

COUNCIL

MINUTES OF THE COUNCIL MEETING HELD ON 17 OCTOBER 2017 AT COUNCIL CHAMBER, COUNTY HALL, TROWBRIDGE, BA14 8JN.

Present:

Cllr Phil Alford, Cllr Ben Anderson, Cllr Pat Aves, Cllr Chuck Berry, Cllr Ian Blair-Pilling, Cllr Derek Brown OBE, Cllr Allison Bucknell (Chairman), Cllr Clare Cape, Cllr Trevor Carbin, Cllr Mary Champion, Cllr Pauline Church, Cllr Richard Clewer, Cllr Mark Connolly, Cllr Christine Crisp, Cllr Anna Cuthbert, Cllr Jane Davies, Cllr Andrew Davis, Cllr Matthew Dean, Cllr Tony Deane, Cllr Christopher Devine, Cllr Mary Douglas, Cllr Peter Evans, Cllr Sue Evans, Cllr Nick Fogg MBE, Cllr Peter Fuller, Cllr Richard Gamble, Cllr Gavin Grant, Cllr Jose Green, Cllr Howard Greenman, Cllr Mollie Groom, Cllr David Halik, Cllr Deborah Halik, Cllr Russell Hawker, Cllr Ross Henning, Cllr Darren Henry, Cllr Mike Hewitt, Cllr Alan Hill, Cllr Sven Hocking, Cllr Ruth Hopkinson, Cllr Atiqul Hoque, Cllr Jon Hubbard, Cllr Chris Hurst, Cllr Peter Hutton, Cllr Tony Jackson, Cllr Simon Jacobs, Cllr George Jeans, Cllr David Jenkins, Cllr Bob Jones MBE, Cllr Johnny Kidney, Cllr Edward Kirk, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Jim Lynch, Cllr Brian Mathew, Cllr Laura Mayes, Cllr Ian McLennan, Cllr Nick Murry, Cllr Christopher Newbury, Cllr Ashley O'Neill, Cllr Paul Oatway QPM, Cllr Steve Oldrieve, Cllr Stewart Palmen, Cllr Graham Payne, Cllr Andy Phillips, Cllr Horace Prickett, Cllr Fleur de Rhé-Philipe, Cllr Pip Ridout, Cllr Ricky Rogers, Cllr Tom Rounds, Cllr Baroness Scott of Bybrook OBE, Cllr Jonathon Seed, Cllr James Sheppard (Vice Chairman), Cllr John Smale, Cllr Hayley Spencer, Cllr Toby Sturgis, Cllr Melody Thompson, Cllr John Thomson, Cllr Ian Thorn, Cllr Tony Trotman, Cllr John Walsh, Cllr Bridget Wayman, Cllr Philip Whalley, Cllr Stuart Wheeler, Cllr Roy While, Cllr Philip Whitehead, Cllr Jerry Wickham, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill

137 Apologies

Apologies for absence were received from Councillors Richard Britton, Ernie Clark, Brian Dalton, Stuart Dobson, Sarah Gibson, Gordon King, Leo Randall and Fred Westmoreland.

138 Minutes of Previous Meeting

The minutes of the Meeting held on 11 July 2017 were presented. The Chair drew the meeting's attentions to changes in the draft published circulated on 16 October at minutes referenced as follows:

127 Overview and Scrutiny Annual Report 2016-17 to be read as follows:

At the invitation of the Chairman, Councillor Graham Wright introduced Overview and Scrutiny Annual Report 2016/17. As the new Chairman of the Overview and Scrutiny Management Committee, Councillor Wright paid tribute to work of the Councillors undertaken in the previous year, and encouraged all non-executive members to consider how they wanted to get involved in Scrutiny work over the course of the next year.

Having been put to the vote, the meeting;

Resolved

To note the Overview & Scrutiny Annual Report 2016/17

128 Wiltshire Council Draft Business Plan 2017-2027

Votes recorded against the motion in the 2nd recorded vote should be 60

135 Minutes of Cabinet and Committees to be read as follows:

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

The Chairman then invited questions from members 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.

Resolved:

That the minutes be received and noted

Resolved:

That the minutes of the last Council meeting held on 11 July 2017 be approved, as amended, as a correct record and signed by the Chairman.

139 Declarations of Interest

The following non-pecuniary declarations were made:

- Councillor Steve Oldrieve stated, with regard to item 11 b – Staff Pay Cap, that he would not be speaking or voting on the item;
- Councillor Clare Cape stated, with regard to item 11 b – Staff Pay Cap, that as an employee of the NHS, she would not vote on the item but did intend to speak; and

- Councillor Anna Cuthbert stated that she was married to one of the officers presenting the item on the Fire Authority Annual Report but that she intended to speak under the item.

140 **Announcements by the Chairman**

The Chairman made the following announcements:

Engagements

The Chairman drew the meeting's attention to the following list of engagements undertaken by herself and the Vice-Chairman had undertaken:

Tidworth War Memorial Opening Ceremony.

Red Ensign Flag Raising Ceremony, County Hall

Chippenham Civic Service, St. Andrew's Church

Royal Wootton Bassett Mayor's Civic Service, St. Bartholomew and All Saints

Trowbridge in Bloom Awards

Official opening of OSJCT Goodson Lodge, Hilperton Road, Trowbridge by the Lord-Lieutenant of Wiltshire.

Official opening of Needham House, Devizes.

Calne Town Criers Competition, The Lansdowne Strand Hotel, Calne.

CPRE Best Kept Village Competition Presentation Day, Tollard Royal, Rushall, Great Bedwyn and Mildenhall

Longleat Military Spectacular Reception and Sunset Ceremony.

Royal visit by HRH The Duke to Gloucester to AB Dynamics current factory and official opening of new factory, Bradford on Avon.

SSAFA Evensong to commemorate the Centenary of the Battle of Passchendaele, Salisbury Cathedral.

The Showmen's Guild of Great Britain Western Section Reception, Town Hall, Marlborough.

Official opening of Devizes Community Hub and Library, 25 Sheep Street, Devizes.

Ludgershall Town Council Parade to commemorate the Freedom of the Town exercised by 26 Engineer Regiment.

Wiltshire Scout Council AGM and Celebration of Wiltshire Scouting, Potterne Wick, Devizes.

Member's Briefing – Spatial Planning

The Chairman reminded members that they had been invited to a briefing to be held on the 1 November 2017 regarding Spatial Planning.

MOD's Employer Recognition Scheme Gold Award

The Chairman announced that the council's work to support the Armed Forces was officially recognised by the Ministry of Defence at a special awards ceremony last week.

It was noted that, alongside Corporate Director Alistair Cunningham and Programme Manager, Kevin Ladner, Baroness Scott of Bybrook, OBE, met HRH Prince Harry and Defence Secretary Sir Michael Fallon MP as she was presented with the MOD's Employer Recognition Scheme Gold Award; and that the accolade is the highest badge of honour for organisations that have signed the Armed Forces Covenant and demonstrated outstanding support for those who serve and have served.

Carolyn Godfrey, Corporate Director

The Chairman stated that this would be the last Full Council meeting for Carolyn Godfrey, Corporate Director at Wiltshire Council.

The Chairman invited Cabinet Members, Councillors Laura Mayes and Jerry Wickham, and the Chair of the Children Select Committee, Councillor Jon Hubbard, to offer their thanks for Carolyn Godfrey's hard work and dedication on behalf of the Council and Wiltshire's residents.

The meeting, through an expression of acclamation, recorded their thanks.

141 Petitions Received

The Chairman reported the receipt of a petition to the meeting regarding the request to remove the housing allocations on Netherhampton Rd between Netherhampton and Harnham from the Draft Housing Site Allocations Plan on the grounds of transport and infrastructure concerns, and noted that it did not meet the threshold for debate.

The Chairman gave Mr Paul Cunningham, one of petitioners, the opportunity to present the petition. In presenting the petition, Mr Cunningham highlighted the concerns of the community as the impact possible development would have and made particular mention of the risks of increased traffic disruption.

In response to the petition, Councillor Toby Sturgis noted the petition had been registered as part of the consultation on the Draft Housing Site Allocations Plan and stated that it would be considered along with the other representations submitted. He noted that transport plans for the Salisbury community area were

being reviewed, and he would endeavour to keep Mr Cunningham informed of any developments. He finished by encouraging councillors and the public to submit their views as part of the consultation.

142 **Petitions Update**

The Chairman reported that, as of 30 June 2017, three petitions had been received since the last meeting.

In response to a question from Councillor Ian Thorn in relation to the petition submitted at the last meeting regarding traffic calming in Calne, Councillor Bridget Wayman stated that she had authorised officers to arrange a meeting on this matter but that this had not yet taken place. She also stated that she would be happy for all Calne Area Board members to be involved in the meeting.

Having been duly proposed and seconded, and upon being put to the vote, it was,

Resolved

To note the petitions received and the action taken, as set out in the appendix to this report.

143 **Public Participation**

Mr Brian Warwick, Older People's Champion for Wiltshire, commended Wiltshire Council on its approach to housing policy and implored the council to continue with sufficient dynamism to meet the needs of older people in the county.

144 **Dorset & Wiltshire Fire Authority Annual Report**

At the invitation of the Chairman, Ben Ansell, Chief Fire Officer, presented the annual report of the Dorset & Wiltshire Fire Authority. The slides presented are appended to the minutes.

In the course of the presentation, the Chief Fire Officer highlighted: how governance is organised across the authority area, and the ability of locality committees to scrutinise performance; the priorities within the community safety plan; the focus on protection, prevention and response; the activities undertaken to reduce fire risk; that there were no fire deaths in the Wiltshire area in the last year; the changes made since the merger; the investment in staff and facilities, and the activities around staff recruitment and retention with a focus on a developing diverse workforce; the relatively low funding from central government and the comparison of the precept with other combined authorities; the continuing financial challenges ahead and the activities undertaken to increase efficiencies including the sharing of resources with partners such as the police and the council; the changes to the national inspection regime; and the preparations in response to national emergency risks, and the specific activities in response to Grenfell.

In response to questions from Councillors, officers of the Authority stated that: the results of a funding review were awaited, but that it was clear that the area did suffer from lower funding due, in part, to its rural demographic profile; that response times in rural areas are slower than those in urban areas, but that preventions work can be targeted at vulnerable rural residents to mitigate against the risk of negative effects; that the Authority was part of national efforts to address recruitment and retention issues; that the number of staff and appliance in each areas was under review.

The Chief Fire Officer stated that some questions in relation to how the changes to governance arrangement, in particular: whether targets on response times in Wiltshire and rural areas could be more accessible within the annual report; and the proposals by Government for great working with Police Commissioners and the possible impact of the reduction in the number of Councillors on the Authority, would more appropriately be dealt with by the Chairman of the Authority rather than by officers but that he would be happy to refer these on. Having said that, he did confirm that the authority was meeting with the Wiltshire and Dorset Police Commissioners to continue to explore opportunities for joint working.

In the following discussion, Councillors comments included: commendation for the officers on their work during a successful merger of two authorities; the work of Councillors with different governance roles in the authority; the support given by fire officers to areas of the Council's work such as improving the lives of vulnerable adults; and examples of the good engagement of fire officers with the wider public.

Having been duly proposed and seconded, and upon being put to the vote, it was,

Resolved

- 1. To note the report;**
- 2. To thank the Chief Fire Officer for his presentation;**
- 3. To write to the Chairman of the fire authority setting out issues raised by the council, and to extend an open invitation for him to attend the council at a future date.**

145 Update on Syrian Vulnerable Persons Relocation Scheme

At the invitation of the Chair, the Leader presented the report which provided an update on Syrian Vulnerable Persons Relocation Scheme.

A presentation was received from some beneficiaries of the scheme who shared their personal experiences of their move from Syria and their experiences of living in Wiltshire.

During the course of the discussion, issues raised included: the cross party support for the scheme; the excellent work undertaken by staff and volunteers to make the scheme a success; that the services provided to new Wiltshire residents helped under the scheme had not been to the detriment to the existing residents; and the favourable performance of the council in comparison to other similar councils

Having been duly proposed and seconded, and upon being put to the vote, it was,

Resolved

- 1) That the Council expresses deep thanks to all council and partner staff, and all the great many volunteers, who have assisted with the scheme; and**
- 2) That the Council continues to offer its welcome to all those who have made Wiltshire their home through the scheme.**

146 Independent Remuneration Panel's Report

At the invitation of the Chairman, the Cabinet member for Corporate Services, Councillor Richard Clewer, presented a report which set the financial context for the report on the agenda from the Independent Remuneration Panel. He thanked the Panel for their work reviewing the Scheme, which had involved comparisons with other authorities and submissions from members. He highlighted the small number of proposed changes to the scheme in terms of the remuneration of specific roles, the overall cost being very similar, and in particular that, as had been the case for the last four years, annual adjustments to the basic allowance and special responsibility allowances would be indexed to the annual pay award to council staff.

Following the invitation of the Chairman, Group Leaders commented broadly in support of the proposals from the Independent Panel.

Having been duly proposed and seconded, and upon being put to the vote, it was,

Resolved

To accept the recommendations made in the Independent Remuneration Panel's report, without amendment, as follows:

- (1) To adopt the annual pay award to the majority of council staff subject to the NJC local government services terms and conditions as the index by which annual adjustments are made to the basic allowance, currently £12,811.80. The same index will apply to the special responsibility allowances (SRA) payable to individual councillors, co-opted members and the group leaders' allowance. Indexing will apply for the period up to 2020/2021.**

- (2) All of the allowances recommended in this report are unless stated otherwise backdated to 8 May 2017, being the first day of office for elected councillors and will be rounded to the nearest pound. All figures given below are subject to that backdated indexing.
- (3) The Council maintains the maximum cap of 2 SRAs be payable to individual councillors.
- (4) The Leader's SRA remains at 250% of the basic allowance resulting in an SRA of £32,028.98 per annum (Band 1).
- (5) The Deputy Leader SRA remains at 80% of the Leader SRA or £25,622.56 per annum (Band 2).
- (6) The Cabinet Member SRA remains at 60% of the Leader SRA or £19,217.18 per annum (Band 3).
- (7) The Chairman of Council SRA remains at 40% of the Leader SRA or £12,811.80 (Band 4).
- (8) The Chairman of the Overview and Scrutiny Management Committee SRA is increased to 40% of the Leader SRA or £12,811.80 (Band 4).
- (9) The Chairman of the Health and Wellbeing Board SRA remains at 30% of the Leader SRA or £9,608.07 per annum (Band 5).
- (10) The Chairman of the Police and Crime Panel SRA be reduced to 22.5% of the Leader SRA or £7,206.05 per annum (Band 6).
- (11) The Portfolio Holders' SRA remains at 22.5% of the Leader SRA or £7,206.05 per annum (Band 6).
- (12) SRAs for the Chairmen of the Children's Select Committee, the Environment Select Committee and the Health Select Committee remains at 22.5% of the Leader SRA or £7,206.05 per annum (Band 6).
- (13) The Vice-Chairman of the Overview and Scrutiny Management Committee SRA remains at 22.5% of the Leader SRA or £7,206.05 per annum (Band 6).
- (14) The Chairman of Area Board SRA remains at 22.5% of the Leader SRA or £7,206.05 per annum (Band 6).
- (15) The Vice-Chairman of the Council SRA remains at 20% of the Leader SRA or £6,405.38 per annum (Band 7).
- (16) The Chairman of Area Planning Committee SRA remains at 20% of the Leader SRA or £6,405.38 per annum (Band 7).
- (17) The Chairman of the Strategic Planning Committee SRA is increased to 20% of the Leader SRA or £6,405.38 per annum (Band 7).

- (18) The Chairman of Licensing Committee SRA remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).
- (19) The Chairman of the Audit Committee SRA remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).
- (20) The Chairman of the Staffing Policy Committee SRA remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).
- (21) The Chairman of the Wiltshire Pension Fund Committee SRA remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).
- (22) The Chairmen of the Operational Flood Working Groups' SRA remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).
- (23) The Chairman of the Standards Committee's allowance remains at 10% of the Leader SRA or £3,202.69 per annum (Band 8).
- (24) The allowance for the Lead representative on South West Councils SRA be removed.
- (25) (a) The scrutiny fund, which is intended to reward Councillors performing specific scrutiny functions such as chairing task groups, rapid scrutiny exercises, serving on active project boards and acting as Vice Chairmen of Select Committees, is retained within the scheme at £15,000.
- (b) The fund is to be allocated by the Overview and Scrutiny Management Committee in accordance with a scheme which it will approve annually.
- (26) The Group Leader Allowance to be allocated as follows:
- (a) Group Leaders to receive a flat rate allowance dependent on level of representation on the council with the following proportions:
- I) For Groups holding at least 30% of seats the Leader will receive an allowance of £8000.00.
 - II) For Groups holding at least 20% of seats the Leader will receive an allowance of £6000.00.
 - III) For Groups holding at least 10% of seats the Leader will receive an allowance of £2000.00.
 - IV) For Groups holding fewer than 10% of seats the Leader will receive a proportion of £2000 allowance
- (b) The Group Responsibility Allowance be removed.
- (c) The Group Leader Allowance remains exempt from the SRA per Councillor cap.

- (d) **The Group Leader Allowance to receive annual adjustment as detailed in recommendation 1, but not to be backdated to 8 May 2017.**
- (27) **The remuneration for the Independent Persons for Standards to be increased to £2,336.00 per annum**
- (28) **The Co-opted Members of the Standards Committee's allowance to be increased to £1,168.00 per annum.**
- (29) **The Co-opted Member of the Children's Select Committee's allowance to be increased to £934.00 per annum.**
- (30) **The Co-opted Members of the Police and Crime Panel's allowance to be increased to £2,008.00 per annum.**
- (31) **To confirm Panel agreement with the February 2017 decision of Council to remove the payment of a Technology Allowance of £250 per Councillor from the scheme.**
- (32) **To remove paragraph 15 of the scheme concerning the withholding of allowances to reflect changes in legislation.**
- (33) **All other aspects of the scheme are, for the avoidance of doubt, confirmed as remaining unchanged.**

Admin Note: Following a request for noting, Councillor Graham Payne voted against the motion and Councillor George Jeans abstained from the vote.

147 **Local Government Boundary Commission for England - Proposed Electoral Review of Wiltshire**

At the invitation of the Chairman, cabinet member for Corporate Services, Councillor Richard Clewer presented the report which informed members of the forthcoming Electoral Review to be carried out by the Commission and to propose the creation of a Committee to consider the issues arising from this Review and made recommendations to the Council as appropriate.

Having been duly proposed and seconded, and upon being put to the vote, it was,

Resolved

- a) **That the Council notes the current position regarding the proposed Electoral Review to be carried out by the Commission.**
- b) **That an Electoral Review Committee, comprising 10 members, is established to progress the proposed Review on behalf of the Council and to formulate recommendations to the Council on any submissions to the Commission during the Review process comprising of the following members:**

Conservative Group: Councillors Richard Clewer, Stuart Wheeler, Christopher Newbury, Ashley O’Neil, Ian Blair – Pilling, and Jonathon Seed -with appropriate substitutes to be notified to the Monitoring Officer.

I. *Admin Note: Subsequent to the meeting, the Monitoring received notification of the following additional substitutes: Councillors Jacqui Lay and Peter Fuller.*

II. Liberal Democrat Group: Councillors Gavin Grant and Clare Cape, with Councillors Ruth Hopkinson and Ian Thorn as substitutes.

III. Independent Group: Councillor Graham Wright with Councillor Nick Murry as a Substitute.

IV. Labour Group: Councillor Ian Mclennan with Councillor Ricky Rogers as a Substitute.

c) That the terms of reference for the Electoral Review Committee as set out in the Appendix to this report are agreed;

d) That any proposed parish community governance reviews are put on hold pending the conclusion of the Electoral Review, unless the Electoral Review Committee considers otherwise in relation to specific cases; and

e) That the council approves, as a one-off funding, use of the Enabling Fund Earmarked Reserve for the provision of any additional resources required for this significant programme of work.

148 Notices of Motion

The meeting considered the following motions:

148a) Notice of Motion No.03 - Recorded Votes

The Chairman reported receipt of the listed motion from Councillors Jon Hubbard and Ross Henning. Accordingly, Councillor Jon Hubbard moved the following motion which was duly seconded by Councillor Ross Henning:

“Wiltshire Council is committed to being an open and transparent local authority and aims to do all it can to encourage participation by members of the public, and to be as open as is possible on how and why it has made decisions.

Council notes that the agendas for its meetings are split into sections and that substantive items usually fall into POLICY FRAMEWORK or COUNCILLOR MOTIONS.

Council therefore resolves to expand the current requirement, imposed by central government, that all budget matters must be resolved by a recorded vote to all policy matters, the council's business plan and councillor motions considered by council.

Details of the recorded vote to be published with the minutes of every meeting and made available to elected members and the public following each meeting on request".

Presenting his motion, Councillor Hubbard stated that he believed that motion would promote further transparency in decision making and would be relatively easy to implement given the technology available.

In response to the motion, Councillor Richard Clewer stated that he was broadly supportive of the motion and that following discussions with Councillor Hubbard, he was confident that amendments designed to strengthen and clarify the motion further would be accepted.

Councillor Hubbard and Councillor Henning, as moved and seconder of the original motion, indicated that they would accept the amendments into the substantive motion.

Following the invitation of the Chairman, Group Leaders commented broadly in support of the amended motion

Following a vote, the meeting;

Resolved

That Wiltshire Council is committed to being an open and transparent local authority and aims to do all it can to encourage participation by members of the public, and to be as open as is possible on how and why it has made decisions.

That all future votes undertaken by members at Full Council should be carried out using the electronic voting system and that data be recorded.

To note that agendas for its meetings are split into sections and that substantive items usually fall into Items for Council, Policy Framework or Councillor Motions. The votes of each councillor on items in these sections should be recorded and appended in the minutes of the meeting under the relevant item.

That details of the recorded votes on those items are to be published with the minutes of every meeting and to be made available publicly following each meeting.

148b) Notice of Motion No.04 - Staff Pay Cap

The Chairman reported receipt of the listed motion from Councillors Brian

Mathew and Chris Hurst. Accordingly, Councillor Brian Mathew moved the following motion which was duly seconded by Councillor Chris Hurst:

“Council welcomes the change in Government policy towards the pay cap for Police and Prison staff. It believes that the wider public sector pay cap is having an unreasonable effect on the living standards of many public-sector staff, and is also affecting recruitment and retention.

Council therefore instructs the Corporate Team and Leader of Council to write to the Chancellor of the Exchequer and the Secretary of State for Communities and Local Government to request that the cap is lifted to allow the implementation of the recommendations of Pay Review Bodies and negotiations with employers, and that subsequent pay increases be fully funded via Central Government settlement.

Further, Council urges the Local Government Association to make urgent representations to Government to fund and notify us of their actions in this regard.”

Presenting his motion, Councillor Mathew stated that he believed that the time was right to ask government to provide funding to enable Council to consider increasing staff pay to mitigate against the effect of the fall in living standards.

In response to the motion, the Leader stated that she would continue to lobby central government regarding funding for local government but would not agree to writing a letter to the minister as this would be additionally effective.

Following a vote, the motion was agreed for debate.

In the course of the debate, issues raised included: the legitimacy of the Council lobbying central government on a national policy issue; the effect of any unfunded increases of payroll on staffing and service levels; the views of the wider community both for and against the proposals; the political implications of the proposed motion; the impact of the cost of living and the lower pay settlements on staff; the impact of pay levels on recruitment and retention; and the views of staff on the balance between increasing staff pay and protecting existing jobs.

Following a debate and a request for a recorded vote, and having been put to the vote, the motion was LOST and was recorded as follows:

For the motion (22):

Cllr Andy Phillips, Cllr Bill Douglas, Cllr Bob Jones MBE, Cllr Brian Mathew, Cllr Chris Hurst, Cllr Christopher Devine, Cllr David Jenkins, Cllr Gavin Grant, Cllr Graham Wright, Cllr Hayley Spencer, Cllr Ian McIennan, Cllr Ian Thorn, Cllr Jim Lynch, Cllr John Walsh, Cllr Jon Hubbard, Cllr Nick Fogg MBE, Cllr Nick Murry, Cllr Pat Aves, Cllr Ricky Rogers, Cllr Ross Henning,

Cllr Ruth Hopkinson, Cllr Stewart Palmen.

Against the motion (54):

Baroness Scott of Bybrook OBE, Cllr Alan Hill, Cllr Allison Bucknell, Cllr Andrew Davis, Cllr Ashley O'Neill, Cllr Ben Anderson, Cllr Bridget Wayman, Cllr Christine Crisp, Cllr Christopher Williams, Cllr Chuck Berry, Cllr Darren Henry, Cllr David Halik, Cllr Deborah Halik, Cllr Derek Brown OBE, Cllr Edward Kirk, Cllr Fleur de Rhe-Philippe, Cllr Horace Prickett, Cllr Ian Blair-Pilling, Cllr Jacqui Lay, Cllr James Sheppard, Cllr Jane Davies, Cllr Jerry Kunkler, Cllr Jerry Wickham, Cllr John Smale, Cllr John Thomson, Cllr Johnny Kidney, Cllr Jonathon Seed, Cllr Jose Green, Cllr Laura Mayes, Cllr Mary Champion, Cllr Mary Douglas, Cllr Matthew Dean, Cllr Melody Thompson, Cllr Paul Oatway QPM, Cllr Pauline Church, Cllr Peter Evans, Cllr Peter Fuller, Cllr Peter Hutton, Cllr Philip Alford, Cllr Philip Whalley, Cllr Philip Whitehead, Cllr Richard Clewer, Cllr Richard Gamble, Cllr Robert Yuill, Cllr Roy While, Cllr Simon Jacobs, Cllr Stuart Wheeler, Cllr Sue Evans, Cllr Sven Hocking, Cllr Toby Sturgis, Cllr Tom Rounds, Cllr Tony Deane, Cllr Tony Jackson and Cllr Tony Trotman.

Abstained from the vote (5):

Cllr Atiqul Hoque, Cllr Clare Cape, Cllr George Jeans, Cllr Graham Payne and Cllr Stephen Oldrieve

149 **Minutes of Cabinet and Committees**

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

The Chairman then invited questions from members 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.

Resolved:

That the minutes be received and noted

150 **Membership of Committees**

The Chairman invited Group Leaders to present any requests for changes to committee membership in accordance with the allocation of seats to political groups previously approved by Council.

Following a request made by Baroness Scott of Bybrook, OBE, Leader of the Conservative Group, it was;

Resolved

1. Overview & Scrutiny Management Committee:

Add: Councillor Mathew Dean

Remove: Councillor Pip Ridout

Add: Councillor Pip Ridout as a substitute.

2. Health Select Committee:

Add: Councillor Tony Trotman

Remove: Councillor Melody Thompson

3. Staffing Policy Committee:

Add: Councillor Tony Trotman as a substitute

151 Councillors' Questions

The Chairman reported receipt of eight questions for this meeting from Councillors Jon Hubbard, Ian Thorn, Nick Fogg, and Alan Hill. details of which were circulated in Agenda Supplement No. 1.

Questioners were permitted to each ask one relevant supplementary question per question submitted and where they did so, the relevant Cabinet member responded as summarised below:

1. Councillor Jon Hubbard to Councillor Baroness Scott (Ref 17-53)

There was no supplementary question.

2. Councillor Ian Thorn to Councillor Toby Sturgis (Ref 17-54)

There was no supplementary question.

3. Councillor Nick Fogg to Councillor Bridget Wayman (Ref 17-49)

In response to a supplementary question, Councillor Wayman stated that: there had been a response to the consultation, that there was no preferred option identified in the consultation, and that she did not personally support further devolution of collection to a lower tier of government.

4. Councillor Alan Hill to Councillor Philip Whitehead (Ref 17-59)

Councillor Whitehead gave a detailed verbal response, included in the appendix to these minutes, regarding the current progress and the likely implications regarding the roll-out of the Universal Credit scheme.

5. Councillor Ian Thorn to Councillor Toby Sturgis (Ref 17-55)

In response to a supplementary question, Councillor Sturgis stated that a business plan would be required to assess the viability of any options.

6. Councillor Jon Hubbard to Councillor Bridget Wayman (Ref 17-58)

Councillor Wayman gave a verbal response, appended to these minutes, to the effect that charities should only be collecting goods that can be reused and should not be collecting goods that require disposal.

In response to a supplementary question, Councillor Wayman stated that she would consult with officers as to the whether this approach contradicts other regulations that state that charities should not be charged for disposal of waste that would otherwise be treated as domestic waste.

7. Councillor Ian Thorn to Councillor Toby Sturgis (Ref 17-59)

In addition to the written response circulated, Councillor Sturgis clarified that whilst Core Policy 49 was concerned with the protection of rural facilities, a similar approach could be taken to apply to facilities in other settings.

In response to a supplementary question, Councillor Sturgis stated that he did not agree that the council should identify where this policy applied for the disposal of assets.

In response to a supplementary question, Councillor Wayman stated that she would consult with officers as to the whether this approach contradicts other regulations that state that charities should not be charged for disposal of waste that would otherwise be treated as domestic waste.

8. Councillor Jon Hubbard to Councillor Bridget Wayman (Ref 17-60)

Councillor Wayman gave a verbal response, appended to these minutes, to the effect that officers and the council's contractors had met with the representative of the local community safety partnership to agree work on the CCTV system. Following this agreement, further request for work were received, but as there was no further funding available, it was not felt necessary for further meetings to take place.

Councillor Wayman stated that she would respond at a later date as to whether this approach had missed an opportunity for the Town Council to consider additional funding.

In response to a supplementary question, Councillor Wayman stated that she would consult with officers as to the whether this approach contradicts other regulations that state that charities should not be charged for disposal of waste that would otherwise be treated as domestic waste.

(Duration of meeting: 11:00 – 14:21)

The Officer who has produced these minutes is Will Oulton, of Democratic & Members' Services, direct line 01225 713935, e-mail william.oulton@wiltshire.gov.uk

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

Wiltshire Council

Council

17 October 2017

Councillor Jon Hubbard, Melksham South Division

To Councillor Bridget Wayman, Cabinet Member for Highways, Transport and Waste

Question (17-58)

I refer Cllr Wayman to the letter sent to her on 14 July 2017 by the four reuse charities in Wiltshire, a letter sent as a follow up to the one sent to Cllr Sturgis on 21 March 2017.

May I ask:

- 1) Why, as at the time of writing this question, has no substantive reply been received by the authors of this letter;
- 2) Does the cabinet member recognise the considerable challenges and threat to the service provided by these charities as a result of the council's introduction of punitive charges for these charities carrying out their business;
- 3) Does the cabinet member recognise the considerable savings gained by Wiltshire Council as a direct result of the provision of the services by these charities and does she agree with me that exposing the council to potentially having to meet these additional costs is both inappropriate and unwise?

Response

The following was provided as a verbal response at the meeting.

- 1) A substantive reply has now been sent to the authors of the letter. I have apologised for the delay but am aware that officers have had further discussions with representatives of some of the charities concerned in the interim.
- 2) The charges which the council has introduced are not punitive but seek to enable the council to recover its reasonable costs on behalf of council tax payers. The council is under no obligation to provide free waste disposal services for the charities. To reduce the costs they incur, the charities could apply their donation policies which state that they will collect items that would be suited to the charities, are serviceable and in good condition. They should collect items which could be reused or refurbished and not collect waste for disposal.
- 3) The council values the work that the charities do and the support they provide to residents. The way for the charities to avoid incurring costs of disposal is to ensure that they do not collect waste but only items which have a value.

Wiltshire Council

Council

17 October 2017

Councillor Alan Hill, Calne South and Cherhill Division

**To Councillor Philip Whitehead, Cabinet Member for Finance, Procurement,
ICT and Operational Assets**

Question (17-59)

Please would the Cabinet Member for Finance, Procurement, ICT and Operational Assets update me on the current Wiltshire Council position with regard to the roll-out of Universal Credit in Wiltshire?

Response

A verbal response was provided as follows.

Universal Credit (UC) is very complicated and because of this at the end of this response there is notice of forthcoming briefings that will be arranged to go through the implications of UC in more detail.

UC will not apply to everyone. It currently does not apply to over 65s and parents with three or more children. For this to change new regulations would need to be passed.

Universal Credit rolls several previous benefit payments (Housing Benefit, Child Tax Credits, Job Seekers Allowance, ESA, Working Tax Credits and Income Support) in to one assessment which is capped at an annual level. As such UC does not cover Council Tax.

Payment of UC in normal circumstances is paid monthly and direct to the claimant.

The first tranche of Universal Credit was implemented in Wiltshire in March 2015 for single claimants without children and with no identified support needs. (this was known as Live Service).

Wiltshire is fairly early in rolling out Full Service: May 2017 in Chippenham Job Centre Plus; June 2017 in Salisbury Job Centre Plus; July 2017 in Devizes and Trowbridge Job Centre Plus. However, please note that the Job Centre Plus (JCP) geographic areas differ from Wiltshire areas. As such there are 12 JCPs affecting Wiltshire and because some of these are outside Wiltshire they will roll out to a different timescale. For example, Andover which covers Tidworth, will not roll out full service until April 2018.

As Full Service is rolled out, anyone living in a Full Service area who makes a new claim or who is receiving existing benefits or tax credits and has a change in circumstances will be directed to claim Universal Credit. A change can also mean a movement in post code, for example Someone moving from Tidworth to Trowbridge would have been on housing benefit in Tidworth will move to UC by the fact that Trowbridge is now a Full Service Area. Another example would be a single mother receiving benefit in Trowbridge who has a second child will be judged to have changed circumstances and will thus again move from Housing Benefit to UC on the birth.

Full Service requires users to make a claim online, notify changes of circumstances, and receive notifications, all online. This makes digital the primary channel to interact with DWP and is a significant difference to how claimants have worked with the Council. We are supporting this significant change with support for people in our Libraries, through the local Citizens Advice Bureau (CAB) and other partners to remove the fear and help people understand the online processes.

DWP figures at August 2017 show 592,256 people on UC in Great Britain. In Wiltshire, we had 1,855 households on UC relating to 3,075 people, of which 1,001 were aged 18 to 25 years old.

When someone transfers from Housing Benefit (HB) to UC their HB claim is automatically closed. Since Universal Credit commenced in March 2015 (Live Service) 853 of Wiltshire's housing benefit claims have been closed; however 559 of these have been closed since May 2017, Full Service roll out. New claimants go straight on to UC and there is no HB closure.

However, there are still currently 22,350 households in Wiltshire receiving housing benefit. (Just over 8,000 of those being over 65 and thus will not come on to UC.)

When claimants go onto UC from Housing Benefits the Council will pay benefits until we are told to stop by DWP. It could be around 3 weeks until an existing claimant receives a payment from DWP, if the individual is a new claimant then they will go through a circa 6-week process before a payment is made.

However, in both cases DWP will agree to an advance payment based on initial assessments, which should alleviate some of the problems caused by the delay. As such it should be exceptional cases only where a claimant is not receiving payment but there is an inherent risk in advance payments in that any overpayment made will be recovered over the following months which may cause future hardship.

Wiltshire Council is working proactively with DWP to ensure this does not occur and looking at its own emergency payments and support with partners to protect housing. We are also working within the Council to ensure that we have a joined-up approach to plan for children in care and their families. In addition, we are working with the various Housing Associations and others through Action for Wiltshire.

This change is the first in decades and as such there will be a process during which we will build up experience and learning and UC us reaches a wider group of applicants. We are keen to ensure we focus on cultural shifts as well as processes.

In respect of risk for the council rather than the residents, Wiltshire Council has on average 27,000 Council Tax Benefit or Reduction claimants, many of whom are on Housing Benefit and who will move or have moved to UC. We rely on the DWP to inform us of the level of income a claimant gets from UC and there is a risk that delays in the process of informing us may lead to overpayments or debt. We will continue to monitor this risk to the Council and whilst the numbers on UC so far are small in relativity to the overall population we are working closely with DWP to improve this process and work with claimants around recovery.

There are many more aspects to UC and a single response at Full Council will not provide a councillor with enough information to support their residents. Consequently, we will run a number of sessions on UC for Councillors that will to go into more detail. All Councillors are encouraged to attend and further details on the dates and locations will be issued shortly.

Wiltshire Council

Council

17 October 2017

From Councillor Jon Hubbard, Melksham South Division

To Councillor Bridget Wayman, Cabinet Member for Highways, Transport and Waste

Question (17-60)

I refer the cabinet member to the email sent to her by myself on 18th July, to which I have received no reply, and the subsequent email sent on 30th July where I received a response promising a full reply which I have never received.

For the cabinet member convenience I repeat the messages below:

Email sent 18th July 2017

Hi Bridget

I'm writing to you in my capacity as Chair of the Melksham Area Board asking if you could use your influence to try and move us on from an impasse that we seem to have with regard to the siting of the CCTV camera and associated equipment in the Market Place.

I have been contacted by xxxxxxxx leads our Community Safety Partnership team in the town, and who volunteers countless hours of his own time to run the CCTV scheme in the town.

It seems that there has been a communication breakdown between his group and xxxxxxxx regarding the siting of the camera and the associated equipment. I am not going to pretend to understand the detail of the problem and have come into the situation quite late on so cannot comment on who is responsible for the issue, although I do have to say that having read them I do not consider xxxxxxx's emails to xxxxxxxxxxxx to have been overly helpful or mindful of the fact that xxxxxxxxxxxx is a volunteer who is spending his own money and time on supporting this project.

I had asked xxxxxxxxxxxx, to arrange a meeting with both xxxxxxxx and xxxxxxxx present so that we could find a solution to the problem that everyone was happy with and understood, and had said that if the solution was that I needed to go cap-in-hand to the Town Council to ask them to support the cost of additional equipment then I would do so.

However, today xxxxxxxx has contacted me to say that xxxxxxxx has refused to attend the requested meeting.

Frankly I find it astonishing that a Wiltshire Council officer is refusing to attend a meeting with the Chair of an Area Board where they are trying to find a settlement to an issue in the community.

I would appreciate your urgent attention to this matter and I look forward to hearing from you.

Email sent 30th July 2017

Hi Bridget

I haven't seen a response to this email yet - could I please check that it did arrive with you?

Many thanks

Email received 31st July 2017

Dear Jon,

I did receive it and requested some information to try to resolve the issue – I will follow it up this morning.

Bridget.

Could the Cabinet Member please reply to the original email sent to her and provide some form of reply to the issued raised within it. Particularly:

- Why have no replies been given to the emails sent?
- How is it acceptable for a Wiltshire Council officer to refuse to meet with a local member to discuss an issue?
- What efforts have been made to resolve this issue, and if any efforts have been made, why has the member who raised it not been informed?

Response

The following was given as a verbal response.

Council Officers and Atkins representatives met with the CSP Chair on a number of occasions to agree the requirements for the CCTV during the early stages of the Melksham Market Place enhancement works. Following discussions it was agreed to install a duct from the Town Hall through the Market Place works to the relevant lighting column. A formal site meeting was undertaken between the CSP Chair and Atkins, as the council's representatives, at the end of June and a solution was agreed to accommodate the CCTV equipment by mounting it externally on the lighting column.

Subsequently it was requested other equipment to be installed, including an additional mast or cabinet. Due to the lateness of these further requests, and with no funding available for the work, it was not possible to agree to these requests. The request for a further meeting was noted at the time, but was considered unnecessary for the reasons given previously. The arrangements for the CCTV equipment had been previously agreed and there was no point in having a meeting to discuss further changes or additions when it was clear that these could not be funded or accommodated in the works programme.

I apologise if Mr Hubbard was not kept informed with regard to these additional requests.

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