

AGENDA SUPPLEMENT (1)

Meeting: Annual Council
Place: The Lansdown Hall - Civic Centre, St Stephens Place, Trowbridge,
BA14 8AH
Date: Tuesday 14 May 2013
Time: 11.00 am

The Agenda for the above meeting was published on Wednesday 01 May 2013 and indicated that the reports detailed below would be to follow. These are now available and are attached to this Agenda Supplement.

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

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

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

9 **Public Participation** (*Pages 1 - 2*)

A question from Mr Phil Matthews, with response, is attached.

11 **Appointment of Committees and Review of Allocation of Seats on Committees to Political Groups**

Reports from the Service Director (Law and Governance) are attached as follows.

- 11a) **Appointment of Committees and Review of Allocation of Seats on Committees to Political Groups** (*Pages 3 - 26*)
- 11b) **Appointment of Councillors to Committees** (*Pages 27 - 34*)
- 11c) **Appointment of Chairmen and Vice-Chairmen - Committees** (*Pages 35 - 36*)

12 **Appointments to the Wiltshire and Swindon Fire Authority** (*Pages 37 - 38*)

A report from the Service Director (Law and Governance) is attached.

15 **Councillors' Questions** (*Pages 39 - 48*)

Twelve questions submitted by Councillors, with responses, are attached.

DATE OF PUBLICATION: 10 May 2013

Wiltshire Council

Annual Council

14 May 2013

Item 9 – Public Participation – Questions from the Public

Question from Mr Phil Matthews

To the relevant Cabinet Member

Question

Healthwatch Wiltshire should have been up and running on the 1st April 2013 following the Cabinet Meeting decision made in October 2012 but it was not. What is the progress to date with regards Healthwatch Wiltshire?

Response

Health Watch was established from 1st April 2013. They have appointed a Chair, Chris Graves and an Executive Board.

Work is ongoing to develop to establish a staff structure and make appointments to posts.

Within the timescales set by government and the employment issues around establishing a new organisation positive progress is being made and the Council is looking forward to a vibrant Wiltshire Health Watch.

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Wiltshire Council

Annual Council

14 May 2013

Appointment of Committees and Review of Allocation of Seats on Committees to Political Groups

Introduction

1. This report guides the Council in constituting and re-appointing committees and following the legal requirements in allocating seats to the political groups.

Review of Allocation of Seats to Political Groups

Legal Position

2. Under the Local Government & Housing Act 1989 (“the Act”) and subsequent Regulations, (“the Regulations”), the Council must review the representation of the different political groups on committees at the Annual Council meeting.
3. It is open to the Council when carrying out a review to adopt some arrangement other than that prescribed by the Act and the Regulations. Notice of such a proposal would have to be given in the Summons, and a decision would need to be made with no one voting against it. The remainder of this report assumes that the Council will not want an alternative arrangement to that prescribed by law.

Political Groups

4. There are currently 4 political groups on the Council. The respective strengths of those Groups are as follows:-

Name of Group	No. of Councillors in Group
Conservative	58
Liberal Democrat	27
Labour	4
Independent	8

5. Under the regulations, two or more councillors may form and register a group. Therefore the UK Independence Party councillor is regarded as an ungrouped councillor.
6. This report has been prepared on the basis of the strengths of the various political groups set out in paragraph 4 and 5.

Principles

7. The Act sets out four principles which must be followed so far as reasonably practicable. They are:
 - (a) *Preventing domination by a single group:* All the seats on a committee should not be allocated to the same political group.
 - (b) *Ensuring a majority group enjoys a majority on all committees:* If one political group has a majority in the full Council, that political group should have a majority on each committee.
 - (c) *Aggregating all committee places and allocating fair shares:* Subject to the above two principles, the total number of seats on all the committees of the Authority allocated to each political group should be in the same proportion as that political group's seats on the full Council.
 - (d) *Ensuring as far as practicable fairness on each committee:* Subject to the above three principles, the number of seats on each committee of the Authority allocated to each political group should be in the same proportion as that political group's seats on the full Council.

Application of Principles

8. The Council must review the establishment of its committees in accordance with the principles laid down in the Act. Immediately this is done, each political group should state the names of the councillors it wishes to take its allocated places on committees, including substitutes, and when those wishes are known, the Council is under a duty to make the appointment of those councillors as soon as practicable. This is dealt with specifically under the next item of business on the agenda.

Councillors not in a Political Group

9. In the case of councillors who are not members of a political group, a proportion of seats on committees equal to the proportion of Council members who do not belong to a political group, has to be reserved, with appointments to these seats being made by the Council at its discretion.

Committees of the Council

10. The Council's Constitution currently provides for the appointment of the following committees:-

- Strategic Planning
- Area Planning – East, North, South and West
- Licensing
- Standards
- Overview and Scrutiny Management
- Children's Select
- Health Select
- Environment Select
- Audit
- Appeals
- Staffing Policy
- Officer Appointments
- Pension Fund
- Police and Crime Panel

11. Outside the scope of this report is the Cabinet as the political proportionality rules continue to not apply to this body. See also paragraphs 15-19 below regarding the establishment of the Health and Wellbeing Board.

Area Boards

12. Area boards are appointed by the Council under Section 102 of the Local Government Act 1972. These are constituted as area committees within the meaning of Section 18 of the Local Government Act 2000 and regulations made under that section for the purpose of discharging functions delegated by the executive. They are not subject to the rules on political proportionality. A list of these area boards is set out at Appendix 1 to this report.
13. All unitary councillors representing the electoral divisions covered by the area board will be appointed to their relevant area board. This is dealt with specifically under the next item of business on the agenda.
14. Pewsey and Tidworth are established as a single area committee with two sub-committees, each of which operate as an area board known as Pewsey Area Board and Tidworth Area Board respectively.

Health and Wellbeing Board

15. Under the Health and Social Care Act 2012 the Council is required to appoint a Health and Wellbeing Board that works with partners, including GP's, to prepare a health and wellbeing strategy for the Council and to ensure that the commissioning of services is integrated. It was intended that the Board should formally be in place by April 2013 but as the regulations were not issued until mid February with guidance only issued even more recently, combined with

the elections in May, it was thought sensible to await the annual meeting of Council to formally appoint the board.

16. Appendix 2 to this report provides information in relation to the status, role and function of the Board. In essence the Board is to be regarded as an ordinary committee of the Council – so it is appointed by the Council, it reports to the Council and its membership is agreed by the Council. Also its proceedings are publicly accessible and its agenda and reports will appear on the Council’s website along with all other committees. Its voting members are also subject to the Council’s code of conduct.
17. However there are exceptions to this in that key areas of traditional legislation have been modified with regard to the Board as follows:-
 - the requirements of political proportionality are disapplied by the regulations although the Council can choose to appoint any councillors that it wishes;
 - officers are allowed to be members of the Board;
 - all members of the Board are permitted (including officers, GPs etc) to vote unless the Council directs otherwise.
18. The Health and Social Care Act also lays down the statutory membership of the Board as follows:-
 - at least one councillor from the relevant council
 - the director of adult social services
 - the director of children’s services
 - the director of public health
 - a representative of the Local Healthwatch organisation
 - a representative of each relevant clinical commissioning group (CCG)
19. The views of the shadow Health and Wellbeing Board have been sought in relation to membership and voting and these are set out below and in Appendix 3 to this report. The Board noted that this was an evolving issue and one that would need reviewing but initially their recommendations on voting and membership were as follows:-

Voting members

- The Leader of the Council
- Wiltshire Council Cabinet representatives with responsibility for Children, Adults and Public Health
- 4 representatives from the Clinical Commissioning Group (CCG)
- 1 representative from Healthwatch
- 1 Police and Crime Commissioner (PCC)
- 1 NHS England representative

Non-voting members

- Wiltshire Council officers with statutory responsibility for Children, Adults and Public Health services
- 3 Acute Hospital Trusts representatives (Salisbury Hospital FT, Great Western Hospital FT and Bath RUH FT)
- 1 South West Ambulance Service (SWAS) representative
- 1 Avon and Wiltshire Mental Health Partnership (AWP) representative
- 1 Wiltshire Police Chief Constable representative

Health Scrutiny

20. Regulations issued under the Health and Social Care Act also introduced flexibility as to how Councils wished to discharge its health scrutiny function.
21. The new legislation allows Council to choose to discharge this function through the full Council itself or through its existing health scrutiny committee.
22. Under the current Constitution (Part 2 Article 6) the existing Health Select Committee has the power of referral to the Secretary of State regarding the reconfiguration of services and it is recommended that the Council continue with this arrangement.
23. The wider implications of the Regulations for the way Health Scrutiny works will be considered as part of a broader review of the function.

Police and Crime Panel

24. The Council is required under the Police and Social Responsibility Act 2011 to appoint a Police and Crime Panel. This, despite its title, is a formal joint committee of Swindon and Wiltshire Councils and the two councils are required to meet a “balanced appointment objective” whereby its membership reflects both the geographical and political nature of the two councils plus the skills and experience required to fulfil the panel’s functions.
25. The main function of the panel is to hold the directly elected Police and Crime Commissioner to account for the effective policing of the force area. The role is primarily a scrutiny function but all councillors, both executive and non-executive, can be members as long as the balanced appointment objective is met.
26. The minimum size of the panel is 10 with the addition of two co-opted independent persons. Agreement was reached with Swindon and subsequently with the Home Secretary that Wiltshire’s PCP would comprise 11 councillors, plus two independent members, with the ratio of councillors 7:4 in favour of Wiltshire.

27. The membership of the PCP must reflect the political proportionality of the two councils when taken together. Swindon Borough Council's current political composition is as follows:-

Conservatives – 29

Labour – 23

Liberal Democrats – 4

Independent - 1

28. Taken together with Wiltshire's political composition (as set out in para 4) this gives the following figures:-

Conservatives – 87 or 56% of the seats

Labour – 27 or 17.4 % of the seats

Liberal Democrats – 31 or 20 % of the seats

Independent - 9 or 5.8 % of the seats

29. On this basis the 11 members breaks down as follows:

Conservative 6

Liberal Democrat 2

Labour 2

Independent 1

30. Swindon Borough Council have already appointed 2 Conservative and 2 Labour councillors so that leaves Wiltshire Council to appoint 4 Conservatives, 2 Liberal Democrats and 1 Independent. The schedule of committee places (to follow) has been drawn up to reflect this allocation. It has to be stressed that not only has the Council to meet the balanced appointment objective, failure to do so would result in the Secretary of State making the appointments or instructing the Council to do so.

Children's Select Committee

31. This Committee must include nominees of the Church of England, the Roman Catholic Church and a number of elected parent governor representatives (historically there have been 3 appointed representatives – one from each school sector). They will be voting members. In accordance with the principle set out at 7(b) above the majority group are entitled to appoint additional councillors to ensure it enjoys a majority. This entitlement has been waived in the past. The Council also has discretion to appoint an unlimited number of co-opted members onto this committee as representatives of children's organisations/agencies (historically this has been on a non-voting basis). The

actual appointments are dealt with under the next item of business on the agenda.

Method of Calculating the Allocation of Places to Political groups

32. The principles in paragraph 7 can be applied in the following sequence:
- (i) Calculate the total number of seats with votes on all the ordinary committees and any Joint Committees.
 - (ii) Calculate the proportion that each political group forms of the total membership of the Authority. Reserve an appropriate number of seats for ungrouped members.
 - (iii) Apply those proportions to the total number of ordinary committee seats to give the aggregate entitlement of each group; the requirement to apply the proportions “so far as reasonably practicable” can be met by rounding down fractional entitlements of less than half, and rounding up entitlements of a half or more; if this results in a greater aggregate than the number of seats available, the fractional entitlement(s) closest to a half should be rounded in the other direction until entitlements balance the available seats.
 - (iv) Apply the proportions to the number of councillors on each ordinary committee to give provisional entitlement to seats on that committee.
 - (v) If the provisional entitlement gives only one group seats on the committee, adjust the entitlement so that the next largest group has a seat (thus applying principle (a) in paragraph 7).
 - (vi) Finally, adjust the seats on each committee so that the total allocated to each group is as near as possible to their aggregate entitlement, whilst preserving the results reached at steps (iv) and (v) (thus applying principle (c) in paragraph 7).
33. The Council is free to adopt any aggregate number of places on ordinary committees so long as it follows the principles in paragraph 7 and the sequence in paragraph 32. A draft scheme of committee places will be discussed with Group Leaders and will be submitted to Council in due course.
34. Attached at Appendix 4 to this report is a numerical guide to proportional representation on Committees.

Matters for Decision

35. The Council is asked:
- (a) To note this report and the legal requirements.
 - (b) To appoint/re-appoint the following committees with the terms of reference as set out in the Constitution:-

Strategic Planning
Area Planning – East, North, South and West
Licensing
Standards
Overview and Scrutiny Management
Children’s Select
Health Select
Environment Select
Audit
Appeals
Staffing Policy
Officer Appointments
Pension Fund
Police and Crime Panel

- (b) To appoint those Area Boards, constituted as area committees as set out in paragraphs 12 to 14 and Appendix 1 of this report and within the Constitution, to comprise the Unitary Councillors for that area.
- (c) To approve a scheme of committee places which sets out the number of seats available to members of the Council and to political groups.
- (d) To formally appoint the Health and Wellbeing Board with the
 - (i) terms of reference as set out in paragraph 4 to Appendix 2 to this report
 - (ii) membership and voting arrangements as set out in paragraph 19 of this report
 - (iii) Leader of the Council being the chairman.
- (e) To confirm that in accordance with the current Constitution, the power of referral to the secretary of state in relation to the reconfiguration of services continues to be delegated to the Health Select Committee.

Ian Gibbons
Solicitor to the Council and Monitoring Officer

Report Author: John Quinton, Head of Democratic Services

Unpublished documents relied upon in the production of this report: NONE
Environmental impact of the recommendations contained in this report: NONE

Appendices

Appendix 1 – List of Area Boards
Appendix 2 - Report to the Health and Wellbeing Board – 2 April 2013
Appendix 3 – Recommendations of the Health and Wellbeing Board – 2 April 2013
Appendix 4 - Numerical Guide to political proportionality

Area Boards: Electoral Divisions

Amesbury Area Board

Electoral Divisions 6

Amesbury East
Amesbury West
Till & Wylve Valley
Durrington & Larkhill
Bulford, Allington & Figheldean
Bourne & Woodford Valley

Bradford on Avon Area Board

Electoral Divisions 4

Holt & Staverton
Winsley & Westwood
Bradford on Avon North
Bradford on Avon South

Calne Area Board

Electoral Divisions 5

Calne Rural
Calne North
Calne Chilvester & Abberd
Calne Central
Calne South & Cherhill

Chippenham Area Board

Electoral Divisions 10

By Brook
Chippenham Cepen Park & Derriads
Chippenham Cepen Park & Redlands
Chippenham Hardenhuish
Chippenham Monkton
Chippenham Queens and Sheldon
Chippenham Hardens and England
Chippenham Lowdon and Rowden
Chippenham Pewsham
Kington

Corsham Area Board

Electoral Divisions 4

Box and Colerne
Corsham Pickwick
Corsham Without & Box Hill
Corsham Town

Devizes Area Board

Electoral Divisions 7

Bromham, Rowde and Potterne
Devizes & Roundway South
Devizes East
Devizes North
Roundway
The Lavingtons & Erlestoke
Urchfont & The Cannings

Malmesbury Area Board

Electoral Divisions 4

Brinkworth
Malmesbury
Minety
Sherston

Marlborough Area Board

Electoral Divisions 4

Aldbourn & Ramsbury
Marlborough East
Marlborough West
West Selkley

Melksham Area Board

Electoral Divisions 6

Melksham Central
Melksham North
Melksham South
Melksham Without North
Melksham Without South
Summerham and Seend

Pewsey and Tidworth Area Committee

Electoral Divisions 6

Pewsey Vale
Pewsey
Burbage & The Bedwyns
The Collingbournes & Netheravon
Ludgershall & Perham Down
Tidworth

Royal Wootton Bassett and Cricklade Area Board

Electoral Divisions 6

Cricklade and Latton
Lyneham
Purton
Royal Wootton Bassett East
Royal Wootton Bassett North
Royal Wootton Bassett South

Salisbury Area Board

Electoral Divisions 8

Salisbury Fisherton & Bemerton
Village
Salisbury Bemerton
Salisbury Harnham
Salisbury St Edmund & Milford
Salisbury St Francis & Stratford
Salisbury St Mark's & Bishopdown
Salisbury St Martin's & Cathedral
Salisbury St Paul's

South West Wiltshire Area Board

Electoral Divisions 5

Fovant & Chalke Valley
Mere
Nadder & East Knoyle
Tisbury
Wilton & Lower Wylde Valley

Southern Wiltshire Area Board

Electoral Divisions 5

Alderbury & Whiteparish
Downton & Ebbles Valley
Laverstock, Ford and Old Sarum
Redlynch & Landford
Winterslow

Trowbridge Area Board

Electoral Divisions 9

Hilperton
Southwick
Trowbridge Adcroft
Trowbridge Central
Trowbridge Drynham
Trowbridge Grove
Trowbridge Lambrok
Trowbridge Park
Trowbridge Paxcroft

Warminster Area Board

Electoral Divisions 5

Warminster Without
Warminster Broadway
Warminster Copheap and Wyllye
Warminster East
Warminster West

Westbury Area Board

Electoral Divisions 4

Ethandune
Westbury East
Westbury North
Westbury West

Wiltshire Council

Wiltshire Shadow Health and Wellbeing Board

2 April 2013

FORMAL ESTABLISHMENT OF THE HEALTH AND WELLBEING BOARD

Introduction and Purpose

1. The Health and Social Care Act 2012 introduces a requirement on all upper tier Councils (Unitaries and Counties) to establish a Health and Wellbeing Board by 1 April 2013.
2. This report outlines the key issues for consideration by the Board to enable it to make recommendations to the Council in May for the establishment of the Board.

Background

3. A number of principles underlie the creation of Health and Wellbeing Boards and the spirit in which the legislation has been drafted – these include:-
 - shared leadership of a strategic approach to the health and wellbeing of communities that reaches across all relevant organisations;
 - a commitment to driving real action and change to improve services and outcomes;
 - parity between board members in terms of their opportunity to contribute to the board's deliberations, strategies and activities;
 - shared ownership of the board by all its members (with commitment from their nominating organisations) and accountability to the communities it serves;
 - openness and transparency in the way that the board carries out its work;
4. The statutory functions of the Health and Wellbeing Board contained within the Act are:-
 - to prepare Joint Strategic Needs Assessments (JSNAs) and Joint Health and Wellbeing Strategies (JHWSs), which is a duty of local authorities and clinical commissioning groups (CCGs).

- a duty to encourage integrated working between health and social care commissioners, including providing advice, assistance or other support to encourage arrangements under Section 75 of the National Health Service Act 2006 (i.e. lead commissioning, pooled budgets and/or integrated provision) in connection with the provision of health and social care services.
 - a power to encourage close working between commissioners of health related services and the board itself.
 - a power to encourage close working between commissioners of health-related services (such as housing and many other local government services) and commissioners of health and social care services
5. The Act also provides for Councils to delegate any other functions under section 196(2) of the Health and Social Care Act 2012. For example, this could include certain public health functions and/or functions relating to the joint commissioning of services and the operation of pooled budgets between the NHS and the council. Such delegated functions need not be confined to public health and social care. Where appropriate, they could also, for example, include housing, planning, work on deprivation and poverty, leisure and cultural services, all of which have an impact on health, wellbeing and health inequalities.
6. It is suggested that for the meantime the Board concentrates on its core functions and does not seek further delegations from Council.

Status and Nature of the Board

7. It is fair to say that this issue has caused some concerns nationally. The Act requires that the Board be treated as if it was a committee established in accordance with the Local Government Act 1972. However the regulations – referred to in detail in the next section of this report – then amend/modify or disapply the provisions of the 1972 Act in some key areas.
8. This means that councils are being asked to treat Boards as a completely new and unique body, one which has had its functions (as set out in para 4 above) conferred on it directly by statute.
9. The legislation and regulations have been drafted with the deliberate intention of allowing considerable flexibility to councils and their partners in the way that the boards are established. The intention is that Boards should be set up and run with the underlying principles in mind but in a way that suits local circumstances. This means that a wide range of options is available to councils. These issues are dealt with in more detail in the paragraphs 15 - 29 below.
10. All of the modifications and disapplications of current legislative provisions apply to any sub committee structures that the Board may wish to establish.

Regulations

11. These were due to be laid in the House of Commons in the autumn of last year but there has been a delay. These have now been laid on 8 February 2013.
12. This delay has meant that it has not been possible to establish the Board by the date of 1 April 2013. Discussions have taken place with the Department of Health and they are not overly concerned with this indeed many councils are taking the logical step of formally appointing the Board at the annual meeting of their Council in May. Indeed with elections in May 2013 there were no scheduled meetings of the Board during April and so the proposal is to appoint the Board at the first meeting of council following the elections.
13. The key areas of legislation that are modified are as follows:-
 - The requirements of political proportionality are disapplied in relation to boards
 - To allow officers to be represented on the Board
 - To enable all members of the Board (including officers, CCG representatives etc) to vote

Membership and Voting

14. These are the first two key issues. As opposed to ordinary committees of the council the Social Care Act lays down the statutory membership of the Board as follows:-
 - at least one councillor from the relevant council
 - the director of adult social services
 - the director of children's services
 - the director of public health
 - a representative of the Local Healthwatch organisation (which will come into being on a statutory footing on 1 April 2013)
 - a representative of each relevant clinical commissioning group (CCG)
15. The Act also requires that the councillor membership is nominated by the Leader of the Council in councils which are operating executive arrangements. Representatives of the CCG's and Healthwatch are to be appointed by those respective organisations.
16. Councils are also permitted to include other councillors as appropriate but must do so in consultation with the Board. Likewise the Board may agree to add additional members such as representatives of other stakeholders or partner organisations such as the voluntary sector or providers.
17. In addition the NHS Commissioning Board must appoint a representative for the purposes of participating in the preparation of the Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy and will join the Board when it is considering these matters.

18. Whilst the Act is silent in relation to the issue of members of the Board voting, the regulations specifically enable all members of the Board to vote (unless the council directs otherwise) and the Act encourages councils to treat all members of the board with parity of esteem.
19. Whilst it is very early to be searching for best practice on membership and voting guidance about to be issued by the LGA indicates from the case studies contained therein, that most councils are appointing executive members including the leader or mayor to chair the Board along with the most relevant cabinet members. There is also a clear preference towards consensual voting with majority voting only being exercised where consensual agreement cannot be reached.
20. The Board needs to determine its recommendation to council in terms of:-
 - (a) The membership of the Board outside of the core membership established by the Act;
 - (b) The voting arrangements in terms of who can and who cannot vote;
21. Issues that the Board should consider before agreeing its recommendation on membership and voting arrangements:-
 - (a) The principal role of officers has conventionally been to provide councillors with impartial advice. This role does not sit comfortably with the ability to vote.
 - (b) All members of the board with a vote in effect become co-opted members of the council and therefore are subject to the requirements of the code of conduct in relation to declaration of interests etc;
 - (c) The spirit of the Act which suggests parity of esteem between members of the board – this will be made more difficult if one group within the board has significantly more voting members than other groups;
 - (d) Any inherent conflicts of interests for members of the Board – eg providers;
 - (e) The ability to distinguish between groups of members (outside of the core membership) by classifying voting and non voting/observers.

Codes of Conduct and Conflicts of Interest

22. Neither the Health and Social Act nor the regulations made there under modify or disapply the legislation under the Localism Act in relation to the code of conduct and the declaration of interests. Therefore all voting members of the Health and Wellbeing Boards will be required to comply with that legislation and Wiltshire Council's code of conduct.
23. Non councillor representatives on the Board may also be subject to their own code of conduct and professional standards.

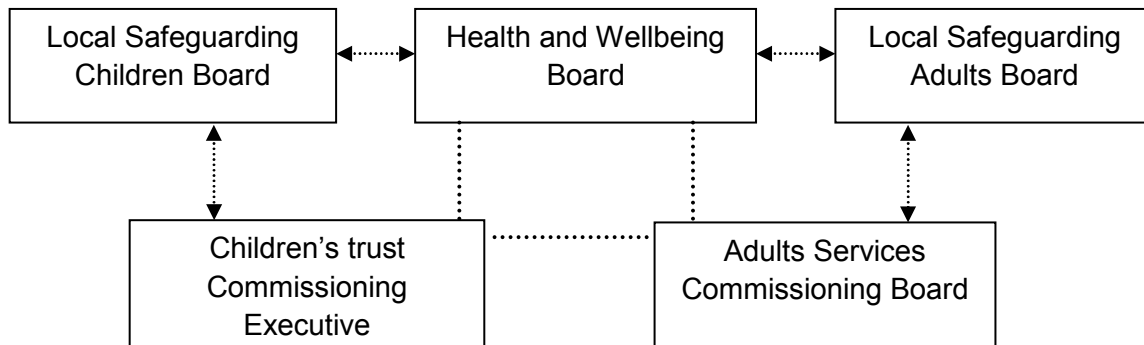
24. In order to better understand this position it is suggested that following formal appointment of the Board some awareness sessions be organised for all non-councillor representatives on the Board to explain in detail the provisions of the legislation and the code of conduct.

Transparency and Openness

25. The Health and Social Care Act does not modify or disapply the current legislative provisions relating to the access to information. So Boards will have to comply with the Local Government (Access to Information) Act 1985 so that the public have access to the meetings, the agenda and reports.
26. The Department of Health are very keen that whilst the Board is to be treated as if it is a traditional committee of the council, its proceedings should be conducted in such a way that both the non-councillor membership and the public feel able to engage and participate in an inclusive and welcoming forum.

Accountability and Relationships with other Council structures

27. This in part relates back to the status of the Health and Wellbeing Board.
28. Health and Wellbeing Boards are to be treated as committees of the Council and therefore they should report to Council regularly on the business they transact. This should in part help to embed their business within the council and help with cross party ownership of the issues with which it is dealing. In particular the Boards are tasked with preparing the JSNA and JHWS and it will wish to consult partner organisations as part of this process. The Council should be regarded as one of those consultees and this again will help ensure cross party support for these two key documents.
29. Formally it is not considered that the Board operates executive functions and therefore its relationship with Overview and Scrutiny is one of partnership. Its decisions are not subject to call-in but it may wish to work with Overview and Scrutiny to develop particular areas of work that it is focussing on. Conversely the Overview and Scrutiny Committee may wish to scrutinise particular areas of work that the Board are looking at.
30. There are also broader relationships within the Council with other structures. Both the commissioning of services for adults and children will work as sub groups of the Board and whilst these are not accountable to the Board the commissioning arrangements will be brought together at Board level through joined up reporting arrangements. Likewise the safeguarding responsibilities of the Council are performed through the respective multi agency Safeguarding Boards for Adults and Children. Whilst again the governance of these Boards will be separate they will have a critical relationship with the Health and Wellbeing Board which will be both mutual and complementary. These relationships are described in the structure chart below.



QUESTIONS FOR THE BOARD

31. To enable the Council to formally appoint the Health and Wellbeing Board there are a number of issues that need to be determined. The working arrangements for the Board will evolve over time and indeed should be reviewed in due course.
32. The Board are asked to respond to the following questions:-
 - A. this report (para 14) outlines the statutory core membership for the Board, does the Board think that all the statutory members should have votes ?
 - B. is it acceptable that any of the key groups within the statutory membership should have a majority of votes on the Board ? ie be able to outvote all other groups ?
 - C. with this mind how many councillors should be elected onto the Board with votes ? and how many CCG reps should there be ?
 - D. Outside of the core statutory membership does the Board wish to appoint any other members ? and if so who are they ?
 - Acute trusts ?
 - Voluntary sector ?
 - Other partner agencies ie the PCC
 - Other councillors ?
 - E. And should they have votes ? or should they have observer status ?
 - F. Who should chair the Board – a Councillor or an independent chair ?
 - G. In order to encourage and facilitate cross party ownership of the Issues that the Board will be dealing with, should the minutes of the Board be submitted to the Council ? and should the Council be consulted formally on the JSNA and the JHW strategy ?

33. Following consideration of these views the Council will formally appoint the Board and the Director of Law and Governance will make any necessary consequential amendments to the Council's Constitution.

John Quinton, Head of Democratic Services, Wiltshire Council

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Item 5 - Formal Establishment of the Health and Wellbeing Board:

A report from the Head of Democratic Services on the formal establishment of the Health and Wellbeing Board was presented for consideration.

In presenting the report the Shadow Board were asked to note the principles surrounding its establishment and the statutory functions it was required to perform. Key areas for consideration and recommendation by the Board were membership and voting, as well as areas for noting relating to the code of conduct, transparency and the Boards standing within the current structure.

The Board were asked to note that legislation had specifically been drafted to allow Councils and partners the flexibility to arrange Boards in a way appropriate to local circumstances whilst noting the underlying principles and statutory requirements.

The core membership of the Board (unlike other Committees) was set via statute by the Health and Social Care Act 2012, which provided for all statutory members to vote, unless directed by the Council otherwise.

The Board were asked to note that when agreeing on the membership of the Committee any voting members would in effect become co-opted members of the Council and as a result would be required to adhere to the requirements of Wiltshire's code of conduct in relation to declarations of interest.

In relation to membership the beneficial role that NHS England could play on the Board was discussed, noting that it was responsible for approximately one third of NHS spend.

The Chairman proposed that although statutory membership included the Council directors with responsibility for adult, children and public health services these officers should not be given voting rights but that instead the responsible Cabinet representatives should be appointed to the board as voting members.

In relation to Clinical Commissioning Group (CCG) representation it was proposed that the 3 CCG representatives appointed to the CCG sub-groups should also be appointed as voting members on the Board in addition to the statutory CCG representative required.

There was a preference that the acute trusts should have representation on the Board. The Board also discussed the merits of Avon and Wiltshire Mental Health Partnership (AWP) and the South Western Ambulance Services (SWAS) as members on the Board, noting the impact both services had on health and wellbeing within the County as key providers.

As the Police and Crime Commissioner (PCC) in other parts of the country had been invited to be a member of the Board and noting that the PCC for Wiltshire had expressed an interest, it was proposed that an invitation be extended for a voting member that the Chief Constable be invited to attend as a non voting member.

Following discussion of the membership and the questions raised within the report, the Board proposed that the following membership be put forward to Full Council as the Shadow Board's recommendation:

Voting members

- The Leader of the Council
- Wiltshire Council Cabinet representatives with responsibility for Children, Adult and Public Health
- 4 representatives from the Clinical Commissioning Group (CCG)
- 1 representative from Healthwatch
- 1 Police and Crime Commissioner (PCC)
- 1 NHS England representative

Non-voting members

- Wiltshire Council officers with statutory responsibility for Children, Adult and Public Health services
- 3 Acute Hospital Trusts representatives (Salisbury Hospital FT, Great Western Hospital FT and Bath RUH FT)
- 1 South West Ambulance Service (SWAS) representative
- 1 Avon and Wiltshire Mental Health Partnership (AWP) representative
- 1 Wiltshire Police Chief Constable representative

Resolved:

- 1) That voting and non-voting membership of the Board is agreed as detailed above and that a representative from the communication teams of Wiltshire Council and CCG be invited to attend future meetings;**
- 2) That the Leader of the Council would continue to Chair the Board; and**
- 3) That the Board would report to Council on its business, including presenting its minutes and consulting formally on the JSNA and JHW Strategy.**

Proportional Representation Table

	Conservative	Liberal Democrat	Labour	Independent	UKIP	
	58	27	4	8	1	
1	0.592		0.041	0.082	0.010	0.72
2	1.184	0.551	0.082	0.163	0.020	2.00
3	1.776	0.827	0.122	0.245	0.031	3.00
4	2.367	1.102	0.163	0.327	0.041	4.00
5	2.959	1.378	0.204	0.408	0.051	5.00
6	3.551	1.653	0.245	0.490	0.061	6.00
7	4.143	1.929	0.286	0.571	0.071	7.00
8	4.735	2.204	0.327	0.653	0.082	8.00
9	5.327	2.480	0.367	0.735	0.092	9.00
10	5.918	2.755	0.408	0.816	0.102	10.00
11	6.510	3.031	0.449	0.898	0.112	11.00
12	7.102	3.306	0.490	0.980	0.122	12.00
13	7.694	3.582	0.531	1.061	0.133	13.00
14	8.286	3.857	0.571	1.143	0.143	14.00
15	8.878	4.133	0.612	1.224	0.153	15.00
16	9.469	4.408	0.653	1.306	0.163	16.00
17	10.061	4.684	0.694	1.388	0.173	17.00
18	10.653	4.959	0.735	1.469	0.184	18.00
19	11.245	5.235	0.776	1.551	0.194	19.00
20	11.837	5.510	0.816	1.633	0.204	20.00
21	12.429	5.786	0.857	1.714	0.214	21.00
22	13.020	6.061	0.898	1.796	0.224	22.00
23	13.612	6.337	0.939	1.878	0.235	23.00
24	14.204	6.612	0.980	1.959	0.245	24.00
25	14.796	6.888	1.020	2.041	0.255	25.00
26	15.388	7.163	1.061	2.122	0.265	26.00
27	15.980	7.439	1.102	2.204	0.276	27.00
28	16.571	7.714	1.143	2.286	0.286	28.00
29	17.163	7.990	1.184	2.367	0.296	29.00
30	17.755	8.265	1.224	2.449	0.306	30.00
31	18.347	8.541	1.265	2.531	0.316	31.00
32	18.939	8.816	1.306	2.612	0.327	32.00
33	19.531	9.092	1.347	2.694	0.337	33.00
34	20.122	9.367	1.388	2.776	0.347	34.00
35	20.714	9.643	1.429	2.857	0.357	35.00
36	21.306	9.918	1.469	2.939	0.367	36.00
37	21.898	10.194	1.510	3.020	0.378	37.00
38	22.490	10.469	1.551	3.102	0.388	38.00
39	23.082	10.745	1.592	3.184	0.398	39.00
40	23.673	11.020	1.633	3.265	0.408	40.00
41	24.265	11.296	1.673	3.347	0.418	41.00
42	24.857	11.571	1.714	3.429	0.429	42.00
43	25.449	11.847	1.755	3.510	0.439	43.00
44	26.041	12.122	1.796	3.592	0.449	44.00
45	26.633	12.398	1.837	3.673	0.459	45.00
46	27.224	12.673	1.878	3.755	0.469	46.00
47	27.816	12.949	1.918	3.837	0.480	47.00
48	28.408	13.224	1.959	3.918	0.490	48.00
49	29.000	13.500	2.000	4.000	0.500	49.00
50	29.592	13.776	2.041	4.082	0.510	50.00
51	30.184	14.051	2.082	4.163	0.520	51.00
52	30.776	14.327	2.122	4.245	0.531	52.00
53	31.367	14.602	2.163	4.327	0.541	53.00
54	31.959	14.878	2.204	4.408	0.551	54.00
55	32.551	15.153	2.245	4.490	0.561	55.00
56	33.143	15.429	2.286	4.571	0.571	56.00
57	33.735	15.704	2.327	4.653	0.582	57.00
58	34.327	15.980	2.367	4.735	0.592	58.00
59	34.918	16.255	2.408	4.816	0.602	59.00
60	35.510	16.531	2.449	4.898	0.612	60.00
61	36.102	16.806	2.490	4.980	0.622	61.00
62	36.694	17.082	2.531	5.061	0.633	62.00
63	37.286	17.357	2.571	5.143	0.643	63.00
64	37.878	17.633	2.612	5.224	0.653	64.00
65	38.469	17.908	2.653	5.306	0.663	65.00
66	39.061	18.184	2.694	5.388	0.673	66.00
67	39.653	18.459	2.735	5.469	0.684	67.00
68	40.245	18.735	2.776	5.551	0.694	68.00
69	40.837	19.010	2.816	5.633	0.704	69.00
70	41.429	19.286	2.857	5.714	0.714	70.00
71	42.020	19.561	2.898	5.796	0.724	71.00
72	42.612	19.837	2.939	5.878	0.735	72.00
73	43.204	20.112	2.980	5.959	0.745	73.00
74	43.796	20.388	3.020	6.041	0.755	74.00
75	44.388	20.663	3.061	6.122	0.765	75.00
76	44.980	20.939	3.102	6.204	0.776	76.00
77	45.571	21.214	3.143	6.286	0.786	77.00
78	46.163	21.490	3.184	6.367	0.796	78.00
79	46.755	21.765	3.224	6.449	0.806	79.00
80	47.347	22.041	3.265	6.531	0.816	80.00
81	47.939	22.316	3.306	6.612	0.827	81.00
82	48.531	22.592	3.347	6.694	0.837	82.00
83	49.122	22.867	3.388	6.776	0.847	83.00
84	49.714	23.143	3.429	6.857	0.857	84.00
85	50.306	23.418	3.469	6.939	0.867	85.00
86	50.898	23.694	3.510	7.020	0.878	86.00
87	51.490	23.969	3.551	7.102	0.888	87.00
88	52.082	24.245	3.592	7.184	0.898	88.00
89	52.673	24.520	3.633	7.265	0.908	89.00
90	53.265	24.796	3.673	7.347	0.918	90.00
91	53.857	25.071	3.714	7.429	0.929	91.00
92	54.449	25.347	3.755	7.510	0.939	92.00
93	55.041	25.622	3.796	7.592	0.949	93.00
94	55.633	25.898	3.837	7.673	0.959	94.00
95	56.224	26.173	3.878	7.755	0.969	95.00
96	56.816	26.449	3.918	7.837	0.980	96.00
97	57.408	26.724	3.959	7.918	0.990	97.00
98	58.000	27.000	4.000	8.000	1.000	98.00
99	58.592	27.276	4.041	8.082	1.010	99.00
100	59.184	27.551	4.082	8.163	1.020	100.00
101	59.776	27.827	4.122	8.245	1.031	101.00
102	60.367	28.102	4.163	8.327	1.041	102.00
103	60.959	28.378	4.204	8.408	1.051	103.00
104	61.551	28.653	4.245	8.490	1.061	104.00

	Conservative	Liberal Democrat	Labour	Independent	UKIP	
	58	27	4	8	1	
105	62.143	28.929	4.286	8.571	1.071	105.00
106	62.735	29.204	4.327	8.653	1.082	106.00
107	63.327	29.480	4.367	8.735	1.092	107.00
108	63.918	29.755	4.408	8.816	1.102	108.00
109	64.510	30.031	4.449	8.898	1.112	109.00
110	65.102	30.306	4.490	8.980	1.122	110.00
111	65.694	30.582	4.531	9.061	1.133	111.00
112	66.286	30.857	4.571	9.143	1.143	112.00
113	66.878	31.133	4.612	9.224	1.153	113.00
114	67.469	31.408	4.653	9.306	1.163	114.00
115	68.061	31.684	4.694	9.388	1.173	115.00
116	68.653	31.959	4.735	9.469	1.184	116.00
117	69.245	32.235	4.776	9.551	1.194	117.00
118	69.837	32.510	4.816	9.633	1.204	118.00
119	70.429	32.786	4.857	9.714	1.214	119.00
120	71.020	33.061	4.898	9.796	1.224	120.00
121	71.612	33.337	4.939	9.878	1.235	121.00
122	72.204	33.612	4.980	9.959	1.245	122.00
123	72.796	33.888	5.020	10.041	1.255	123.00
124	73.388	34.163	5.061	10.122	1.265	124.00
125	73.980	34.439	5.102	10.204	1.276	125.00
126	74.571	34.714	5.143	10.286	1.286	126.00
127	75.163	34.990	5.184	10.367	1.296	127.00
128	75.755	35.265	5.224	10.449	1.306	128.00
129	76.347	35.541	5.265	10.531	1.316	129.00
130	76.939	35.816	5.306	10.612	1.327	130.00
131	77.531	36.092	5.347	10.694	1.337	131.00
132	78.122	36.367	5.388	10.776	1.347	132.00
133	78.714	36.643	5.429	10.857	1.357	133.00
134	79.306	36.918	5.469	10.939	1.367	134.00
135	79.898	37.194	5.510	11.020	1.378	135.00
136	80.490	37.469	5.551	11.102	1.388	136.00
137	81.082	37.745	5.592	11.184	1.398	137.00
138	81.673	38.020	5.633	11.265	1.408	138.00
139	82.265	38.296	5.673	11.347	1.418	139.00
140	82.857	38.571	5.714	11.429	1.429	140.00
141	83.449	38.847	5.755	11.510	1.439	141.00
142	84.041	39.122	5.796	11.592	1.449	142.00
143	84.633	39.398	5.837	11.673	1.459	143.00
144	85.224	39.673	5.878	11.755	1.469	144.00
145	85.816	39.949	5.918	11.837	1.480	145.00
146	86.408	40.224	5.959	11.918	1.490	146.00
147	87.000	40.500	6.000	12.000	1.500	147.00
148	87.592	40.776	6.041	12.082	1.510	148.00
149	88.184	41.051	6.082	12.163	1.520	149.00
150	88.776	41.327	6.122	12.245	1.531	150.00
151	89.367	41.602	6.163	12.327	1.541	151.00
152	89.959	41.878	6.204	12.408	1.551	152.00
153	90.551	42.153	6.245	12.490	1.561	153.00
154	91.143	42.429	6.286	12.571	1.571	154.00
155	91.735	42.704	6.327	12.653	1.582	155.00
156	92.327	42.980	6.367	12.735	1.592	156.00
157	92.918	43.255	6.408	12.816	1.602	157.00
158	93.510	43.531	6.449	12.898	1.612	158.00
159	94.102	43.806	6.490	12.980	1.622	159.00
160	94.694	44.082	6.531	13.061	1.633	160.00
161	95.286	44.357	6.571	13.143	1.643	161.00
162	95.878	44.633	6.612	13.224	1.653	162.00
163	96.469	44.908	6.653	13.306	1.663	163.00
164	97.061	45.184	6.694	13.388	1.673	164.00
165	97.653	45.459	6.735	13.469	1.684	165.00
166	98.245	45.735	6.776	13.551	1.694	166.00
167	98.837	46.010	6.816	13.633	1.704	167.00
168	99.429	46.286	6.857	13.714	1.714	168.00
169	100.020	46.561	6.898	13.796	1.724	169.00
170	100.612	46.837	6.939	13.878	1.735	170.00
171	101.204	47.112	6.980	13.959	1.745	171.00
172	101.796	47.388	7.020	14.041	1.755	172.00
173	102.388	47.663	7.061	14.122	1.765	173.00
174	102.980	47.939	7.102	14.204	1.776	174.00
175	103.571	48.214	7.143	14.286	1.786	175.00
176	104.163	48.490	7.184	14.367	1.796	176.00
177	104.755	48.765	7.224	14.449	1.806	177.00
178	105.347	49.041	7.265	14.531	1.816	178.00
179	105.939	49.316	7.306	14.612	1.827	179.00
180	106.531	49.592	7.347	14.694	1.837	180.00
181	107.122	49.867	7.388	14.776	1.847	181.00
182	107.714	50.143	7.429	14.857	1.857	182.00
183	108.306	50.418	7.469	14.939	1.867	183.00
184	108.898	50.694	7.510	15.020	1.878	184.00
185	109.490	50.969	7.551	15.102	1.888	185.00
186	110.082	51.245	7.592	15.184	1.898	186.00
187	110.673	51.520	7.633	15.265	1.908	187.00
188	111.265	51.796	7.673	15.347	1.918	188.00
189	111.857	52.071	7.714	15.429	1.929	189.00
190	112.449	52.347	7.755	15.510	1.939	190.00
191	113.041	52.622	7.796	15.592	1.949	191.00
192	113.633	52.898	7.837	15.673	1.959	192.00
193	114.224	53.173	7.878	15.755	1.969	193.00
194	114.816	53.449	7.918	15.837	1.980	194.00
195	115.408	53.724	7.959	15.918	1.990	195.00
196	116.000	54.000	8.000	16.000	2.000	196.00
197	116.592	54.276	8.041	16.082	2.010	197.00
198	117.184	54.551	8.082	16.163	2.020	198.00
199	117.776	54.827	8.122	16.245	2.031	199.00
200	118.367	55.102	8.163	16.327	2.041	200.00

Wiltshire Council

Annual Council

14 May 2013

Appointment of Councillors to Committees

Introduction

1. Following on from the decision to formally appoint/re-appoint committees and allocate seats to political groups, the Council must now formally agree the appointment of councillors and substitutes to those Committees in accordance with the scheme of committee places agreed under the last item.

Appointment of Councillors and Substitutes

2. Each political group should state the names of the councillors it wishes to take its allocated places on committees and when those wishes are known, the Council is under a duty to make the appointment of those councillors as soon as practicable. It is a legal requirement however that the Council formally approves the appointment of councillors to committees and therefore it is essential that each political group notifies the Head of Democratic Services of their nominated councillors to serve on committees, preferably before the day of the Council meeting. Group Leaders may also wish to bear in mind the advantages of achieving a geographical spread of appointees particularly for area planning committees.
3. The Constitution currently provides that the Council will appoint substitute councillors to serve on each committee. Each political group is currently entitled to appoint up to three substitutes where it has a councillor on that committee. As with nominations of committee members (see paragraph 2 above) it is a legal requirement that the Council formally approves the appointment of substitute members to committees and therefore it is essential that each political group notifies the Head of Democratic Services of their nominated substitute members to serve on committees, preferably before the day of the Council meeting.
4. The use of the substitute system by councillors has in the past been fairly patchy and a number of meetings have been held with the number of councillors attending well below the maximum size of the committee. Councillors are encouraged to make use of the substitute system. If a councillor finds that they are unable to attend a meeting then they should contact Democratic Services who will record and present your apologies at the meeting. They can also advise on the

named substitutes for your political group. The onus is on the councillor to contact the substitute councillor although it would be helpful for you to notify Democratic services as they will report the temporary change to the membership of the committee.

Committees of the Council

5. There are specific issues that need to be considered under the appointment of councillors.
6. The statutory rules regarding senior officers appointments embodied in the Council's Constitution require the Officer Appointments Committee to include at least one member of the Executive.
7. Also the Staffing Policy Committee requires two members of the Cabinet as Cabinet representation is required on its sub-committees by the Council's constitution and the Local Authorities (Standing Orders) (England) Regulations 2001.
8. At its meeting on 24 October 2012, as directed by council, the Standards Committee appointed 4 non-voting co-opted members to serve on the Committee for approximately 12 months until such time as new appointments are made following parish council elections in May 2013. It is proposed, therefore, that the existing co-opted members continue to serve on the Committee for the remaining period until the Council is in a position to make new appointments.
9. As referenced in the previous report on the appointment of committees, the Children's Select Committee must include nominees of the Church of England, the Roman Catholic Church and a number of elected parent governor representatives (historically there have been 3 appointed representatives – one from each school sector). They will be voting members. The Council also has discretion to appoint an unlimited number of co-opted members onto this committee as representatives of children's organisations/agencies (historically this has been on a non-voting basis).
10. Wherever possible the members of Area Planning Committees should be made up of local councillors. These committees however, unless the Council has determined otherwise under the previous item, will still need to be appointed on a politically proportional basis.
11. All unitary councillors representing the electoral divisions covered by an Area Board will be appointed to their relevant area board as set out in Appendix 1 to this report.

Matters for Decision

- (A) To appoint councillors to serve on those committees in accordance with the agreed scheme of committee places, until the next occasion

membership is reviewed under the provisions of the Local Government & Housing Act 1989.

- (B) To appoint substitute members (to a maximum of three per group) to the committees referred to in (A) above.
- (C) To appoint those councillors representing electoral divisions to their respective area boards as set out in the Appendix 1 attached to this report.
- (D) To appoint the following non-voting members to the Standards Committee for the period referred to in paragraph 8.

Mr John Scragg
Miss Pam Turner
Mr Paul Neale
Mr Philip Gill MBE, JP

- (E) To appoint the following non-elected members to the Children's Select Committee:-

<u>Non-Elected Voting Members</u>	<u>Representing</u>
Vacancy	Church of England
Dr M Thompson	Clifton Diocese Roman Catholic Church
Vacancy	Parent Governor (Secondary)
Mrs A Kemp	Parent Governor (Special Educational Needs)
Mr K Brough	Parent Governor (Primary)
<u>Non-Elected Non-Voting Members</u> (Up to Five)	School, Children and Young People representatives
Mrs D Dale	Further Education Representative
Vacancy	Secondary Schools Headteacher Representative
Vacancy	Primary School Headteachers Representative
Mr J Hawkins	School Teacher Representative
Mr K House	Children & Young People's Representative

Ian Gibbons
Solicitor to the Council and Monitoring Officer

Report Author: John Quinton, Head of Democratic Services

Appendices

Appendix 1 – List of appointments to Area Boards

Area Boards: Electoral Divisions**Amesbury Area Board****Electoral Divisions 6**

Amesbury East
 Amesbury West
 Till & Wylve Valley
 Durrington & Larkhill
 Bulford, Allington & Figheldean
 Bourne & Woodford Valley

Members

John Noeken
 Fred Westmoreland
 Ian West
 Graham Wright
 John Smale
 Mike Hewitt

Bradford on Avon Area Board**Electoral Divisions 4**

Holt & Staverton
 Winsley & Westwood
 Bradford on Avon North
 Bradford on Avon South

Members

Trevor Carbin
 Magnus Macdonald
 Rosemary Brown
 Ian Thorn

Calne Area Board**Electoral Divisions 5**

Calne Rural
 Calne North
 Calne Chilvester & Abberd
 Calne Central
 Calne South & Cherhill

Members

Christine Crisp
 Glenis Ansell
 Tony Trotman
 Howard Marshall
 Alan Hill

Chippenham Area Board**Electoral Divisions 10**

By Brook
 Chippenham Cepen Park & Derriads
 Chippenham Cepen Park & Redlands
 Chippenham Hardenhuish
 Chippenham Monkton
 Chippenham Queens and Sheldon
 Chippenham Hardens and England
 Chippenham Lowdon and Rowden
 Chippenham Pewsham
 Kington

Members

Jane Scott
 Peter Hutton
 Nina Phillips
 Nick Watts
 Chris Caswill
 Desna Allen
 Bill Douglas
 Linda Packard
 Mark Packard
 Howard Greenman

Corsham Area Board

Electoral Divisions 4

Box and Colerne
Corsham Pickwick
Corsham Without & Box Hill
Corsham Town

Members

Sheila Parker
Alan Macrae
Dick Tonge
Philip Whalley

Devizes Area Board

Electoral Divisions 7

Bromham, Rowde and Potterne
Devizes & Roundway South
Devizes East
Devizes North
Roundway
The Lavingtons & Erlestoke
Urchfont & The Cannings

Members

Liz Bryant
Simon Jacobs
Peter Evans
Sue Evans
Laura Mayes
Richard Gamble
Philip Whitehead

Malmesbury Area Board

Electoral Divisions 4

Brinkworth
Malmesbury
Minety
Sherston

Members

Toby Sturgis
Simon Killane
Chuck Berry
John Thomson

Marlborough Area Board

Electoral Divisions 4

Aldbourn & Ramsbury
Marlborough East
Marlborough West
West Selkley

Members

James Sheppard
Stewart Dobson
Nick Fogg
Jemima Milton

Melksham Area Board

Electoral Divisions 6

Melksham Central
Melksham North
Melksham South
Melksham Without North
Melksham Without South
Summerham and Seend

Members

David Pollitt
Pat Aves
Jon Hubbard
Terry Chivers
Roy While
Jonathon Seed

Pewsey and Tidworth Area Committee

Electoral Divisions 6

Pewsey Vale
Pewsey
Burbage & The Bedwyns
The Collingbournes & Netheravon
Ludgershall & Perham Down
Tidworth

Members

Paul Oatway
Jerry Kunkler
Stuart Wheeler
Charles Howard
Chris Williams
Mark Connolly

Royal Wootton Bassett and Cricklade Area Board

Electoral Divisions 6

Cricklade and Latton
Lyneham
Purton
Royal Wootton Bassett East
Royal Wootton Bassett North
Royal Wootton Bassett South

Members

Bob Jones
Allison Bucknell
Jacqui Lay
Mollie Groom
Mary Champion
Chris Hurst

Salisbury Area Board

Electoral Divisions 8

Salisbury Fisherton & Bemerton
Village
Salisbury Bemerton
Salisbury Harnham
Salisbury St Edmund & Milford
Salisbury St Francis & Stratford
Salisbury St Mark's & Bishopdown
Salisbury St Martin's & Cathedral
Salisbury St Paul's

Members

John Walsh

Ricky Rogers
Brian Dalton
Helena McKeown
Mary Douglas
Bill Moss
Ian Tomes
Richard Clewer

South West Wiltshire Area Board

Electoral Divisions 5

Fovant & Chalke Valley
Mere
Nadder & East Knoyle
Tisbury
Wilton & Lower Wylde Valley

Members

Jose Green
George Jeans
Bridget Wayman
Tony Deane
Peter Edge

Southern Wiltshire Area Board

Electoral Divisions 5

Alderbury & Whiteparish
Downton & Ebble Valley
Laverstock, Ford and Old Sarum
Redlynch & Landford
Winterslow

Members

Richard Britton
Julian Johnson
Ian McLennan
Leo Randall
Christopher Devine

Trowbridge Area Board

Electoral Divisions 9

Hilperton
Southwick
Trowbridge Adcroft
Trowbridge Central
Trowbridge Drynham
Trowbridge Grove
Trowbridge Lambrok
Trowbridge Park
Trowbridge Paxcroft

Members

Ernie Clark
Horace Prickett
Nick Blakemore
John Knight
Graham Payne
Jeff Osborn
Helen Osborn
Dennis Drewett
Steve Oldrieve

Warminster Area Board

Electoral Divisions 5

Waminster Without
Warminster Broadway
Warminster Copheap and Wylve
Warminster East
Warminster West

Members

Fleur de Rhe- Philipe
Keith Humphries
Christopher Newbury
Andrew Davis
Pip Ridout

Westbury Area Board

Electoral Divisions 4

Ethandune
Westbury East
Westbury North
Westbury West

Members

Linda Conley
Gordon King
David Jenkins
Russell Hawker

Wiltshire Council

Annual Council

14 May 2013

Appointment of Chairmen and Vice-Chairmen – Committees

Council is asked:

- a) To appoint Chairmen and Vice-Chairmen of the following meetings:
- Strategic Planning Committee
 - Area Planning Committee – Eastern
 - Area Planning Committee – Northern
 - Area Planning Committee – Southern
 - Area Planning Committee – Western
 - Audit Committee
 - Licensing Committee
 - Officer Appointments Committee
 - Pension Fund Committee
 - Staffing Policy Committee
 - Standards Committee
- b) To note that the existing the Overview and Scrutiny Management Committee, the Select Committees and the Police and Crime Panel will be asked to elect their respective Chairmen and Vice-Chairmen at their first meeting following the annual meeting of council.

Ian Gibbons
Solicitor to the Council and Monitoring Officer

Report Author: John Quinton, Head of Democratic Services

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Wiltshire Council

Annual Council

14 May 2013

Appointments to the Wiltshire and Swindon Fire Authority

Purpose of report

To consider the appointment of nine Wiltshire Council members to serve on the Fire Authority for the 2013/14 year.

The political proportionality requirements of the Local Government and Housing Act 1989 applies to appointments to the Fire Authority.

Based on the respective strengths of the political groups the allocation of places are as follows:

Conservative (5)

Liberal Democrat (3)

Independent (1)

Ian Gibbons

Solicitor to the Council and Monitoring Officer

Report Author: John Quinton, Head of Democratic Services

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Wiltshire Council

Annual Council

14 May 2013

Item 15 - Questions from Councillors

From Councillor Ernie Clark, Hilperton Division

To the relevant Cabinet Member

Question 1

With the rebuilding of County Hall, what emergency radio coverage does central Wiltshire now have? Does it have any?

What provision has been made for RAYNET volunteers who used to have equipment and facilities at County Hall? What happened to their stored equipment?

Response

RAYNET is the Radio Amateur's Emergency Communications Network, a volunteer organisation that supports all the emergency services by providing a specialist communications capability. The organisation has confirmed that it would be able to set up and work from a car in the car park of County Hall, if necessary.

The Highways Incident Room is equipped for and uses the County wide radio network to permit communication with Wiltshire Highways maintenance vehicles. This system makes use of transmitters based on one Thames Water and three Home Office sites to give coverage across the County.

Both the Highways Incident Room (Chalfield room) and the adjoining Major Incident Room (Westwood room) have been equipped to enable RAYNET volunteers to provide emergency radio coverage from either room. Some work is outstanding but it is anticipated the works will be complete and will have been tested shortly. RAYNET's Wiltshire County Controller has confirmed that it is satisfied with the provisions being made.

The Westwood room currently also includes the BBC studio, on a temporary basis, which will be re-located back into County Hall when the refurbishment is completed. This will free up an additional mast/antenna for the two rooms.

Equipment stored in the County Hall basement has been moved into storage cabinets, close to the Incident Rooms to make it easily accessible. At the same time the opportunity was taken to dispose of some surplus or obsolete equipment. RAYNET are also advising on the upgrade of some equipment.

Wiltshire Council

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14 May 2013

Item 15 - Questions from Councillors

From Councillor Ernie Clark, Hilperton Division

To Chairman of Standards Committee (once appointed)

Question 2

Now that the Standards Committee has to be politically balanced, it seems to serve little real purpose other than being a political 'platform' for some members. What was the cost of the committee to the council tax payer over the last year? The figure should include allowances paid to non-councillor members of the committee, committee chairman allowance, officer time, paper costs, postage, mileage claims etc. I do not expect the figure to include subcommittee work for hearings etc.

Response

Annual Council at its meeting on 15 May 2012 approved the establishment of a Standards Committee to discharge the Council's functions in relation to the new standards framework under the Localism Act 2011, including the duty to promote and maintain high standards of conduct and the Committee's wider role of oversight of the constitution and complaints handling.

During 2012/13, the new Standards Committee met on 2 occasions, namely 30 July and 24 October.

The cost of the Committee for the period 2012/13 (from inception of the new standards framework on 1 July 2012, excluding assessments, reviews, sub-committees and hearings) was as follows:

Payment to non-voting co-opted members £1120 x 4 =	4480
Chairman's allowance	2517
Postage and printing	120 (approx)
Mileage allowance	287

The cost of providing officer support to the Standards Committee are met within existing salary costs and, apart from travelling costs (as covered above) no additional costs are therefore involved.

Wiltshire Council

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14 May 2013

Item 15 - Questions from Councillors

From Councillor Linda Packard, Chippenham Lowden and Rowden Division

To the relevant Cabinet member

Question 3

What provision has Wiltshire Council made for checking the quality of the work undertaken by the contractors who make the repairs to the Highways and pavements in Wiltshire?

Response

The Quality of work produced by contractors is important, and completed work is inspected by experienced highway staff in order to ensure it meets the required standard. On some specialist road and bridge work our highways consultant, Atkins, supervises the work to ensure it is to the correct specification.

Question 4

What are the penalties, financial or otherwise for the contractors if they do not reach the required standard of work?

Response

Where work carried out by the Council's highways contractor does not achieve the required standard the contractor must rectify the fault at their own expense.

Item 15 - Questions from Councillors

From Councillor Brian Dalton, Harnham Division

To the relevant Cabinet member

Question 5

With the imminent closure of Salisbury Bus Station, very likely in July or August, what solution (short term and long term) is the council providing for displaced buses onto the narrow streets? How many buses an hour are the council expecting to be displaced?

Response

Councillor Dalton will be aware that the bus station is not owned by the Council and that it is the bus company that has decided to sell it.

The Council has identified with the bus companies a number of possible locations for new on street stops, and for places for buses to lay over between journeys. The closure of the bus station will displace 14 buses an hour, and it is considered that as well as the existing on-street stops, this will require provision of four new stops in the city centre. The suggested locations for these are now being investigated for technical and operational feasibility, following which discussions will take place with the bus operators to agree which services will arrive and depart from which stops. No date has yet been confirmed for the closure of the bus station, but the new stops will be in place before this occurs.

The suggested solution will be reviewed with the Salisbury Area Board before any decisions are made. If Councillor Dalton has any suggestions we would appreciate hearing of them.

The development of a plan to respond to the closure of the bus station will be the first phase in a longer term review of traffic in the city centre in the context of other changes that are imminent or proposed, such as the Maltings redevelopment. The solution that will be implemented in the short term will take account of this in order to minimise the need for further reorganisation at a future date.

Wiltshire Council

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14 May 2013

Item 15 - Questions from Councillors

From Councillor Terry Chivers, Melksham Without North Division

To the Leader of the Council

Question 6

In Sheffield the City Council has recently taken over the running of local post offices under the Sustainable Communities Act. This was a valid proposal under the act because it would help boost the local economy.

This project has been so successful that the Council have now opened a further two post offices, and this model is now being rolled out nationally.

Melksham Post Office could soon be lost from the town Centre as the post office is looking to re-locate it elsewhere. Could Wiltshire Council look at taking over this service and running it from the campus?

This model could also be used elsewhere in the County when town centre post offices are under threat.

Response

A verbal response will be given at the meeting.

Question 7

Many local residents have complained that letters and phone calls to Wiltshire Council are going un-answered. Is this a result of redundancies or just bad management?

Response

It is the result of neither redundancies nor bad management.

Customer Services average monthly telephone connection rate for 2012/13 was 92.1% versus a target of 90%. Letters are answered within 10 days; emails are acknowledged daily and also answered within the 10 days.

Question 8

How many official complaints have been made regarding un-answered mail and phone calls?

Response

The corporate complaints team has not received any formal complaints at Stage 2 of the council's complaints procedure that relate solely to unanswered mail and phone calls. Complaints at Stage 1 of the complaints procedure (informal complaints) are responded to by front line services and are not centrally recorded.

Wiltshire Council

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14 May 2013

Item 15 - Questions from Councillors

From Councillor Jon Hubbard, Melksham South Division

To the Cabinet member with responsibility for Children's Services

Question 9

Could the cabinet member please inform me what the plans are for the £0.5m property purchased on Spa Road in my ward some 3 years ago. Initially we were informed it would be a Children's Home, and the council sought planning permission accordingly.

Next it was to be the 'Aspire' centre, and again planning permission was sought for this.

Now the building sits empty and boarded up.

How much has it cost in rates and insurance for this building to remain empty for over 3 years?

How much, including appropriate provision for officer time, was spent on planning and associated costs for these aborted schemes.

What are the plans for the future of the property?

How does purchasing a residential property and keeping it empty for over 3 years fit in with the council's Empty Home Strategy?

Response

An offer was made for 50 Spa Road that was conditional on receiving planning permission for change of use to a residential care home which was granted in November 2010. The purchase completed in January 2011. A new strategy for creating local placements for young people instead of placing them in residential care was subsequently developed and the property was redesigned as a centre that would provide dedicated support for looked after children and young people. This redesign required a revised planning application which was approved in September 2012.

The running costs associated with this property since its purchase total £14,339 to date which includes minor maintenance, insurance and rates.

A total of £44k has been spent on planning, legal and architects fees (including those legal fees associated with the purchase) and officer time on the two schemes that have been developed for the use of this property.

The future of the property and the next steps for the service is the subject of a meeting between Members (including the Lead Member for children's services) which has been arranged for 13th May 2013.

Wiltshire Council

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14 May 2013

Item 15 - Questions from Councillors

From Councillor Peter Edge, Wilton and Lower Wylde Valley Division

To the relevant Cabinet member

Question 10

Could the Cabinet member please answer the following questions:-

- 1) How much did Wiltshire Council receive for the sale of Nadder Middle School in Tisbury?
- 2) How much did Wiltshire Council pay to buy back the former Nadder Middle School in Tisbury?
- 3) How much did Wiltshire Council receive for the former Wilton Middle School?

Response

- 1) Wiltshire County Council sold the former Tisbury School in 2005 for £525,000 to Thistledown Education Trust.
- 2) Wiltshire Council purchased back the Tisbury School in April 2012 for £610,000 from Thistledown Education Trust.
- 3) Wiltshire Council and Salisbury Diocesan Education Board jointly sold the former Wilton Middle School in July 2010 to Thistledown Education Trust for £1,850,000. These proceeds were split equally between SDBE and Wiltshire Council, with a receipt to Wiltshire Council of £925,000.

Wiltshire Council

Annual Council

14 May 2013

Item 15 - Questions from Councillors

From Councillor Terry Chivers, Melksham Without North Division

To the relevant Cabinet member

Question 11

Does this ruling group on this Council, agree with the bedroom tax?

Response

A verbal response will be given at the meeting.

Question 12

Can you give me an assurance, those Council tenants that get into arrears due to the bedroom tax won't be evicted?

Response

A verbal response will be given at the meeting.