

COUNCIL

DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 21 FEBRUARY 2017 AT COUNCIL CHAMBER, COUNTY HALL, TROWBRIDGE.

Present:

Cllr Desna Allen, Cllr Glenis Ansell, Cllr Chris Auckland, Cllr Pat Aves, Cllr Chuck Berry, Cllr Richard Britton (Chairman), Cllr Rosemary Brown, Cllr Allison Bucknell (Vice Chairman), Cllr Jamie Capp, Cllr Trevor Carbin, Cllr Chris Caswill, Cllr Mary Champion, Cllr Terry Chivers, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Mark Connolly, Cllr Anna Cuthbert, Cllr Andrew Davis, Cllr Tony Deane, Cllr Stewart Dobson, Cllr Mary Douglas, Cllr Dennis Drewett, Cllr Peter Edge, Cllr Peter Evans, Cllr Sue Evans, Cllr Nick Fogg MBE, Cllr Richard Gamble, Cllr Jose Green, Cllr Howard Greenman, Cllr Mollie Groom, Cllr Russell Hawker, Cllr Mike Hewitt, Cllr Alan Hill, Cllr Atiqui Hoque, Cllr Charles Howard, Cllr Jon Hubbard, Cllr Chris Hurst, Cllr Peter Hutton, Cllr Simon Jacobs, Cllr George Jeans, Cllr David Jenkins, Cllr Julian Johnson, Cllr Bob Jones MBE, Cllr Simon Killane, Cllr Gordon King, Cllr John Knight, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Magnus Macdonald, Cllr Alan MacRae, Cllr Laura Mayes, Cllr Ian McLennan, Cllr Jemima Milton, Cllr Bill Moss, Cllr Christopher Newbury, Cllr Paul Oatway QPM, Cllr Steve Oldrieve, Cllr Linda Packard, Cllr Mark Packard, Cllr Sheila Parker, Cllr Graham Payne, Cllr Nina Phillips, Cllr David Pollitt, Cllr Horace Prickett, Cllr Fleur de Rhé-Philipe, Cllr Pip Ridout, Cllr Baroness Scott of Bybrook OBE, Cllr Jonathon Seed, Cllr James Sheppard, Cllr John Smale, Cllr Toby Sturgis, Cllr Melody Thompson, Cllr John Thomson, Cllr Ian Thorn, Cllr Dick Tonge, Cllr Tony Trotman, Cllr John Walsh, Cllr Bridget Wayman, Cllr Fred Westmoreland, Cllr Ian West, Cllr Philip Whalley, Cllr Stuart Wheeler, Cllr Roy While, Cllr Philip Whitehead, Cllr Jerry Wickham, Cllr Christopher Williams and Cllr Graham Wright

80 Apologies

Apologies for absence were received from Councillors Christine Crisp, Christopher Devine, James Sheppard, Keith Humphries, Helen Osborn, Mark Connolly and Bill Douglas.

81 Minutes of Previous Meeting

The minutes of the Meetings held on 18 October 2016 were presented.

Resolved

That the minutes of the Council meeting held on 18 October be approved as correct records and signed by the Chairman

82 **Declarations of Interest**

The Chairman reminded members of the letter previously circulated from the Monitoring Officer dated 9 January 2017 which made particular reference to interests in the context of considering the budget and where members had tenancies with the Council.

Upon the advice of the Monitoring Officer, it was clarified that being a tenant of a Housing Association was not a disclosable interest in reference to the budget.

Councillor Steve Oldrieve stated that whilst he did not have a disclosable interest on the Pay Policy Statement, he would not vote on the matter.

83 **Announcements by the Chairman**

The Chairman drew the meetings attention to the arrangements for the day's meeting, specifically referencing fire safety and that the meeting was being recorded for live webcast.

The Chairman stated that details of his, and the Vice-Chairman's activities since the last meeting would be available via his blog <http://wiltshirecouncilchair.blogspot.co.uk/>

The Chairman welcomed Sir David Hempleman-Adams, the High Sheriff of Wiltshire who had requested to attend this meeting.

New Year Honours

The chairman announced that a number of Wiltshire residents had received national recognition in her majesty's new year honours' list in January.

Knight Commander Of The Victorian Order (Kcvo) Awarded To:

- Sir David Hempleman-Adams

Member Of The Victorian Order (MVO) Had Been Awarded To:

- Mrs. Jean Marjorie Potter

OBEs Had Been Awarded To:

- Mrs. Diane Aderyn, from Bradford On Avon, for Services to Higher Education.
- Ms Anne Patricia Dunham, MBE, from Worton, Devizes, for Services to Para-Equestrianism.

MBEs Had Been Awarded To:

- Mrs. Sarah Jane Banks, Westbury, for Services to the MOD Disability Network.
- Mrs. Dorothy May Brown, from Swindon, for Services to the Community in Pinehurst and Parks.
- Mrs. Stephanie Millward, from Box, for Services to Swimming.
- Mrs. Susan Thain, from Salisbury, for Services to Army Education.
- Dr Nicola Marie Wetherall, from Royal Wootton Bassett Academy, for Services to Holocaust Education, Genocide Prevention and Human Rights Education.

The Chairman noted that he and the Leader attended the recent official opening of the Springfield Centre where the Pool had been named in Stephanie Millward's honour owner.

BEMs Had Been Awarded To:

- Mr. Christopher March, from Warminster, for Services to the Community in Warminster.
- Mrs. Jane Rodwell Middleton, From Chilmark, For Services to the Community in Chilmark.

On behalf of Council, the Chariman congratulated all of the above on their awards.

84 **Presentation of Petition**

There were no petitions presented to this meeting.

85 **Petitions Update**

A report by the Democratic Governance Manager was presented which gave Council details of the two petitions received for the period since the last Council meeting.

Resolved

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

86 **Public Participation**

The Chairman stated that there we four members of the public who wished to speak regarding Motion No. 41 - Protecting Wiltshire's Rights Of Way For People.

The Chairman invited Nigel Walsh, Brian Cudby and Andrzej Zieleniewski to address the meeting, and noted that Graham Lee would make his statement just prior to the consideration of the motion later on in the meeting.

Issues raised by the speakers in support of the motion included: the importance of the work of volunteers in maintaining and supporting the footpath network; how restrictions in funding could hamper efforts; the role of footpaths in promoting the economy and improving health; and the need for equipment to take on larger projects.

The Chairman thanked the speakers for their comments, and commended the valuable work of volunteers in supporting the footpaths in their communities.

87 Adoption of the Supplementary Planning Document 'Waste Storage and Collection: Guidance for Developers'

With the Chairman's permission, Councillor Toby Sturgis, Cabinet Member for Planning and Waste, presented the recommendation of Cabinet, made at its meeting on the 15 November 2016, that Council should adopt the Supplementary Planning Document 'Waste Storage And Collection: Guidance For Developers'.

In response to issues raised by Councillors Steve Oldrieve and Trevor Carbin, Councillor Sturgis stated that once adopted, the guidance would form part of the conditions in relevant planning decisions; that this should strengthen enforcement options; and that he was reasonably confident that proportional action could be taken.

There being no further matters raised, and following a vote, the meeting;

Resolved

- 1. To adopt the Supplementary Planning Document 'Waste storage and collection: guidance for developers'; and**
- 2. To delegate authority to the Cabinet Member for Strategic Planning, Property, Waste and Strategic Housing for approval of future changes to the draft waste guidance SPD, limited to items which take account of the new services delivered under the Lot 5 Contract for waste collection services awarded by Cabinet in January 2016 without the recourse to a further consultation with planning professionals, as described further in paragraph 15 of the report presented.**

88 Pay Policy Statement

The Chairman invited Councillor Stuart Wheeler, Cabinet member for Support Services, to present the report which sought Council's approval of the updated Pay Policy Statement and the continued publication of senior staff salaries with the relevant threshold figure.

Details had been previously considered and recommended by the Staffing Policy Committee at its meeting on 4 January 2017. Councillor Alison Bucknell, Chairman of the Staffing Policy Committee, confirmed that she had no additional points to raise.

There being no further debate, the meeting;

Resolved

To approve the updated Pay Policy Statement set out in Appendix 1 of the report presented

89 Treasury Management Strategy 2017/18

With the Chairman's permission, Councillor Dick Tonge, Cabinet member for Finance, presented the proposed Treasury Management Strategy for 2017/18 as recommended by Cabinet at its meeting on 7 February 2017 for Council's approval. In his presentation, Councillor Tonge highlighted the small number of changes to be made to the existing Strategy.

There being no further debate, the meeting;

Resolved

- a) To adopt the Prudential and Treasury Indicators (Appendix A) of the report presented;**
- b) To adopt the Annual Investment Strategy (Appendix B) of the report presented;**
- c) To delegate to the Associate Director, Finance the authority to vary the amount of borrowing and other long term liabilities within both the Treasury Indicators for the Authorised Limit and the Operational Boundary;**
- d) To authorise the Associate Director, Finance to agree the restructuring of existing long-term loans where savings are achievable or to enhance the long term portfolio;**
- e) To agree that short term cash surpluses and deficits continue to be managed through temporary loans and deposits; and**
- f) T agree that any surplus cash balances not required to cover borrowing are placed in authorised money-market funds,**

particularly where this is more cost effective than short term deposits and delegate to the Associate Director, Finance the authority to select such funds.

90 Proposals to change the Council Tax Reduction (CTR) Scheme

With the Chairman's permission, Councillor Dick Tonge, Cabinet Member for Finance, presented a report which sought agreement on proposals to make minor changes to the Council Tax Reduction Scheme (CTR) with effect from April 2017.

In response to concerns raised by Councillors regarding the possible impact of changes on vulnerable families and individuals, Councillor Tonge stated that: Pensioners were not affected by the scheme; that officers would be taking a proactive approach, working with colleagues in other teams, to contact relevant families and individuals to reduce the impact of the changes; and that this would build on the work already undertaken as part of the Troubled Families scheme.

There being no further debate, and following a vote, the meeting;

Resolved

To agree changes to the council tax reduction scheme as proposed by Cabinet on 13 December 2016, to come into effect from April 2017 as follows;

- 1. Backdating claims for CTR by one month. This brings the CTR scheme in line with the latest housing benefit regulations and reduces the complexity of administration, enabling claims for both housing benefit and CTR to start at the same time.**
- 2. Removing family premium for all new working applicants. This brings the CTR scheme in line with the national housing benefit regulations.**
- 3. To limit the level of capital and or savings be set at £10,000, holding capital or savings greater than this figure will preclude entitlement to CTR.**
- 4. Limiting of the number of dependent children within the claim to two. This will bring the CTR scheme in line with the national approach unless the case is deemed exempt. (Implementation of this proposal is dependent on the Government introducing the changes to housing benefit.)**
- 5. That claims are not adjusted where a reported change affects weekly entitlement by less than £1.00.**

- 6. Restrict the working age protected category. As shown in proposal 6 of Appendix 1 to the December Cabinet report 'people receiving Employment Support Allowance will no longer be considered protected unless they are also in receipt of Disability Living Allowance (DLA) or Personal Independence Payments (PIP)'**
- 7. To mitigate against the proposed changes those subject to the most adverse issues will be invited to apply for Discretionary Council Tax Reduction which may be awarded in conjunction with other discretionary benefits like discretionary housing payment. Any application will require a means test to establish the extent of other debts, income and outgoings. The matter of council tax indebtedness cannot be looked at in isolation. The Team will look at the entirety of indebtedness owed by individuals and consider how best to support them, in terms of advice and direction to other benefits or agencies who may be able to help.**

91 **Wiltshire Council's Financial Plan Update 2017/18**

Council was asked to consider a net revenue budget of £311.351 million, to increase council tax, approve rents, fees and charges, the capital programme and reserves as detailed fully in the updated published budget papers.

The Chairman explained at the outset, how he intended to chair this item and referred to the previously circulated budget process. He reminded Councillors of the various papers that had been circulated in connection with Council's consideration of this item as follows:

- A) The Leader's budget speech - this was emailed to Councillors once it was given and is attached as Appendix A to these minutes.
- B) The proposed amendments of the Liberal Democrat group, including comments from statutory officers.
- C) The reports of the meetings of the Overview And Scrutiny Management Committee held on 1 and 14 February 2017.
- D) The recommendations from the Cabinet meeting held on 7 February 2017.
- E) The Financial Plan Update 2017/18 report of the Section 151 Officer, together with the Budget Book, proposed fees and charges and the relevant extract of the Schools Forum minutes, minutes of the meeting held between group leaders and trade unions, the Wiltshire Housing Board and a summary of the public meetings held across the County.

The Leader of the Council addressed Council delivering her budget speech (Appendix A). In making her address, the Leader highlighted the three priorities

that had informed the development of the budget: protecting the vulnerable, promoting the local economy and supporting volunteering and community resilience. Reference was made to the opportunities taken to encourage investment, and the opportunities to give communities more power over their facilities and services. The Leader concluded by thanking officers and her Cabinet for working hard to produce the budget.

Councillor Dick Tonge, Cabinet member for Finance, presented the Council's proposed Financial Plan update for 2017/18. In presenting the budget, he referred to the savings that had been identified, and the areas that would receive financial investment.

Councillor Tonge thanked Michael Hudson, Associate Director for Finance, his team and other officers for their hard work in putting together a difficult budget, and that they had helped develop innovative approaches to the challenges presented.

Councillor Dick Tonge moved the budget as presented and this was duly seconded by the Leader. This included further proposals by the Administration as presented to Cabinet on 7 February.

Councillor Simon Killane, Chairman of the Overview and Scrutiny Management Committee, presented the reports of his Committee dated 1 February which had considered and scrutinised the budget proposals, and from the meeting on the 14 February where the proposals made by the Liberal Democrat Group had been presented. He made reference to the useful briefing given to all members by the Cabinet Member and officers, and emphasised the importance of ensuring all backbench councillors were fully informed.

Councillor Glenis Ansell, in her capacity as Chairman of the Financial Planning Task Group, reported on the work of her Task Group and how it had reviewed and monitored the budget, including tracking overspends and the actions being taken to address these. This year, the Task Group had also reviewed the issue of the Four Year financial offer proposed by the Government.

The Chairman then invited Group Leaders to comment on the budget as proposed.

Councillor Glenis Ansell, in her capacity as Leader of the Liberal Democrat Group, stated that she recognised that this was a challenging set of circumstances, particularly with the pressures in social care, in which to set a budget. However, she considered that the administration had not taken opportunities to protect some services where able, and that cuts to staff and budgets were resulting in problems for projects such as the campus and development of the Chippenham Sites Plan. She too concluded by thanking the officers for their hard work in preparing the budget and supporting her group in developing its own proposals.

Councillor Ernie Clark, Leader of the Independent Group, endorsed much of what Councillor Ansell had said, and, in particular, stated that Social Care should be more fairly funded from central government budgets rather than leaving it to local government.

Councillor Ian McLennan, Deputy-Leader of the Labour Group, criticised central government's approach and attitude towards local government, and emphasised the impact of cuts on staff.

The Chairman then gave Group Leaders the opportunity to propose amendments to the budget, noting that all Group Leaders had already been given the opportunity to submit amendments in time to be scrutinised.

Councillor Glenis Ansell formally proposed her Group's amendments, as detailed in the council summons, subsequently seconded by Councillor Gordon King, which had been considered by the Overview and Scrutiny Management Committee on 14 February 2017.

In response to the amendment, The Leader stated that whilst the principle of the proposals was sound, she could not support them as: she did not believe investing money in recycling centres where usage was dropping was a good use of resources; a reduction in the professional fees budget may affect staff development; and that the additional savings required from the procurement budget would be difficult to achieve.

Councillor Ian McLennan spoke in support of the motion as he believed it would reduce incidents of fly-tipping.

Other issues raised in the debate on the amendment included: the impact of opening hours on the usage of the recycling centres; whether the increased cost was a good use of resources; and how demand could be managed better throughout the day.

At the end of the debate on the amendment, and following a recorded vote, the motion was LOST.

For the amendment (25):

Cllr Bob Jones MBE, Cllr Chris Auckland, Cllr Chris Caswill, Cllr Chris Hurst, Cllr David Jenkins, Cllr David Pollitt, Cllr Desna Allen, Cllr Glenis Ansell, Cllr Gordon King, Cllr Ian McLennan, Cllr Ian Thorn, Cllr Ian West, Cllr Jamie Capp, Cllr John Walsh, Cllr Jon Hubbard, Cllr Linda Packard, Cllr Magnus Macdonald, Cllr Mark Packard, Cllr Nick Fogg MBE, Cllr Pat Aves, Cllr Peter Edge, Cllr Rosemary Brown, Cllr Russell Hawker, Cllr Stephen Oldrieve and Cllr Trevor Carbin.

Against the amendment (59):

Baroness Scott of Bybrook OBE, Cllr Alan Hill, Cllr Alan MacRae, Cllr Allison Bucknell, Cllr Andrew Davis, Cllr Anna Cuthbert, Cllr Atiqul Hoque, Cllr Bill Moss, Cllr Bridget Wayman, Cllr Charles Howard, Cllr Christopher Newbury, Cllr Christopher Williams, Cllr Chuck Berry, Cllr Dennis Drewett, Cllr Ernie Clark, Cllr Fleur de Rhe-Philipe, Cllr Fred Westmoreland, Cllr Graham Payne, Cllr Graham Wright, Cllr Horace Prickett, Cllr Howard Greenman, Cllr Jacqui Lay, Cllr James Sheppard, Cllr Jemima Milton, Cllr Jerry Kunkler, Cllr Jerry Wickham, Cllr John Knight, Cllr John Smale, Cllr John Thomson, Cllr Jonathon Seed, Cllr Jose Green, Cllr Julian Johnson, Cllr Laura Mayes, Cllr Mark Connolly, Cllr Mary Champion, Cllr Mary Douglas, Cllr Melody Thompson, Cllr Mike Hewitt, Cllr Nina Phillips, Cllr Paul Oatway QPM, Cllr Peter Evans, Cllr Peter Hutton, Cllr Philip Whalley, Cllr Philip Whitehead, Cllr Pip Ridout, Cllr Richard Britton, Cllr Richard Clewer, Cllr Richard Gamble, Cllr Richard Tonge, Cllr Roy While, Cllr Sheila Parker, Cllr Simon Jacobs, Cllr Simon Killane, Cllr Stewart Dobson, Cllr Stuart Wheeler, Cllr Sue Evans, Cllr Toby Sturgis, Cllr Tony Deane and Cllr Tony Trotman.

Abstentions (0):

The Chairman then adjourned the meeting, for lunch, at 13:15

MEETING ADJOURNED

The Chairman reconvened the meeting at 14:05

The Chairman invited members to make any other amendments to the budget, but explained that the meeting may have to adjourn to consider the advice of statutory officers on any proposals moved without notice.

Councillor James Sheppard, subsequently seconded by Councillor Mary Douglas, proposed the following amendment:

Investment

- i) *Allocation to Area Boards for investment in pavements to £150,000:*
 - *To distribute £150,000 to Area Boards for use on pavement repair and creation. This will be to target small local schemes where repair is needed to improve the quality of lives. The methodology for allocation will be discussed at scrutiny to ensure the most appropriate method is applied to ensure equity across the county.*

Funding

- ii) *Reduce the budget for Professional Subscriptions, fees and conferences by £150,000:*
 - *In 2016/17 (with no amendments proposed for 2017/18) the Council holds a budget of £373,770 across all service budgets for the*

provision of payments in relation to Professional subscriptions, Professional Fees and conference attendances. Of that £147,215 is forecast to be unspent across a range of lines. Whilst that is being used to fund other spend in 2016/17 it is felt more appropriate by this amendment to Area Boards to invest in our pavements. This will retain a budget of £226,555 in these areas to fund some valuable subscriptions, including the LGA.

Following the presentation of the motion, and having given the group leaders an opportunity to address the motion, the Chairman then opened the amendment to general debate during which a number of points emerged: support for the principle of delegating more money to communities for pavement improvement; whether the budget proposed would be sufficient and how best to allocate the money fairly across communities.

Having been put the vote, the amendment was CARRIED and was recorded as follows:

For the amendment (77):

Baroness Scott of Bybrook OBE, Cllr Alan Hill, Cllr Alan MacRae, Cllr Allison Bucknell, Cllr Andrew Davis, Cllr Anna Cuthbert, Cllr Atiqul Hoque Cllr Bill Moss, Cllr Bob Jones MBE, Cllr Bridget Wayman, Cllr Charles Howard, Cllr Chris Auckland, Cllr Chris Caswill, Cllr Chris Hurst, Cllr Christopher Williams, Cllr Chuck Berry, Cllr David Jenkins, Cllr David Pollitt, Cllr Dennis Drewett, Cllr Desna Allen, Cllr Ernie Clark, Cllr Fleur de Rhe-Philippe, Cllr Fred Westmoreland, Cllr George Jeans, Cllr Glenis Ansell, Cllr Gordon King, Cllr Graham Payne, Cllr Graham Wright, Cllr Horace Prickett, Cllr Howard Greenman, Cllr Ian Mclennan, Cllr Ian West, Cllr Jacqui Lay, Cllr James Sheppard, Cllr Jamie Capp, Cllr Jerry Kunkler, Cllr Jerry Wickham, Cllr John Smale, Cllr John Thomson, Cllr John Walsh, Cllr Jon Hubbard, Cllr Jonathon Seed, Cllr Jose Green, Cllr Julian Johnson, Cllr Laura Mayes, Cllr Magnus Macdonald, Cllr Mark Connolly, Cllr Mary Champion, Cllr Mary Douglas, Cllr Melody Thompson, Cllr Mike Hewitt, Cllr Nick Fogg MBE, Cllr Nina Phillips, Cllr Pat Aves, Cllr Paul Oatway QPM, Cllr Peter Evans, Cllr Peter Hutton, Cllr Philip Whalley, Cllr Philip Whitehead, Cllr Pip Ridout, Cllr Richard Britton, Cllr Richard Clewer, Cllr Richard Gamble, Cllr Richard Tonge, Cllr Roy While, Cllr Russell Hawker, Cllr Sheila Parker, Cllr Simon Jacobs, Cllr Simon Killane, Cllr Stephen Oldrieve, Cllr Stewart Dobson, Cllr Stuart Wheeler, Cllr Sue Evans, Cllr Toby Sturgis, Cllr Tony Deane, Cllr Tony Trotman, Cllr Trevor Carbin

Against the amendment (3):

Cllr Christopher Newbury, Cllr Peter Edge, Cllr Terry Chivers

Abstentions (0)

The meeting then returned to considering the substantive motion as amended.

Councillor Chris Caswill expressed concern for the cuts that were being made and for the remaining £3m where actions to make savings had not yet been identified.

Councillor Laura Mayes explained that changes to the youth service had enabled services to be accessed by a wide range of young people and welcomed the opportunity for councillors to become more involved in the delivery of services in their community.

Councillor Richard Gamble defended the changes to the music service which had introduced a new method of booking services, allowing the service to save money.

Councillor Mark Connolly expressed concern as to the impact of council tax increases on vulnerable people.

Councillor Steve Oldrieve stated that he believed the short-term cuts could have long-term consequences for the community, and expressed concern as to the use of reserves

Councillor Jerry Wickham stated his wish to see money spent on care in community settings rather than in more costly clinical and residential institutions.

Councillor Chuck Berry commended the Council's record in finding solutions to the challenges faced.

Councillor Bob Jones MBE gave examples of how cuts in services had negatively affected those in his community.

Councillor Chris Williams espoused the benefits of working with communities to find solutions to challenges.

Councillor Graham Payne made reference to the national economic picture which was at the heart of the difficult choices, and emphasised the importance of community hospital facilities in tackling social care issues.

Councillor Richard Clewer commended the work of Councillor Tonge and his Cabinet colleagues in producing the budget under challenging circumstances

Councillor Philip Whitehead stated that the bus services review had enabled money spent on costly services to be used to protect the rest of the network.

Councillor Toby Sturgis promoted the record in planning and the progress made in delivering a plan-led approach to development control.

Councillor Jonathon Seed referred to the sound financial management that had enabled good services to be delivered in leisure and libraries.

Councillor Glenis Ansell argued that earlier opportunities to raise council tax by modest amounts would have left the council in a more sound financial position.

The Leader made reference to the opportunities to innovate to enable the council to meet the challenges ahead.

Councillor Tonge, in response to some of the issues raised during debate, stated that the budget would support changes in the delivery of services; and that the Council was lobbying the Government, through the auspices of the Local Government Association and directly to Ministers, to better inform them of the position of local government.

Having been put to a recorded vote, the meeting;

Resolved

- a. To endorse the update of the Financial Plan for 2017/18 as amended.**
- b. To approve the investment and savings proposals summarised at Sections 7 and 9 respectively of this report and at Appendix 1, to provide a net revenue budget for 2017/18 of £311.351 million.**
- c. Voted separately:**
 - i. To set the Council's total net expenditure budget for 2017/18 at £311.351 million.**
 - ii. To revise the Social Care Levy proposed to Council in October 2016 and propose a further 1% increase to 3%, with the Council Tax increase remaining in line with Council's October decision, at 1.99%.**
 - iii. To delegate to the Section 151 Officer in consultation with Group Leaders how to resolve any changes arising from the Final Settlement announcement, expected after Council has considered this report. It is proposed that any underfunding or additional monies will be dealt with via the General Fund Reserves.**
 - iv. To approve the Capital programme proposed at Appendix 1E of this report.**
 - v. To set the changes in fees and charges set out in detail at Section 8 of and at Appendix 1G of this report.**

- vi. To set a 1% reduction for social dwelling rents.**
- vii. To set the Housing Revenue Account (HRA) Budget for 2017/18 as set out at Appendix 1F of this report.**
- viii. That all other service charges related to the HRA be increased by CPI plus 1%, including garage rents.**

A recorded vote for the above decisions was as follows:

For the motion (61):

Baroness Scott of Bybrook OBE, Cllr Alan Hill, Cllr Alan MacRae, Cllr Allison Bucknell, Cllr Andrew Davis, Cllr Anna Cuthbert, Cllr Atiqul Hoque, Cllr Bill Moss, Cllr Bridget Wayman, Cllr Charles Howard, Cllr Christopher Newbury, Cllr Christopher Williams, Cllr Chuck Berry, Cllr Dennis Drewett, Cllr Ernie Clark, Cllr Fleur de Rhe-Philipe, Cllr Fred Westmoreland, Cllr George Jeans, Cllr Graham Payne, Cllr Graham Wright, Cllr Horace Prickett, Cllr Howard Greenman, Cllr Jacqui Lay, Cllr James Sheppard, Cllr Jerry Kunkler, Cllr Jerry Wickham, Cllr John Knight, Cllr John Smale, Cllr John Thomson, Cllr Laura Mayes, Cllr Jonathon Seed, Cllr Jose Green, Cllr Julian Johnson, Cllr Mark Connolly, Cllr Mary Champion, Cllr Mary Douglas, Cllr Melody Thompson, Cllr Mike Hewitt, Cllr Nick Fogg MBE, Cllr Nina Phillips, Cllr Paul Oatway QPM, Cllr Peter Evans, Cllr Peter Hutton, Cllr Philip Whalley, Cllr Philip Whitehead, Cllr Pip Ridout, Cllr Richard Britton, Cllr Richard Clewer, Cllr Richard Gamble, Cllr Richard Tonge, Cllr Roy While, Cllr Russell Hawker, Cllr Sheila Parker, Cllr Simon Jacobs, Cllr Simon Killane, Cllr Stewart Dobson, Cllr Stuart Wheeler, Cllr Sue Evans, Cllr Toby Sturgis, Cllr Tony Deane, Cllr Tony Trotman.

Against the motion (16):

Cllr Bob Jones MBE, Cllr Chris Auckland, Cllr Chris Caswill, Cllr Chris Hurst, Cllr David Jenkins, Cllr David Pollitt, Cllr Desna Allen, Cllr Glenis Ansell, Cllr Gordon King, Cllr Ian West, Cllr Jamie Capp, Cllr Jon Hubbard, Cllr Pat Aves, Cllr Peter Edge, Cllr Stephen Oldrieve, Cllr Trevor Carbin

Abstentions (2):

Cllr Ian Mclenna, Cllr John Walsh

92 **Council Tax Setting 2017/2018**

The Chairman asked Councillor Dick Tonge, Cabinet member for Finance, to present the report which detailed the various calculations in the prescribed format to enable Council to approve the council tax requirement for 2017/18. It

was noted that this was based on the council tax base approved by Cabinet at its meeting held on 13 December 2016. The report presented also included details from the precept authorities. Councillor Tonge moved the council tax resolution and this was seconded by the Leader.

There being no further debate, the meeting;

Resolved

- 1. To note that on 13 December 2016 the Council calculated:**
 - (a) the Council Tax Base 2017/2018 for the whole Wiltshire Council area as 177,805.08 [Item T in the formula in Section 31B(3) of the Local Government Finance Act 1992, as amended (the "Act")] and,**
 - (b) for dwellings in those parts of its area to which a Parish precept relates as in the attached Appendix.**
- 2. Calculate that the Council Tax requirement for the Council's own purposes for 2017/2018 (excluding precepts) is £237,303,994.**
- 3. That the following amounts be calculated for the year 2017/2018 in accordance with Sections 31 to 36 of the Act:**
 - (a) £939,515,101 (Gross Revenue Expenditure including transfers to reserves, parish precepts and any collection fund deficit) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils).**
 - (b) £685,257,007 (Gross Revenue Income including transfers from reserves, General Government Grants and any collection fund surplus) being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.**
 - (c) £254,258,094 (Net Revenue Expenditure including parish precepts) being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31A(4) of the Act).**

- (d) £1,429.98 (Wiltshire Council band D tax plus average Town & Parish Councils Band D Council Tax) being the amount at 3(c) above (Item R), all divided by Item T (2 above), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year (including Parish precepts), as shown below:

Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
953.32	1,112.21	1,271.10	1,429.98	1,747.75	2,065.53	2,383.30	2,859.96

- (e) £16,954,100.51 (Aggregate of Town & Parish Council Precepts) being the aggregate amount of all special items (Parish Precepts) referred to in Section 34(1) of the Act (as per the attached Appendix C).

- (f) £1,334.63 (band D Council Tax for Wiltshire Council purposes only) being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (2 above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates, as shown below:

Band A £	Band B £	Band C £	Band D £	Band E £	Band F £	Band G £	Band H £
889.75	1,038.05	1,186.34	1,334.63	1,631.21	1,927.80	2,224.38	2,669.26

A recorded vote for the above decision was as follows:

For the motion (74):

Baroness Scott of Bybrook OBE, Cllr Alan Hill, Cllr Alan MacRae, Cllr Allison Bucknell, Cllr Andrew Davis, Cllr Anna Cuthbert, Cllr Atiquil Hoque, Cllr Bill Moss, Cllr Bob Jones MBE, Cllr Bridget Wayman, Cllr Charles Howard, Cllr Chris Auckland, Cllr Chris Hurst, Cllr Christopher Newbury, Cllr Christopher Williams, Cllr Chuck Berry, Cllr David Jenkins, Cllr Dennis Drewett, Cllr Desna Allen, Cllr Ernie Clark, Cllr Fleur de Rhe-Philippe, Cllr Fred Westmoreland, Cllr George Jeans, Cllr Graham Payne, Cllr Graham Wright, Cllr Horace Prickett, Cllr Howard Greenman, Cllr Ian McLennan, Cllr Ian West, Cllr Jacqui Lay, Cllr Jamie Capp, Cllr Jerry Kunkler, Cllr Jerry Wickham, Cllr John Smale, Cllr John Thomson, Cllr John Walsh, Cllr Jon Hubbard, Cllr Jonathon Seed, Cllr Jose Green, Cllr Julian Johnson, Cllr Magnus Macdonald, Cllr Mark Connolly, Cllr Laura Mayes, Cllr Mary Champion, Cllr Mary Douglas, Cllr Melody Thompson, Cllr Mike Hewitt, Cllr Nick Fogg MBE, Cllr Nina Phillips, Cllr Pat Aves, Cllr Paul Oatway QPM, Cllr Peter Edge, Cllr Peter Evans, Cllr Peter Hutton, Cllr Philip Whalley, Cllr Philip Whitehead, Cllr Pip Ridout and Cllr Richard Britton, Cllr Richard Clewer, Cllr Richard Gamble, Cllr Richard Tonge, Cllr Roy While, Cllr Russell Hawker, Cllr Sheila Parker, Cllr Simon Jacobs, Cllr Simon Killane, Cllr Stephen Oldrieve, Cllr Stewart Dobson, Cllr Stuart Wheeler, Cllr Sue Evans, Cllr Toby Sturgis, Cllr Tony Deane, Cllr Tony Trotman, Cllr Trevor Carbin

Against the motion (3):

Cllr David Pollitt, Cllr Glenis Ansell, Cllr Gordon King

Abstention (1):

Cllr Chris Caswill

93 **Notices of Motion**

The meeting considered the following notices of motion:

94 **Motion No. 40 - Reducing Single Use Plastic - Councillors Terry Chivers and Ernie Clark**

The Chairman reported receipt of the above mentioned motion from Councillors Terry Chivers and Ernie Clark. Accordingly, Councillor Steve Oldrieve, in the absence of Councillor Chivers, moved the following motion which was duly seconded by Councillor Ernie Clark:

Council RESOLVES to ask cabinet to:

1. *Develop a robust strategy to make Wiltshire a 'single-use-plastic-free' authority by the end of 2017 and encourage the County's institutions, businesses and citizens to adopt similar measures*
2. *End the sale and provision of SUP products such as bottles, cups, cutlery and drinking straws in council buildings where possible;*
3. *Encourage traders in Wiltshire to sell re-usable containers and invite customers to bring their own, with the aim of phasing out single-use plastic containers and cutlery on markets stalls by the end of 2017*
4. *Investigate the possibility of requiring pop-up food and drink vendors at large council events to avoid SUP's as a condition of their contract; and work with tenants in commercial properties owned by Wiltshire Council to encourage the phasing out of SUP cups, bottles, cutlery and straws*

Facts about plastic:

- *Over the last ten years we have produced more plastic owned by Wiltshire Council to encourage the phasing out of SUP cups, bottles, cutlery and straws*
- *50% of the plastic we use, we use just once and throw away*
- *Billions of pounds of plastic can be found in swirling convergences in the oceans making up about 40% of the world's ocean surfaces*
- *The great pacific garbage patch is located in the North Pacific Gyre off the coast of California and is the largest ocean garbage site in the world. This floating mass of plastic is twice the size of Texas, with plastic pieces outnumbering sea life six to one.*
- *One million sea birds and 100,000 marine mammals are killed annually from plastic in our oceans*
- *Chemical added to plastics are absorbed by human bodies. Some of these compounds have been found to alter hormones or have other potential human health effects."*

The Chairman proposed, seconded by his Vice-Chairman, that the matter be referred to the Overview & Scrutiny Management Committee.

Having been put to the vote, the motion was CARRIED.

**Resolved: That Motion No. 40 – Reducing Single Use Plastic be referred to the
Overview and Scrutiny Management Committee.**

94a) Motion No. 41 - Protecting Wiltshire's Rights of Way for People - From Councillors Steve Oldrieve and Jon Hubbard

The Chairman reported receipt of the above mentioned motion from Councillors Steve Oldrieve and Jon Hubbard. Accordingly, Councillor Steve

Oldrieve moved the following motion which was duly seconded by Councillor Jon Hubbard:

Council notes:

- *Our county is fortunate to have a significant network of historic and useful footways and right-of-way;*
- *This network provides a wonderful opportunity to support the council's key objectives for individual wellbeing;*
- *This network provides an economic benefit to the county for tourists to walk our unique landscapes*

Council regrets:

- *that over the life of this council the quality and access of those rights of way has significantly reduced due to the poor upkeep and lack of sufficient budget to meet residents' expectations for maintenance.*
- *Voluntary groups have been stymied of designated funding due to the freeze on spending caused by the financial crisis at Wiltshire Council restricting the amount of work that they are able to undertake.*
- *The statutory requirement of landowners to maintain rights-of-way has not been robustly enforced by the council.*

Council calls for:

- *£36,000 of the designated fund for maintaining rights of way is delegated down to Area Boards. The Area Boards allocate the funds, following the same principles as CATG funding.*
- *That Area Boards work with voluntary rights of way groups, walking groups and Parish and Town Councils to identify the needs within their local community.*
- *The administration enables the council's enforcement teams to fulfill their obligation to protect the rights-of-ways for Wiltshire's residents.*

In presenting the motion, the following issues were raised: the impact of financial pressures on supporting volunteers; how best to utilise the area boards to identify priorities; and the contribution of footpaths to the local economy.

Prior to consideration of the item, the Chairman invite Mr Graham Lee of the Ramblers association to address the meeting, who discussed whether funding would be better administered from a central pot to support the good work of volunteers.

In response to the motion, Councillor Whitehead, Cabinet Member for Highways, made the following points: that the proposals as set out could have a detrimental impact on staff; the important role that volunteers played; and that Area Boards, through the Community Area Transport Group arrangements, already had the ability to fund footpath improvements.

Following a short debate, and having been put to the vote, the motion was LOST.

Resolved: That Motion No. 41 – Protecting Wiltshire's Rights of Way for People be NOT adopted.

94b) **Motion No. 42 - Leadership in health and social care at a critical time - From Councillors Chris Caswill and Graham Wright**

The Chairman reported receipt of the above mentioned motion from Councillors Chris Caswill and Graham Wright. Accordingly, Councillor Chris Caswill moved the following motion which was duly seconded by Councillor Graham Wright:

“Council notes with concern the current state of the NHS and social care as it affects Wiltshire residents. Nationally attention has been drawn to “years of underfunding, impossible demands, staff shortages and breaches of performance targets” and a service “heading for draconian rationing of treatments” (NHS Providers). “Underfunded, underdoctored and overstretched” is the view recently conveyed to the Prime Minister by the Royal College of Physicians. The three hospitals on which the vast majority of Wiltshire residents rely are struggling to cope with these pressures, like hospital trusts across the country. All three declared red alerts in January and two of them the highest level 4 black alerts as well.

The local NHS is now the subject of an emerging Sustainable Transformation Plan (STP) which is looking for a further £290 million of cuts across the area in which the hospitals are located, in addition to the huge so-called ‘efficiency savings’ reductions to which hospitals have already been subjected. The STP also commits to introducing the Government-imposed seven day working with no extra resources. Wiltshire Council has been partner in developing this STP.

Additionally the budget for Public Health in the County has recently been cut. At the same time, social care is in a crisis of underfunding and staff shortages across the country and Wiltshire is not immune, as evidenced by the failure over the years of Help to Live at Home providers and the recent revelation that Wiltshire residents have been placed by the Council in a care home rated as inadequate and placed under Special Measures by the Care Quality Commission (CQC).

Council notes that the Corporate Director post became vacant on 30 September 2016 and that it has taken till 3 February to advertise a separate second tier post of Director of Public Health in the national press. Council regrets that the Cabinet has chosen, in these extremely problematic circumstances, not to fill the Corporate Director post responsible for health and social care in the County, and has left these crucial policy areas (and developments such as the STP) without the leadership of a dedicated post at the highest level. Council accordingly requests that the Cabinet act to remedy this situation immediately.

Council further invites the Health Select Committee to review these recruitment and

appointment decisions at its next meeting in March, and to report its conclusions to the next Administration”.

In presenting the motion, the following issues were raised: the challenges and changes in the health system at the moment; and whether the Council had capacity to respond to and positively influence a change in the system.

In response to the motion, Councillor Wickham, Cabinet Member for Health, made the following points: that he was content with the extent to which the Council was representing itself and its community’s interests; that following the vacancy at Director level, the Associate Director had been fulfilling the role of Director of Public Health; and that recruitment to permanently fill that position was being undertaken.

The following issues were highlighted in the subsequent debate: the challenges facing the NHS; the good working relationship between the Council and Health partners; the work of the officers and praise for the Corporate Directors; and the importance of Public Health within the council.

Having been put to the vote, the motion was LOST.

Resolved: That Motion No. 42 - Leadership in health and social care at a critical time be NOT adopted.

95 **Brunel Pension Partnership - Approval of Full Business Case**

With the Chairman’s permission, Councillor Dick Tonge, Cabinet member for Finance, presented a report which asked Council to consider entering into an investment pooling as part of the Brunel project with respect to the Wiltshire Pension Fund’s investments.

Following a proposal by Councillor Tonge, subsequently seconded by Councillor Tony Deane, the meeting;

Resolved

- 1. That in its capacity as the Administering Authority for the Wiltshire Pension Fund, and having received and reviewed the recommendation of the Wiltshire Pension Fund Committee on 15 December 2016 and the Business Case attached to it, Wiltshire Council hereby resolves to enter into investment pooling as part of the Brunel project with respect to the Wiltshire Pension Fund’s investments; and**
- 2. That such resolution is made on and subject to the following terms and conditions:**

- a) That the Brunel Pension Partnership investment pool be developed, funded and implemented substantially in accordance with the terms and provisions described in the Business Case considered by the Wiltshire Pension Fund Committee, and more particularly that:
- a Financial Conduct Authority (FCA) regulated company to be named Brunel Pension Partnership Limited be established and operated with all necessary and appropriate arrangements as to its ownership, structure, governance and services capability.
 - a new supervisory body comprising representatives of the Council and all other participants in the Brunel Pension Partnership be established to ensure oversight of Wiltshire Pension Fund investments and participation in the Brunel Pension Partnership.
- b) That subject to the continued viability of investment pooling, financial or otherwise the Wiltshire Pension Fund Committee is authorised to undertake such tasks, after consideration of advice from its Chief Legal Officer, Chief Financial Officer and Pension Fund Manager, as it thinks appropriate to progress implementation of investment pooling. To take such decisions and do all other things deemed necessary in order to promote the interests of the Administering Authority with respect to pooling, which without limitation shall include agreeing and authorising any documentation, contracts, terms of reference, financial expenditure or investment that may be required consequential upon the Fund's participation in the Brunel Pension Partnership. For the avoidance of doubt this includes the right of the Wiltshire Pension Fund Committee to authorise the Chief Legal Officer and Chief Financial Officer to take such steps as are necessary to progress the project.
- c) That subject to the above, all such matters be carried out with the aim of achieving a target date for beginning investment pooling of 1 April 2018, and otherwise subject to such intermediate steps and timescales as may be considered appropriate and necessary by the Wiltshire Pension Fund Committee.

96 Future External Audit Appointments

With the Chairman's permission, Councillor Dick Tonge, Cabinet member for Finance, presented a report which asked Council to determine an appropriate route to appoint its external auditors for the 2018/19 audit and beyond.

Following a proposal by Councillor Tonge, subsequently seconded by Councillor Tony Deane, the meeting;

Resolved

To agree to choose option three recommended by the Audit Committee, and nominate Public Sector Audit Appointments Limited (PSAA) to act on its behalf and appoint external auditors for the council.

97 Proposed Changes to the Constitution - Protocol 12 - Standards Complaints Procedure

With the Chairman's permission, Councillor Stuart Wheeler, Cabinet member for Governance, presented a report which asked Council to approve changes to the Constitution as recommended by the Standards Committee in respect of Protocol 12 – Standards Complaints Procedure.

Councillor Wheeler introduced Councillor Paul Oatway QPM as the new Standards Committee Chairman, who in turn praised the hard work of his predecessor, Councillor Julian Johnson.

Following a proposal by Councillor Wheeler, subsequently seconded by Councillor Oatway, the meeting;

Resolved

To approve the changes to Protocol 12 of the Constitution as detailed in Appendix 2 of the report presented.

98 Membership of Committees and Other Bodies

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 The Baroness Scott of Bybrook, OBE, Leader of the Conservative Group, it was;

Resolved

1) Officer Appointments Committee

- **Remove Councillor Keith Humphries as a Substitute Member.**
- **Add Councillor Jerry Wickham as a Substitute Member**

99 Minutes of Cabinet and Committees

The Chairman moved that Council receive and note the following minutes as listed in the separate Minutes Book.

There being no questions or statements, the meeting;

Resolved:

That the minutes in the circulated Council Minutes Book be received and noted.

Cabinet	15 November 2016, 13 December 2016, 17 January 2017, 7 February 2017
Cabinet Capital Assets Committee	15 November 2016, 17 January 2017
Overview and Scrutiny Management Committee	1 November 2016, 3 January 2017, 1 February 2017, 14 February 2017
Children's Select Committee	11 October 2016, 6 December 2016
Environment Select Committee	25 October 2016, 13 December 2016
Health Select Committee	27 September 2016, 15 November 2016.
Northern Area Planning Committee	5 October 2016, 26 October 2016, 16 November 2016, 7 December 2016, 4 January 2017
Eastern Area Planning Committee	11 November 2016,5 January 2017
Southern Area Planning Committee	13 October 2016, 3 November 2016, 12 January 2017, 2 February 2017
Western Area Planning Committee	12 October 2016, 2 November 2016, 23 November 2016, 14 December 2016, 11 January 2017

Strategic Planning Committee	14 September 2016, 28 September 2016, 14 December 2016
Staffing Policy Committee	2 November 2016, 4 January 2017.
Wiltshire Health and Wellbeing Board	22 September 2016, 15 December 2016.
Local Pension Board	20 October 2016.
Wiltshire Pension Fund Committee	22 September 2016, 13 October 2016, 15 December 2016.
Wiltshire Police and Crime Panel	1 September 2016, 1 December 2016, 11 January 2017
Audit Committee	26 October 2016
Joint Strategic Economic Committee	12 October 2016, 15 December 2016.
Dorset and Wiltshire Fire Authority	15 December 2016

100 **Councillors' Questions**

The Chairman reported receipt of questions from Councillors Terry Chivers, Bridget Wayman, Sheila Parker, Peter Hutton, Alan MacRae, Horace Prickett, Jose Green, Trevor Carbin, Mike Hewitt, Chris Williams, John Smale, Jacqui Lay, Atiqul Hoque, Alan Hill, Chris Caswill and Roy While, details of which were circulated in Agenda Supplement No. 1 together with responses from the relevant Cabinet member – Appendix B.

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

(Duration of meeting: 10.30 am - 5.53 pm)

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

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