November 2012. The minutes of that meeting will be published on the WPA website (www.wiltshire-pa.gov.uk) prior to the 22nd November and on the PCC website after this date.

Carole Soden, WPA Vice-Chairman

**MINUTES of a MEETING of the WILTSHIRE & SWINDON FIRE AUTHORITY
held at the WILTSHIRE FRS TRAINING & DEVELOPMENT CENTRE, DEVIZES
on THURSDAY 27 SEPTEMBER 2012**

Present : Cllr Brig. R Hall (Chairman), Cllr C Devine, Cllr P Davis, Cllr Mrs M Groom
Cllr N Martin, Cllr B Mattock, Cllr C Newbury, Cllr J Osborn, Cllr G Payne,
Cllr Mrs B Wayman, Cllr R Wright

36 Minutes of Last Meeting

The minutes of the meeting held on 21 June 2012 were confirmed and signed.

37 Apologies

Apologies were received from Cllr Perkins.

38 Members' Interests

The Chairman reminded members of the need to declare any interests which the Authority's Code of Conduct required to be disclosed, or dispensations granted by the Clerk to the Authority or the Ethics Committee.

39 Chairman's Announcements

The Chairman reported on:

- His attendance at the Firefighters' Memorial Service in the City of London.
- The new season of "Safe Drive-Stay Alive" presentations which he urged those members who had not already attended to do so.
- The appointment of a new Fire Minister, Brendon Lewis MP.
- The Olympic Torch Relay.
- A meeting of SW Council Employers and the topics covered.

40 Programme & Scrutiny Board

(1) The report of the meeting of the Programme & Scrutiny Board held on 28 August 2012 was received.

(2) The Board's annual report for 2011/12 was received.

41 Medium Term Financial Strategy 2013/14 to 2016/17

On considering the report by the Brigade Manager Finance & ICT and taking into account current assumptions and significant issues arising since the last update,

Resolved:

To approve the Medium Term Financial Strategy 2013/14 to 2016/17.

**42 Public Service Network and Security Policy Framework
Premises**

On considering a paper by the Deputy Chief Fire Officer,

Resolved :

To note the report and the project being undertaken to comply with HMG Security Policy Framework.

43 Asset Management Strategy 2013-2017

On considering a paper by the Deputy Chief Fire Officer,

Resolved:

To approve the Asset Management Strategy 2013-2017

44 Finance Review & Audit Committee

The minutes of the meetings of the Finance Review & Audit Committee held on 28 June 2012 and 11 September 2012 were received. It was noted that the Committee, at its meeting on 11 September 2012, had received the external auditor's unqualified report on the audit of the 2011/12 accounts. Noting also the projected year-end underspending on the revenue budget, Cllr Osborn expressed the thanks of Members to Phil Chow, Brigade Manager Finance & ICT and his team for such excellent financial results.

45 Operational Assessment and Fire Peer Challenge

On receiving a presentation and a briefing paper by the Chief Fire Officer,

Resolved:

To note the process, objectives and composition of the Fire Peer Challenge which is planned to be undertaken in January 2013..

46 National Framework Document 2012

On considering a paper by the Chief Fire Officer on the recently-published National Framework Document outlining the Government's expectations of Fire & Rescue Authorities in England,

Resolved:

To note the report.

47 Community Right to Challenge

On considering a paper by the Assistant Chief Fire Officer,

Resolved:

To note the report and to ask officers to prepare for the Authority's consideration a policy on how to respond to any 'community right to challenge' expressions of interest and enquiries.

48 Protection, Prevention and Intervention

A short visual presentation was made.

49 Standards/Ethics Committee

(1) The Standards Committee's final annual report for 2011/12 was received.

(2) The minutes of the meeting of the Ethics Committee held on 3 September 2012 were received.

50 Members' Code of Conduct – Register of Interests

On considering recommendations of the Ethics Committee contained in a paper by the Monitoring Officer and the Clerk to the Authority,

Resolved:

To refer back the recommendations to the Ethics Committee with a request that the

Committee give further consideration to them in the light of comments sent to all members by Cllr Newbury.

51 Arrangements for dealing with complaints of alleged breaches of the Members' Code of Conduct

On considering recommendations of the Ethics Committee contained in a paper by the Monitoring Officer and the Clerk to the Authority,

Resolved:

To approve the arrangements for dealing with complaints of alleged breaches of the Members' Code of Conduct and related documents as appended to the paper presented, subject to the deletion of references in the 'arrangements' to (i) panels and/or sub-groups of the Ethics Committee and (ii) action which may be taken where a complaint is upheld.

52 Revisions to other codes and protocols in the light of the Authority's Members' Code of Conduct.

On considering recommendations of the Ethics Committee contained in a paper by the Clerk to the Authority,

Resolved:

To approve the four revised codes and protocols appended to the paper presented, subject in the case of the code on gifts etc, to the threshold below which a member need not register the offer of a gift being amended to £25.

53 Members' Allowances

On considering a report by the Clerk to the Authority,

Resolved:

To approve a revised Scheme of Members' Allowances as set out in the appendix to the report with immediate effect.

54 Dates of Meetings for 2013

Members agreed the following dates for meetings of the Authority in 2013: 14 February, 30 May, 26 September and 12 December.

55 Exclusion of the Public

Resolved :

In accordance with Section 100A(4) of the Local Government Act 1972, to exclude the public from the business specified in minute no.56 below because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act.

56 Wiltshire Emergency Services Centre

On considering a report by the Deputy Chief Fire Officer, Brigade Manager Finance & ICT, and Clerk to the Authority,

Resolved :

a) To note the report.

b) To approve the current Agreement regarding the occupation of the Wiltshire Emergency Services Control Centre being varied, and/or an Agreement or Agreements being entered into with Wiltshire Police Authority and/or the Great Western Ambulance Trust and/or its successor, on terms to be agreed by the Clerk to the Authority and the Chief Fire Officer, to provide for (i) the termination of the Trust's occupation of the Control Centre by 31 March 2013 on the basis set out in paragraph 9 of the report presented, and (ii) the continued use of the Control Centre by the remaining parties, subject to no additional running costs falling on this Authority.

(Duration of meeting 10.40 a.m. to 1.30 p.m.)