

## COUNCIL

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### MINUTES OF THE COUNCIL MEETING HELD ON 15 MAY 2012 AT SALISBURY CITY HALL.

#### Present:

Cllr Richard Beattie, Cllr Chuck Berry, Cllr John Brady, Cllr Richard Britton, Cllr Rosemary Brown, Cllr Liz Bryant, Cllr Allison Bucknell, Cllr Trevor Carbin, Cllr Chris Caswill, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Christopher Cochrane, Cllr Peter Colmer, Cllr Mark Connolly, Cllr Michael Cuthbert-Murray, Cllr Brian Dalton, Cllr Andrew Davis, Cllr Peter Davis, Cllr Tony Deane, Cllr Christopher Devine, Cllr Bill Douglas, Cllr Mary Douglas, Cllr Peggy Dow, Cllr Peter Doyle, Cllr Rod Eaton, Cllr Nick Fogg, Cllr Peter Fuller, Cllr Richard Gamble, Cllr Jose Green, Cllr Howard Greenman, Cllr Lionel Grundy OBE, Cllr Brigadier Robert Hall (Chairman), Cllr Russell Hawker, Cllr Mike Hewitt, Cllr Alan Hill, Cllr Charles Howard, Cllr Jon Hubbard, Cllr Chris Humphries, Cllr Keith Humphries, Cllr Peter Hutton, Cllr Tom James MBE, Cllr David Jenkins, Cllr Julian Johnson, Cllr Simon Killane, Cllr John Knight, Cllr Alan MacRae, Cllr Laura Mayes, Cllr Ian McLennan, Cllr Jemima Milton, Cllr Francis Morland, Cllr Bill Moss, Cllr Christopher Newbury, Cllr John Noeken, Cllr Jeffrey Ody, Cllr Stephen Oldrieve, Cllr Helen Osborn, Cllr Jeff Osborn, Cllr Mark Packard, Cllr Sheila Parker, Cllr Graham Payne, Cllr Nina Phillips, Cllr Fleur de Rhe-Philipe, Cllr Pip Ridout, Cllr Bill Roberts, Cllr Judy Rooke, Cllr Jane Scott OBE, Cllr Jonathon Seed, Cllr John Smale, Cllr Carole Soden, Cllr Toby Sturgis, Cllr Julie Swabey, Cllr John Thomson, Cllr Dick Tonge, Cllr Anthony Trotman, Cllr Bridget Wayman, Cllr Ian West, Cllr Fred Westmoreland, Cllr Stuart Wheeler, Cllr Roy While, Cllr Christopher Williams and Cllr Graham Wright

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#### 26 Election of Chairman

Several tributes were made to the outgoing Chairman, Cllr Brigadier Robert Hall. The Leader referred to the exemplary manner he had chaired meetings of the Council with good humour and being fair to all parties. She also thanked him for being a marvellous ambassador representing the Council and Wiltshire at numerous functions, including Royal visits and openings of various facilities.

On behalf of the Liberal Democrat group, Cllr Hubbard thanked the Chairman for the fair and impartial manner he had conducted meetings of the Council particularly in the period following the unitary status of the authority.

Cllr Christopher Newbury on behalf of the Independent group thanked the Chairman for being clear minded and capable and for being an excellent Chairman and thanked him for his contribution.

Cllr Ian McLennan commented that it was a great honour to be able to pay tribute to such an excellent Chairman.

The Chairman explained that he was deeply moved by Councillors' comments. He thanked Councillors for their kind words and for all their support during his Chairmanship. He also thanked officers for their support in particular, Democratic Services, Ian Gibbons, John Quinton, Yamina Rhouati and James Hazlewood, the Lord Lieutenancy Office – Jean Potter and her predecessor Janet de Rhé Philipe and assistant.

The Chairman sought nominations for the position of Chairman of Wiltshire Council for the period 2012/13. On being nominated and seconded and there being further nominations, it was

**Resolved:**

**That Cllr Christine Crisp be elected Chairman of Wiltshire Council for the period 2012/13.**

The newly appointed Chairman signed the declaration of acceptance of office witnessed by the Monitoring Officer.

#### **Cllr Christine Crisp in the Chair**

The Chairman explained that she would do her best to justify the confidence placed in her by Councillors. She said it was an honour to serve them.

#### 27 **Election of Vice-Chairman**

The Chairman sought nominations for the position of Vice-Chairman of Wiltshire Council for the period 2012/13. On being nominated and seconded and there being no further nominations, it was

**Resolved:**

**That Cllr Roy While be elected Vice-Chairman of Wiltshire Council for the period 2012/13.**

Cllr Roy While then signed the declaration of acceptance of office witnessed by the Monitoring Officer.

Cllr While explained that he was looking forward to serving his term.

28 **Apologies**

Apologies for absence were received from Councillors Paul Sample, Desna Allen, Ricky Rogers, Howard Marshall, Jacqui Lay, Steve Petty, Leo Randall, Jane Burton, Mollie Groom, George Jeans, Nigel Carter, Mark Griffiths, Jerry Kunkler, and Paul Darby.

29 **Minutes of Previous Meeting**

The minutes of the meeting held on 28 February 2012 were presented.

**Resolved:**

**That the minutes of the last Council meeting held on 28 February 2012 be approved as a correct record and signed by the Chairman.**

30 **Declarations of Interest**

No declarations of interest were made.

31 **Announcements by the Chairman**

The Chairman made the following announcements:

(a) **Former Cllr Peter Green**

The Chairman reported with sadness the death of former County Councillor Peter Green. Mr Green was a member of the County Council for 8 years, representing the Pewsham Division.

The Leader paid tribute to a hard working politician and local Councillor. She referred to an instance when the Council had been finely balanced politically and Mr Green had come into the Council Chamber by stretcher to participate in a crucial vote. She said that he would be sadly missed. Cllr Soden commented that he was an extremely honest and very much respected Councillor with a special interest in finance.

(b) **Former Cllr May Kiddle**

Again with sadness, the Chairman announced the recent death of former Salisbury District Councillor Edith May Kiddle. Mrs Kiddle represented the Wilton area and had been twice the Mayor of Wilton.

Councillors stood in a moment of silence as a mark of respect for both Mr Green and Mrs Kiddle.

(c) Cllr Howard Marshall

The Chairman was pleased to announce that Cllr Marshall continued to recover well from his recent heart operation. Councillors joined with the Chairman in wishing Cllr Marshall the best for his continued recovery.

(d) On-going refurbishment of County Hall

The Chairman reminded Councillors that they would be unable to access County Hall during the weekend of 19 and 20 May due to planned asbestos removal works as part of the ongoing refurbishment.

(e) Royal Visits

The Chairman referred to recent Royal visits as follows:

Thousands of people welcomed Her Majesty The Queen and His Royal Highness The Duke of Edinburgh to Salisbury on 1 May when they visited the Wiltshire Diamond Jubilee Celebration event in Salisbury Cathedral and Close. The visit formed part of their South West Tour to mark Her Majesty's Diamond Jubilee.

The Chairman thanked all those involved for their contribution to a memorable day for Wiltshire.

HRH The Countess of Wessex officially opened Alabaré Place in Barnard Street on April 26. It had been home to 33 vulnerable residents since last October. The project was a partnership between Alabaré, housing group GreenSquare (incorporating Westlea), the Homes & Communities Agency, Places of Change and Wiltshire Council. It was also Alabaré's 21st anniversary.

HRH The Duke of Gloucester visited Royal Wootton Bassett Academy on 9 May in connection with the School's Holocaust and Genocide Programme as part of their humanities subject.

Her Royal Highness The Duchess of Cornwall visited HMP Erlestoke on 2 March to attend a production of Les Misérables by Pimlico Opera involving prisoners. Her Royal Highness also visited Jamie's Farm at Ditteridge, Box on 3 April which uses a unique combination of 'Family, Farming and Therapy' to support vulnerable children from urban areas.

(f) Olympic Torch

The Chairman reminded Council that the Olympic Torch would be passing through the county on May 22 & 23 and then again on July 11 & 12. It would visit north and west Wiltshire in May and the south and east

of the county in July. The Chairman said she knew that many people would be behind the scenes to ensure it would be a wonderful event.

(g) Lynne Grant

Councillors were advised that Lynne Grant was retiring from her position as PA to the Leader of the Council. Lynne had worked for the Council for 14 years. The Chairman paid tribute to her hard work, dedication and loyalty. Councillors wished Lynne a long and happy retirement.

(h) Recorded Votes

The Chairman reminded Councillors that a trial using electronic voting handsets would be undertaken at the end of the meeting. If successful, it was hoped that using handsets would speed up the recorded vote procedure.

32 **Petitions Update**

Council received the report of the Head of Democratic Services on petitions received since the last meeting of Council. It was noted that eight petitions, excluding those on regulatory matters, had been received, details of which were presented. It was noted that some petitions were listed as having no signatories. The Chairman explained that this was where petitions had been set up on the Council's e-petitions website, but had not yet received any additional signatories.

**Resolved:**

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

33 **Petitions Received**

No petitions had been received for this meeting.

34 **Public Participation**

The Chairman reported receipt of a question from Mr Phil Matthews in respect of the proposed scrutiny arrangements which would be taken under the respective item (minute no. 35 c refers)

35 **Review of the Constitution**

Council considered recommendations from the Standards Committee in respect of the following items:

(a) **New Standards Framework**

Public Participation

Mr Scragg – member of Chippenham Town Council and member of this Council's Standards Committee and Task and Finish Group addressed Council on this item.

Cllr Stuart Wheeler as Cabinet member on the Focus Group on the Review of the Constitution presented a report which informed Council of the work undertaken so far in preparing for the implementation of the new standards framework under the Localism Act 2011.

The report also invited Council to consider the Standards Committee's proposals for implementation of the new framework in Wiltshire. This included approval being sought on a proposed Code of Conduct and arrangements for dealing with complaints under the Code for the purposes of consultation with Wiltshire Councillors and Wiltshire Parish Councillors. Final approval would be sought at the extraordinary meeting of Council on 26 June 2012 taking into account any comments received.

Details of the job description and specification for the appointment of the independent person and seeking the advice of the Independent Remuneration Panel on the rate of remuneration, arrangements for the appointment of co-opted members and terms of reference of a new Standards Committee were presented.

At the Chairman's invitation, Mrs Isabel McCord, Chairman of the current Standards Committee addressed Council on this item, particularly in relation to the proposed Code of Conduct. She considered that the Code did not cover behavioural issues such as bullying and respect which affected relationships between various parties and could impact on the reputation of the authority.

Cllr Jonathon Seed in thanking Mrs McCord for the work of the Standards Committee, presented amendments to the printed recommendations which were duly seconded, details of which were presented.

The report proposed the membership of the sub-committees of the new Standards Committee would not be subject to the rules on political proportionality. This would give flexibility to allow cross party representation to include minority groups and optimise Councillor availability. However, this approach to membership could only be implemented if no Councillor voted against the proposal.

Cllr Wheeler paid tribute to Mrs McCord and the other independent members of the current Standards Committee. Mrs McCord had been a good

Chairman and with her Standards Committee had undertaken an excellent job. These comments were echoed by the Leader of the Council.

With the consent of Council, Cllr Wheeler incorporated the amendments moved by Cllr Seed into his motion and it was therefore

**Resolved:**

- (1) To approve the draft code of conduct (DCLG model text) as amended for consultation with Wiltshire Councillors and Wiltshire Parish Councillors before final approval is sought at the next meeting on 26 June 2012.**
- (2) To approve the arrangements for dealing with code of conduct complaints, as set out in the report, for consultation with Wiltshire Councillors and Wiltshire Parish, Town and City Councillors before final approval is sought at the next meeting on 26 June 2012.**
- (3) To approve the job description and specification for the independent person as set out in the report.**
- (4) To authorise the Monitoring Officer, in consultation with the chairman of the new standards committee, to take the necessary steps to secure the appointment of 3 independent persons in accordance with the arrangements set out at paragraph 30 the report.**
- (5) To seek the advice of the Independent Remuneration Panel on an appropriate rate of remuneration for the independent person and to bring this back to council for decision on 26 June 2012.**
- (6) \*To agree to establish a standards committee with terms of reference as set out in the report, save that the sub-committees will be subject to the requirements of political balance.**
- (7) To authorise the Monitoring Officer, in consultation with the chairman of the new standards committee, to agree the arrangements for selection of co-opted members in accordance with paragraph 34 of the report, for appointment by Council at its meeting on 26 June 2012.**
- (8) With effect from its appointment by council on 15 May 2012 the new standards committee will be entirely responsible for all standards framework development matters and decisions will only be taken on matters by elected members of the council.**

**(9) To retain the current standards committee, including the current membership, for such period as is necessary to discharge its obligations relating to ongoing cases under the current regime until 1 July 2012 and for such further period as may be determined by statutory regulation.**

**(10) To agree to consult parish councils on the council's proposals for the implementation of the new standards framework in Wiltshire before a final decision is made by council on 26 June 2012.**

\* Cllr Francis Morland requested that his vote against the decision to approve the terms of reference of the new Standards Committee in so far as they related to the Sub-Committees of the Committee not being politically balanced. As this required no Councillor voting against such a decision, the Sub-Committees would now be politically balanced.

**(b) Planning Code of Good Practice**

Cllr Wheeler presented proposed revisions to the Planning Code of Good Practice. The revisions were proposed to reflect the rules on predetermination under the Localism Act 2011. It was noted that the Code would need to be further reviewed in the light of regulations on pecuniary interests and planning legislation.

A discussion ensued on the appropriateness of holding political group meetings immediately before planning committee meetings as this could give rise to a perception that planning decisions were politically motivated. Cllr Bill Douglas moved an amendment which was duly seconded as follows:

'That the Council approves the draft Planning Code of Good Practice as set out at pages 75-86 of the Summons, subject to the following changes:

Page 78, last bullet: Delete "Political Group meetings....planning issue and";

additional bullet: "There should be no Political Group pre-meetings in advance of Development Control meetings"

On being put to the vote, the amendment was LOST.

Upon further debate, Cllr Morland proposed the following amendment which was duly seconded:

'That the Council approves the draft Planning Code of Good Practice as set out at pages 75-86 of the Summons, subject to the following additional note at page 83 of the Summons:



NOTE

The following provisions of the Localism Act 2011 relating to predetermination came into force on 15 January 2012:

Prior indications of view of a matter not to amount to predetermination etc:

- (1) Subsection (2) applies if-
  - (a) as a result of an allegation of bias or predetermination, or otherwise, there is an issue about the validity of a decision of a relevant authority, and
  - (b) it is relevant to that issue whether the decision-maker, or any of the decision-makers, had or appeared to have had a closed mind (to any extent) when making the decision.
- (2) A decision-maker is not to be taken to have had, or to have appeared to have had, a closed mind when making the decision, just because-
  - (a) the decision-maker had previously done anything that directly or indirectly indicated what view the decision-maker took, or would or might take, in relation to a matter, and
  - (b) the matter was relevant to the decision.'

On being put to the vote, the amendment was LOST.

Upon further debate, Cllr Mary Douglas proposed the following amendment which was duly seconded:

To add a final bullet point under paragraph 7.1:

'To avoid the perception of political influence, there should be no Political Group pre-meetings immediately prior to Development Control meetings.'

On being put to the vote, the amendment was LOST.

Taking into account the concerns of Councillors, the Leader proposed the following amendment which was duly seconded:

In the last bullet point of paragraph 7.1, delete the word "meetings", and add an "s" to the word "group", so it reads:

'Political groups should never dictate how Members should vote on a planning issue and...'

Cllr Wheeler and with the consent of Council accepted the amendment within his motion.

**Resolved:**

**That the Council approves the draft Planning Code of Good Practice as set out at pages 75-86 of the Summons subject to the following amendment:**

**In the last bullet point of paragraph 7.1, delete the word "meetings", and add and "s" to the word "group", so it reads:**

**'Political groups should never dictate how Members should vote on a planning issue and...'**

(c) **Overview and Scrutiny Arrangements**

Public Participation

The Chairman reported receipt of a question from Mr Phil Matthews, Chairman of the Wiltshire Involvement Network, details of which were presented along with the response from the Leader of the Council.

Details of the question and response are attached as Appendix 1 to these minutes.

Cllr Stuart Wheeler, Cabinet member on the Focus Group on the Review of the Constitution presented a report which explained the background to the review of the Council's Overview and Scrutiny arrangements in the light of experience since the inception of the unitary authority. The views of the Standards Committee dated 2 May 2012 were also presented.

The report also sought approval to implement new arrangements resulting from the review. Details of the current and proposed committee structure charts were presented for Council's consideration. Cllr Wheeler moved the recommendations which were duly seconded. These included having an Overview and Scrutiny Management Committee with three sub-committees covering Health, Children's Services and Environment with a standing task group on budget overview and other ad-hoc task groups as required.

Cllr Tony Deane proposed the following amendment to the printed recommendations which was duly seconded:

To amend paragraph (2) to include a third bullet point to read as

follows:

- Rename the three sub-committees as “select committees”

To add a new paragraph (7) to read as follows:

- (7) To deal with the expected work programme, six meetings for each Select Committee per year will be fixed in the Council diary. This is in the knowledge that extra meetings may be arranged if necessary and the planned meetings may be cancelled if there is insufficient business’.

Cllr Jeff Osborn explained that efforts had been made for some time to secure a protocol to govern the relationship between scrutiny and the Executive. Although elements of the protocol had been included in the section on core values of the new arrangements, he considered that this fell short of what had been included in the protocol. Cllr Osborn explained that a fully resourced and structured overview and scrutiny arrangement was at the heart of being able to challenge the Executive and secure on behalf of council tax payers, good value for money.

With the consent of Council, the amendments from Cllr Deane were incorporated into the motion and it was

**Resolved:**

**That Council agrees:**

- (1) **the core values as set out in paragraph 7 of the report presented;**
- (2) **the structure and terms of reference of the revised overview and scrutiny arrangements as set out in Appendix B of the report presented subject to**
  - **In the Overview and Scrutiny Management Committee box, replace the fourth bullet with “Endorse the formation of task groups/appoint representative to project groups and delegate responsibility as appropriate”**
  - **In each of the three Sub-Committee boxes, remove the wording “with the agreement of the Management Committee”.**
  - **Rename the three Sub-Committees as “Select Committees”**
- (3) **to authorise the Monitoring Officer to make any consequential**

constitutional amendments necessary to give effect to the revised arrangements;

- (4) to note the new Overview and Scrutiny Management Committee would be responsible for determining how ongoing legacy business from the current arrangements should be managed;
- (5) to note the intention to maintain the Extended Leadership Team working group to assist in implementing and developing these revised arrangements;
- (6) to review the operation of the arrangements within 18 months; and
- (7) to deal with the expected work programme, six meetings for each Select Committee per year will be fixed in the Council diary. This is in the knowledge that extra meetings may be arranged if necessary and the planned meetings may be cancelled if there is insufficient business.

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

- (a) **Appointment of Committees and Review of Allocation of Seats on Committees to Political Groups**
- (b) **Appointment of Councillors to Committees**
- (c) **Appointment of Chairmen and Vice-Chairmen of Committees**

37 **Appointment of Wiltshire Council members to serve on the Combined Fire Authority**

The Chairman took the above items recorded at minute no.s 36 (a) – (c) and 37 together giving Councillors an opportunity comment on individual items.

The Leader proposed a motion which encompassed all of the above and the decision taken at minute number 35 (b) and (c) on the overview and scrutiny and standards arrangements, details of which were circulated and this was duly seconded. The proposals also included the new requirement to appoint a Police and Crime Panel; a formal joint committee of Wiltshire and Swindon Councils. The Leader also drew attention to the need to appoint non-elected voting and non-voting members to the Children's Services Select Committee. It was noted that Group Leaders had been consulted on the principles of what was being proposed.

**Resolved:**

- (1) To note the reports and the legal requirements.
- (2) To 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 (Current and New)**  
**Overview and Scrutiny Management**  
**Children’s Services Select**  
**Environment Select**  
**Health and Adult Social Care Select**  
**Audit**  
**Appeals**  
**Staffing Policy**  
**Officer Appointments**  
**Pension Fund**  
**Police and Crime Panel**  
**Joint Committee for Appointment to Wiltshire Police Authority**

- (3) To approve the aggregate number of committee places available to members of the Council being 186 and the number on each committee as follows:-

<b>Committee</b>	<b>Total Number of Places for Elected Members</b>	<b>Conservative Group Allocation (62 seats)</b>	<b>Liberal Democrat Group Allocation (23 seats)</b>	<b>Labour Group Allocation (2 seats)</b>	<b>Independent Group Allocation (8 seats)</b>	<b>Devizes Guardians Group Allocation (3 seats)</b>
<b>Strategic Planning</b>	13	9	3	-	1	-
<b>Area Planning Committees</b>						
North	11	8	3	-	-	-
South	11	6	3	1	1	-
East	9	6	1	-	1	1
West	11	6	3	-	2	-
<b>Licensing</b>	12	8	3	-	1	-
<b>Overview and Scrutiny Management</b>	13	7	3	1	1	1
<b>Children’s Services OS</b>	13	9	3	-	1	-

Environment OS	13	7	3	1	1	1
Health and Adult Social Care OS	13	8	3	-	1	1
Standards	13	7	3	1	1	1
Police and Crime Panel	7	5	2		-	
Audit	13	8	3	-	1	1
Appeals	8	6	2	-	-	-
Staffing Policy	9	6	2	-	1	-
Officer Appointments	5	3	1	-	1	-
Pension Fund	5	4	1	-	-	-
Joint Police Appointing	7	4	2	-	1	-
<b>TOTALS:</b>	<b>186</b>	<b>117</b>	<b>44</b>	<b>4</b>	<b>15</b>	<b>6</b>

- (4) To appoint Area Boards, constituted as area committees as set out in paragraphs 15 to 17 of the report presented and within the Constitution, and to appoint those members representing electoral divisions to their respective area boards as set out in Appendix 1 attached to this motion.
- (5) To approve the nominations of Group Leaders, as set out in the attached Appendix 2, for the appointment of councillors and substitutes, to serve on 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.
- (6) To re-appoint the current Standards Committee with continuing responsibilities under the existing standards regime until these responsibilities have ceased and to appoint the following Council members to serve on that committee:-
- Cllrs Fuller, Johnson, Marshall, McLennan, Clark and Carter
- (7) To appoint the following (7) members to the Children's Services Select Committee.

**Non-Elected Voting Members:**

Rev Alice Kemp	Parent Governor Representative (SEN)
Mr Neil Owen	Parent Governor Representative (Secondary)
Mrs Rosheen Ryan	Parent Governor Representative (Primary)
Mike Thompson	Clifton Diocesan RC Representative
Vacancy	CoE Representative

**Non-Elected Non-Voting Members:**

Mrs Di Dale	Further Education Representative
Vacancy	Secondary Schools Headteacher Representative
Mrs Judith Finney	Primary School Headteachers Representative
Mr John Hawkins	School Teacher Representative
Kaylum House	Children & Young People's Representative

**(8) To appoint the following councillors to serve on the Combined Fire Authority for 2012/13 :-**

Conservative (6)	Liberal Democrat (2)	Independent (1)
Peter Davis Payne Groom Devine Brigadier Hall Wayman	Marshall Jeff Osborn	Newbury

**(9) To appoint the following Chairmen and Vice-Chairmen:-**

<u>Committee</u>	<u>Chairman</u>	<u>Vice Chairman</u>
Area Planning Committee – Eastern	C Howard	R Gamble
Area Planning Committee – Northern	T Trotman	A Hill
Area Planning Committee – Southern	F Westmoreland	J Green
Area Planning Committee – Western	P Fuller	R While
Audit Committee	R While	S Parker
Licensing Committee	J Seed	J Green
Officer Appointments Committee	J Scott	J Thomson
Pension Fund Committee	T Deane	C Howard
Staffing Policy Committee	A Bucknell	M Hewitt
Strategic Planning Committee	A Davis	J Johnson
Standards Committee	J Johnson	P Fuller

**(10) To note that in accordance with the Constitution the Chairmen and Vice Chairmen and the Overview and Scrutiny Select Committees will be elected at the first meeting of those committees.**

38 **Notices of Motion**

No notices of motion received for this meeting.

39 **Councillors' Questions**

The Chairman reported receipt of question from Councillors Fogg, Jenkins, Caswill and Clark. Details of the questions and responses from the relevant Cabinet member are attached as Appendix 3.

In accordance with the constitution, each Councillor was given the opportunity to ask a relevant supplementary question to which the relevant Cabinet member replied.

40 **Minutes of Cabinet and Committees**

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

<u>Meeting</u>	<u>Date</u>
Cabinet	20 March & 17 April 2012
Cabinet Capital Assets Committee	21 March 2012
Organisation and Resources Select Committee	5 April 2012
Children's Services Select Committee	29 March 2012
Health and Adult Social Care Select Committee	15 March 2012
Environment Select Committee	1 March & 3 May 2012
Northern Area Planning Committee	22 February, 14 March, 4 & 25 April 2012
Eastern Area Planning Committee	15 March, 5 & 26 April 2012
Southern Area Planning Committee	29 March 2012
Western Area Planning Committee	7 & 28 March 2012
Strategic Planning Committee	14 March & 11 April 2012



Standards Committee	7 March, 18 April & 2 May 2012
Audit Committee	21 March 2012
Officer Appointments Committee	19 April 2012
Staffing Policy Committee	22 February & 7 March 2012
Wiltshire Pension Fund Committee	22 February 2012

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

### **Cabinet Capital Assets Committee – Terms of Reference**

In accordance with the Constitution, the Leader reported that she had extended the terms of reference of the Cabinet Capital Assets Committee to include the 'strategic overview of the Council's policy on Section 106 funding *and Community Infrastructure Levy (CIL)* and the use of *these funds*'. Additional words in italics.

### **Resolved:**

**That the above mentioned minutes be received and noted.**

41 **Annual Report of the Standards Committee**

Mrs Isabel McCord, Chairman of the current Standards Committee presented the Annual Report of the Committee for the period 2011/12.

Mrs McCord guided Councillors through the report highlighting salient points. She thanked members of the Committee, the Monitoring Officer and his staff for their help and support. She commented that it had been a privilege to work with all those connected with the Standards Committee.

**Resolved:**

**That the Annual Report of the Standards Committee for the period 2011/12 be received and noted.**

42 **Annual Report from the Corporate Parenting Panel**

Council received the Annual Report of the Corporate Parenting Panel for the period 2011/12.

Cllr Jon Hubbard thanked Cllr Sheila Parker, Chairman of the Panel for all her work. He commented that the matter of engagement with looked after children had been judged outstanding by the recent Ofsted inspection which was largely achieved through the work of the Panel. Cllr Hubbard reminded Councillors that they were all corporate parents and urged them all to read the entire report.

**Resolved:**

**That the Annual Report of the Corporate Parenting Panel for the period 2011/12 be received and noted.**

43 **Dates of Council meetings 2012/13**

**Resolved:**

**To approve the following dates for meetings of the Council for the period 2012/13:**

<b>26 June 2012</b>	<b>-</b>	<b>Extraordinary meeting</b>
<b>10 July 2012</b>		
<b>13 November 2012</b>		
<b>19 February 2013 (if required)</b>		
<b>26 February 2013</b>	<b>-</b>	<b>Budget Setting meeting</b>

44 **Wiltshire Police Authority**

The report and minutes of the Wiltshire Police Authority meetings held on 9 February and 27 March 2012 were received and noted. No questions from Councillors had been received on these documents. Cllr Soden updated Council on recent appointments to the Chief Officer Team.

45 **Wiltshire and Swindon Fire Authority**

The minutes of the Wiltshire and Swindon Fire Authority meeting held on 14 February 2012 were received and noted. No questions had been received from Councillors on these minutes.

(Duration of meeting: 10.30 am - 3.35 pm)

The Officer who has produced these minutes is John Quinton, of Democratic & Members' Services, direct line 01225 718024, e-mail [Yamina.Rhouati@wiltshire.gov.uk](mailto:Yamina.Rhouati@wiltshire.gov.uk)

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

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**WILTSHIRE COUNCIL**

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**15 MAY 2012**

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**QUESTIONS FROM THE PUBLIC – ITEM 9C**

**QUESTION FROM MR PHIL MATTHEWS, WILTSHIRE INVOLVEMENT  
NETWORK (CHAIR)**

**TO CLLR JANE SCOTT, LEADER OF THE COUNCIL**

**Question 1**

If the proposals for the new Scrutiny Arrangements are approved by the Council can I have an assurance that the Wiltshire Involvement Network will still be invited to the Health and Social Care Sub Committee as a Stakeholder like they have been in past years?

**Response**

This is a matter for the Sub Committee.

However once the new arrangements for Health and Wellbeing Boards are in place, WIN's functions will transfer to HealthWatch, who will have a place on the Health and Wellbeing Board.

Any suggestion therefore that HealthWatch will also have a place on the Health Overview and Scrutiny Sub Committee will have to be carefully considered and managed.

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## Appendix 2

### Appointment of Committee Members

#### Strategic Planning Committee (13)

Conservative Group (9)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)	Devizes Guardians (0)
C Howard	S Petty	-	F Morland	-
M Connolly	I West			
A Davis	J Knight			
P Fuller				
C Humphries				
J Johnson				
L Randall				
T Trotman				
F Westmoreland				
Substitutes:				
L Bryant	R Brown		E Clark	
P Colmer	B Douglas		N Fogg	
M Groom	M Packard		R Hawker	

#### Area Planning Committee – East (9)

Conservative Group (6)	Liberal Democrat Group (1)	Labour Group (0)	Independent (1)	Devizes Guardians (1)
J Milton	P Dow	-	N Fogg	J Burton
R Gamble				
C Howard				
C Humphries				
L Mayes				
C Williams				
Substitutes:				
L Bryant	T Carbin		G Jeans	J Ody
J Kunkler	B Douglas		C Newbury	N Carter
J Seed	S Killane		F Morland	

**Area Planning Committee – North (11)**

Conservative Group (8)	Liberal Democrat Group (3)	Labour Group (0)	Independent (0)	Devizes Guardians (0)
P. Colmer	D Allen	-	-	-
C Crisp	S Killane			
P Davis	M Packard			
P Doyle				
A Hill				
P Hutton				
T Sturgis				
T Trotman				
Substitutes:				
C Berry	B Douglas			
M Groom	H Marshall			
B Roberts	J Rooke			

**Area Planning Committee – South (11)**

Conservative Group (6)	Liberal Democrat Group (3)	Labour Group (1)	Independent (1)	Devizes Guardians (0)
R. Britton	B. Dalton	I. McLennan	G. Jeans	-
C Devine	P Sample			
J Green	I West			
M Hewitt				
J Smale				
F Westmoreland				
Substitutes:				
M Douglas	D Jenkins	R Rogers	E Clark	
W Moss	S Petty		R Hawker	
L. Randall	G Wright		C Newbury	



**Area Planning Committee – West (11)**

Conservative Group (6)	Liberal Democrat Group (3)	Labour Group (0)	Independent (2)	Devizes Guardians (0)
R Eaton	T Carbin	-	E Clark	-
P Fuller	J Knight		C Newbury	
M Griffiths	S Petty			
P Ridout				
J Seed				
R While				
Substitutes:				
A Davis	R Brown		F Morland	
F De Rhé-Philippe	M Hewson		R Hawker	
K Humphries	J Osborn		T James	

**Licensing Committee (12)**

Conservative Group (8)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)	Devizes Guardians (0)
R Beattie	D Allen	-	G Jeans	-
R Eaton	P Dow			
J Green	M Hewson			
J Lay				
B Moss				
P Ridout				
B Roberts				
J Seed				
Substitutes:				
A Bucknell	T Carbin		E Clark	
L Bryant	B Douglas			
M Douglas	J Hubbard			

**Overview and Scrutiny Management Committee (13)**

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (1)	Independent (1)	Devizes Guardians (1)
T. Deane	T Carbin	R Rogers	C Newbury	N Carter
P Doyle	J Hubbard			
A Hill	J Rooke			
M Hewitt				
P Hutton				
J Seed				
C Soden				
Substitutes:				
C Berry	D Allen	I McLennan	E Clark	J Burton
R Britton	B Dalton		N Fogg	J Ody
P Ridout	M Packard		R Hawker	

**Children's Select Committee (13)**

Conservative Group (9)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)	Devizes Guardians (0)
A Davis	P Darby	-	R Hawker	-
P Davis	J Hubbard			
M Douglas	P Dow			
P Fuller				
M Griffiths				
J Lay				
B Moss				
S Parker				
C Soden				
Substitutes:				
C Devine	J Knight		E Clark	
M Groom	H Osborn		N Fogg	
B Roberts	J Osborn		T James	

### **Environment Select Committee (13)**

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (1)	Independent (1)	Devizes Guardians (1)
C Berry	R Brown	I McLennan	T James	N Carter
C Cochrane	J Hubbard			
P Doyle	S Oldrieve			
J Green				
A Hill				
C Humphries				
L Randall				
Substitutes:				
C Howard	T Carbin	R Rogers	N Fogg	J Burton
J Johnson	B Dalton		R Hawker	J Ody
T Trotman	B Douglas		G Jeans	

### **Health Select Committee (13)**

Conservative Group (8)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)	Devizes Guardians (1)
C Berry	D Allen		T James	J Burton
C Crisp	C Caswill			
P Colmer	J Knight			
P Davis				
P Hutton				
N Phillips				
P Ridout				
B Roberts				
Substitutes:				
R Britton	D Jenkins		N Fogg	N Carter
M Douglas	H Osborn		R Hawker	J Ody
B Moss	J Rooke		G Jeans	

**Standards Committee (13)**

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (1)	Independent (1)	Devizes Guardians (1)
A Bucknell	C Caswill	I McLennan	E Clark	N Carter
P Fuller	B Dalton			
H Greenman	J Hubbard			
J Johnson				
C Soden				
R While				
C Williams				
Substitutes:				
C Cochrane	R Brown		Newbury	
M Douglas	T Carbin		Morland	
P Doyle	I West		Fogg	

**Police and Crime Panel (7)**

Conservative Group (5)	Liberal Democrat Group (2)	Labour Group (0)	Independent (0)	Devizes Guardians (0)
R Britton	C Caswill	-	-	-
M Hewitt	B Dalton			
K Humphries				
P Hutton				
P Ridout				
Substitutes:				
P Doyle	S Petty			
C Howard	P Sample			
H Greenman				

### **Audit Committee (13)**

Conservative Group (8)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)	Devizes Guardians (1)
R Britton	D Jenkins	-	G Jeans	N Carter
P Doyle	H Osborn			
J Johnson	M Packard			
M Griffiths				
A MacRae				
S Parker				
P Ridout				
R While				
Substitutes:				
R Eaton	C Caswill		E Clark	-
M. Groom	J Osborn		M Cuthbert-Murray	-
B Wayman	P Sample		F Morland	

### **Appeals Committee (8)**

Conservative Group (6)	Liberal Democrat Group (2)	Labour Group (0)	Independent (0)	Devizes Guardians (0)
A Bucknell	D Jenkins	-	-	-
A Davis	H Osborn			
P Davis				
A. Hill				
B Wayman				
R While				
Substitutes:				
C Crisp	B Douglas			
C Cochrane	P Dow			
J Milton	I West			

**Staffing Policy Committee (9)**

Conservative Group (6)	Liberal Democrat Group (2)	Labour Group (0)	Independent (1)	Devizes Guardians (0)
A Bucknell	J Hubbard	-	F Morland	-
R Eaton	D Jenkins			
M Hewitt				
J Noeken				
J Smale				
J Scott				
Substitutes:				
M Douglas	R Brown		E Clark	
B Moss	C Caswill		G Jeans	
J Seed	M Packard		C Newbury	

**Officer Appointments Committee (5)**

Conservative Group (3)	Liberal Democrat Group (1)	Labour Group (0)	Independent (1)	Devizes Guardians (0)
L Grundy	J Hubbard	-	N Fogg	-
J Scott				
J Thomson				
Substitutes:				
J Noeken	C Caswill		E Clark	
J Brady	B.Dalton		T James	
F de Rhe-Philippe	M Packard		C Newbury	

**Pension Fund Committee (5)**

Conservative Group (4)	Liberal Democrat Group (1)	Labour Group (0)	Independent (0)	Devizes Guardians (0)
T Deane	M Packard	-	-	-
F De Rhé-Philippe				
C Howard				
S Parker				
Substitutes:				
J Brady	D Jenkins			
W Moss	H Osborn			
R While	J Osborn			

**Joint Committee for Appointment to Wiltshire Police Authority (7)**

Conservative Group (4)	Liberal Democrat Group (2)	Labour Group (0)	Independent (1)	Devizes Guardians (0)
Fleur de Rhe-Philippe	C Caswill		C Newbury	
L Grundy	P Sample			
C Soden				
J Scott				
Substitutes:				
K Humphries			E Clark	
J Thomson	J Hubbard		G Jeans	
R Tonge	J Osborn		T James	

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**15 MAY 2012**

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**QUESTIONS FROM COUNCILLORS**

**FROM CLLR NICK FOGG, MARLBOROUGH WEST DIVISION**

**TO CLLR LIONEL GRUNDY, CABINET MEMBER FOR CHILDREN'S SERVICES**

**Question 1**

- a) Where would you say responsibility for OFSTED's finding of 'serious and significant shortcomings' in Wiltshire's care for at least some of its vulnerable children may lie?
- b) What precise steps are being taken to remedy these failings?
- c) Is the report in the Gazette & Herald of April 26<sup>th</sup>, 2012, which stated that care workers had not been invited to child protection meetings, even though they were best placed to represent the child's interests, correct?

**Response**

- a) The Ofsted report highlights that all partner agencies must take responsibility for ensuring that vulnerable children are safe. Each agency is accountable for making sure they are clear about their safeguarding responsibilities. All partners have stated that the main priority is to safeguard children and young people and minimise the risk of them being subject to harm and they are in agreement that the improvement plan and actions must be delivered with some urgency, to ensure that Wiltshire children and young people are protected.

A multi-agency Safeguarding Improvement Board has been established and is responsible for monitoring progress and overseeing the delivery and evidence of improvement. The inspectors judged that there is adequate capacity to improve safeguarding services and for looked after children the capacity to improve is good and that the political and managerial ambition and prioritisation across all partners is to improve and be better than adequate across all services.

- b) The inspectors reported that as soon as the issues were raised with the council that immediate and appropriate action was taken to ensure the children and young people identified were re-assessed and appropriately protected. A detailed improvement plan was drafted and shared with inspectors before they left. This plan has subsequently

been developed following receipt of the inspection report.

The immediate actions as set out in the inspection report and the improvement plan are either well underway or have been completed. An Improvement Board has been set up and has already met twice. The terms of reference for this board and its role have been agreed. Its key purpose is to oversee, challenge and support the delivery of improvement. Membership is at senior level and includes representatives from the council, health services and police and the chair of the newly established safeguarding scrutiny task group. An independent chair has been appointed. A multi-agency operational group, will support the board to ensure that the improvements are delivered.

An external audit of all child protection cases and cases held within the Referral and Assessment team has been undertaken and action has been taken in response to any identified issues. Additional management capacity is in place. Staff and managers are regularly updated and invited to attend development sessions.

The Department for Education has confirmed that our actions to date have been timely and appropriate and the inspectors stated that the council is committed, within challenging budget reductions, to protecting its front line services.

c) Without knowing where these comments originated it makes it very difficult to respond to the Gazette & Herald's coverage. However, the Ofsted inspection team, throughout the duration of their inspection and in the final report did not raise any concerns about the attendance of professionals at child protection conferences.

There is a clear process in place; the Local Children's Safeguarding Board (LSCB) has an escalation procedure which sets out the steps to be followed if there are any concerns in respect of child protection practice. It is the responsibility of all professionals to follow this procedure if they have concerns. We can confirm that no specific concerns of this nature have been highlighted to the LSCB or to the Director of Children's Services.

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**QUESTIONS FROM COUNCILLORS**

**FROM CLLR DAVID JENKINS, WESTBURY NORTH DIVISION**

**TO CLLR RICHARD TONGE, CABINET MEMBER FOR HIGHWAYS AND  
TRANSPORT**

**Question 1**

With regard to the car parking alterations made under HT-22-12 for the Queen's Diamond Jubilee, it is important to the people and businesses of Westbury that Saturday the 2<sup>nd</sup> of June is included.

There will be a whole range of events taking place the Town which has been organised by the Town Council and other outside organisations for over two years. The events will vary in size, the numbers of people who attend and choice. They will run through the Saturday and into the evening. It is part of a comprehensive full four day programme of celebration, therefore in view of this can Saturday the 2<sup>nd</sup> of June be included in the alterations to parking arrangements?

**Response**

The final date for comments on the 'intention to make a decision' is 15th May. I will discuss the responses with officers very soon after the 15th and issue a decision shortly after that.

The submission by Councillor Jenkins has been logged in and will be considered together with others received.



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**QUESTIONS FROM COUNCILLORS**

**FROM CLLR CHRIS CASWILL, CHIPPENHAM MONKTON DIVISION**

**TO CLLR TOBY STURGIS, CABINET MEMBER FOR WASTE, PROPERTY,  
ENVIRONMENT AND DEVELOPMENT CONTROL SERVICES**

**Question 1**

Does the Council's agreement with ING for the redevelopment of the Bath Road site in Chippenham (a) include an expectation that ING will provide alternative facilities for youth service provision currently housed in the Bridge Centre (such as the cafe) or (b) require a cash payment in lieu?

**Response**

The Development Agreement with ING obliges the company to either provide alternative youth facilities or make cash payment in lieu, at the Council's discretion.

**Question 2**

If (a) which facilities fall within the ING remit? Or if (b) can we be given an assurance that all the funds provide under this aspect of the agreement will be used for the re-provision of current youth services?

**Response**

The relocation provision covers all youth services currently operating from the Bridge Centre. It is intended that that if a cash payment was made then it would be used to fund whatever alternative facility is to be provided. For instance, if the service was to be relocated in a community campus then the payment would go towards such a facility.



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**QUESTIONS FROM COUNCILLORS**

**FROM CLLR CLLR CHRIS CASWILL, CHIPPENHAM MONKTON DIVISION**

**TO CLLR JONATHAN SEED, CHAIRMAN LICENSING COMMITTEE**

**Question 1**

- a) What progress has been made towards revision of the Council's Licensing Policy to take account of recent legislative changes and the Government's published Alcohol Strategy?
- b) Will that revision process include consideration of introducing Cumulative Impact Zones in Wiltshire towns?

**Response**

- a) The question regarding the review of the Licensing Policy was raised at the last Full Council meeting (item 22 draft minutes, Council meeting 28<sup>th</sup> February 2012).

At this time Councillors were advised that members of the Licensing Policy Committee were aware of the impending changes within the Police Reform and Social Responsibility Act.

It was also reported that the commitment to review the policy was already contained within the work programme of the Committee and that this process would start as soon as full details of the proposal (and guidance) were available. These are now known and officers are working to consider the impact these will have on the review of the Licensing Policy, together with the proposals contained within the National Alcohol Strategy. This review will include a consultation process with both the public and partners together with appropriate training for members of the Committee.

Two measures specifically outlined in the National Alcohol Strategy, the Late Night Levies and Early Morning Restriction Orders will not be available until October 2012.

It is hoped that a revised Licensing Policy will be considered by the Licensing Policy Committee at its meeting in September 2012, and subsequently commended to Council.

- b) Any review of the licensing policy will consider whether it is appropriate to include provisions relating to cumulative impact. Any decision to have such provisions must be based on relevant evidence and will be considered in light of the revised guidance.



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**QUESTIONS FROM COUNCILLORS**

**FROM CLLR CHRIS CASWILL, CHIPPENHAM MONKTON DIVISION**

**TO CLLR JANE SCOTT, LEADER OF THE COUNCIL**

**Question 1**

As the Council now has the executive ability to act in licensing matters, and is not confined to a quasi-judicial role, will consideration now be given to including licensing policy in a Cabinet portfolio, and to a revision of officer responsibilities to provide for a more active approach?

**Response**

Section 7 of the Licensing Act 2003 provides that all matters relating to the discharge by a licensing authority of its licensing functions are referred to the Licensing Committee established under s.6 of the Act. That committee then arranges for some of those functions to be discharged by its sub-committees or officers as appropriate. Even with the recent changes to the Licensing Act brought about by the Police Reform and Social Responsibility Act 2011, there is no provision for any Licensing Act functions to be the responsibility of the Executive. In addition the retention of the licensing policy as a Committee matter allows members to have a real influence on all licensing matters.

The Police Reform and Social Responsibility Act 2011 amended s.13(4) of the Licensing Act so as to make the licensing authority itself a 'responsible authority' thereby allowing it to object to applications and call for reviews. This will require a separation of roles within the Licensing Team (as set out in paragraphs 9.17 - 9.18 of the revised statutory guidance) and an amendment to the scheme of delegation to allow officers to make representations on applications on behalf of the licensing authority. These amendments and reviews are in hand.



**QUESTIONS FROM COUNCILLORS**

**FROM CLLR CHRIS CASWILL, CHIPPENHAM MONKTON DIVISION**

**TO CLLR LIONEL GRUNDY, CABINET MEMBER FOR CHILDREN'S SERVICES**

**Question 1**

- a) What services are now provided by Connexions in Wiltshire?
- b) How are those services being advertised?
- c) How are the services which are no longer being provided by Connexions being made available to the young people who need them?
- d) What steps are being taken to monitor the provision of these kinds of support services in Wiltshire secondary schools?

**Response**

- a) The Connexions brand no longer exists. Remaining Connexions staff are now part of the Integrated Youth Service (IYS). Their primary role is to provide support for young people who are not in education, employment and training (NEET) or at significant risk of this.

All Integrated Youth Service staff (Youth Offending, former Connexions staff, Youth Development staff and others) have a youth engagement role to work with young people who are identified as being vulnerable e.g. NEET or risk of NEET, Special Educational Needs, Disability, Child in Care, Young Offender, Teenage Parent, Substance Misuse etc. As such, the IYS provides 'targeted' support to those young people who need it most.

However, a universal 'open access' youth work offer remains in each community area delivered by local Youth Workers. Changes to Connexions have been made in light of statutory government guidance stating that responsibility for careers guidance (formerly 'Information, Advice and Guidance') moves to schools (including academies) and colleges from 1st September 2012 – supported by the new 'National Careers Service'.

- b) Integrated Youth Services are advertised in several ways:-

- Through commissioning consultations directly with young people.
- Regular communications with schools and academies.
- Communication to partners of Children and Young Peoples Trust.
- On 'Sparksite' (youth website) and as communicated by IYS Delivery Teams.
- Within Job Centres where Integrated Youth staff are still present at set times.

We are currently undertaking work to continue to clarify our overall youth offer and to explore the best way of promoting this to local young people. Young people will be involved in this.

- c) Careers Information, Advice and Guidance (which the Council no longer delivers from 1st September) will be provided by schools including academies. As such, there should be no reduction in the overall offer, although it is now split between the Local Authority (focus on vulnerable young people) and schools/colleges (universal offer of careers guidance to all young people). Between May and September, an interim offer of service is in place and has been accepted by schools and colleges.
- d) There is currently no requirement for the Local Authority to monitor the provision of Careers Guidance in schools. However, our Schools and Learning Team are working with schools and colleges to support the provision of careers guidance in schools through our local Raising Participation Age Strategy and Plan, of which schools are a key partner. In addition the Schools and Learning 13-19 Team are working with and encouraging schools to obtain the careers 'Quality Mark' status. Overall the Department for Education will have a lead role in ensuring that effective quality careers advice is delivered by schools and colleges.

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**QUESTIONS FROM COUNCILLORS**

**QUESTION FROM CLLR ERNIE CLARK, HILPERTON DIVISION**

**TO CLLR JANE SCOTT, LEADER OF THE COUNCIL**

**Question 1**

What progress has been made to recover 'the enhanced element of severance' from the former Kennet staff members? Also, I understand that the auditor was of the opinion that the original 'non-pensionable honoraria' payments should not have been made. Accepting that this is the case, what steps are being taken to recover these payments? If no action is being taken could you please explain why.

**Response**

Recovery action is still being pursued. Since the last meeting of Council on 28 February 2012 when this matter was raised a further request for information has been made by one of the party's solicitors. Council Officers are trying to locate this documentation but it is proving to be difficult due to its historical nature.

Once we have complied with the latest request, as far as this is possible, we will be able to require an answer from that party and then any defences raised can be considered and a final decision made as to whether Court proceedings are justified.

With regard to the original non pensionable honoraria payments the Chief Executive, after consultation with the Solicitor to the Council, Chief Finance Officer and myself as Leader, decided not to pursue recovery of these payments as the costs and litigation risks involved in doing so were likely to be disproportionate to the amounts in question. This approach was endorsed by the Audit Committee on 24 March 2010.

