

## COUNCIL

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### **DRAFT MINUTES OF A MEETING OF COUNCIL HELD ON 9 JULY 2013 AT CERES HALL - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.**

#### **Present:**

Cllr Desna Allen, Cllr Glenis Ansell, Cllr Pat Aves, Cllr Chuck Berry, Cllr Nick Blakemore, Cllr Richard Britton, Cllr Rosemary Brown, Cllr Allison Bucknell, Cllr Trevor Carbin, Cllr Chris Caswill, Cllr Mary Champion, Cllr Terry Chivers, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Linda Conley, Cllr Mark Connolly, Cllr Christine Crisp (Chairman), Cllr Brian Dalton, Cllr Andrew Davis, Cllr Tony Deane, Cllr Christopher Devine, Cllr Stewart Dobson, Cllr Bill Douglas, Cllr Mary Douglas, Cllr Dennis Drewett, Cllr Peter Edge, Cllr Peter Evans, Cllr Sue Evans, Cllr Nick Fogg, Cllr Richard Gamble, Cllr Jose Green, Cllr Howard Greenman, Cllr Russell Hawker, Cllr Mike Hewitt, Cllr Alan Hill, Cllr Charles Howard, Cllr Jon Hubbard, Cllr Keith Humphries, 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 Alan MacRae, Cllr Howard Marshall, Cllr Laura Mayes, Cllr Helena McKeown, Cllr Ian McLennan, Cllr Jemima Milton, Cllr Bill Moss, Cllr John Noeken, Cllr Paul Oatway, Cllr Stephen Oldrieve, Cllr Helen Osborn, Cllr Jeff Osborn, Cllr Linda Packard, Cllr Mark Packard, Cllr Sheila Parker, Cllr Graham Payne, Cllr Nina Phillips, Cllr David Pollitt, Cllr Leo Randall, Cllr Fleur de Rhé-Philippe, Cllr Pip Ridout, Cllr Ricky Rogers, Cllr Jane Scott OBE, Cllr Jonathon Seed, Cllr James Sheppard, Cllr John Smale, Cllr Toby Sturgis, Cllr John Thomson, Cllr Ian Thorn, Cllr Ian Tomes, Cllr Dick Tonge, Cllr Anthony Trotman, Cllr John Walsh, Cllr Nick Watts, Cllr Bridget Wayman, Cllr Fred Westmoreland, Cllr Ian West, Cllr Philip Whalley, Cllr Stuart Wheeler, Cllr Roy While (Vice Chairman), Cllr Philip Whitehead, Cllr Christopher Williams and Cllr Graham Wright

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#### **39 Apologies**

Apologies for absence were received from Councillors Magnus Macdonald, Mollie Groom, Christopher Newbury, Liz Bryant and Graham Wright.

#### **40 Minutes of Previous Meeting**

The minutes of the Annual Council meeting held 14 May 2013 were presented.

**Resolved:**

**That the minutes of the Annual Council meeting held on 14 May 2013 be approved as a correct record and signed by the Chairman subject to an amendment at minute no.s 33/34 – resolution 5 – ‘Wessex Local Medical Committee’ to read ‘Wessex Local Medical Committees’.**

**41 Declarations of Interest**

Cllr Helena Mckeown in asking a supplementary question to question 1 she had submitted on the issue of possible links between children with autism and air pollution, declared a non-pecuniary interest by virtue of being a member of the Transport and Health Study Group (minute no. 46 refers).

**42 Announcements by the Chairman**

**a) Her Majesty The Queen’s Birthday Honours**

The Chairman was delighted to announce that a number of Wiltshire residents received national recognition in the recent Queen’s Birthday Honours’ List.

**OBES** had been awarded to:

**Mrs. Anne Bull-George** from Devizes, for services to education

**Mr. Peter Davis** from Trowbridge, Grade 6, Ministry of Defence, for services to the armed forces, especially in support of Afghan operations

**Mr. Stephen Eley** from Salisbury, Grade 6, Ministry of Defence, for public service, especially in support of the London 2012 Olympic and Paralympic Games

**Ms Mandy Hope** from Westbury, Grade 7, Ministry of Defence, for public service, especially in support of the London 2012 Olympic and Paralympic Games

**MBES** had been awarded to:

**Dr. Cyril Bennett** from Amesbury for voluntary services to Riverfly Conservation

**The Reverend Christopher Walker**, Regimental Padre, for services to armed forces personnel

**BEMS** had been awarded to:

**Mrs. Patricia Branley** of Bulford – Administrative Officer, Ministry of Defence, for public and charitable services especially to the Macmillan Trust and military veterans

**Mr. Maurice Cole** of Codford for services to the community of Codford

Councillors joined the Chairman in congratulating them all on receiving national recognition.

**b) Royal Visits**

The Chairman referred to the two Royal visits to the County in recent months.

Their Royal Highnesses The Duke of Cambridge and Prince Harry attended the opening of Tedworth House in Tidworth in May. The Leader of the Council and Chairman had been invited to attend as guests of Help For Heroes. This very impressive establishment offered direct, practical support to those service personnel who had suffered life changing injuries and illnesses whilst serving our Country. The Chairman commented that it had been a great privilege for them both to be present at the opening to represent the Council, which had of course supported the development of this facility in the County.

Her Royal Highness the Duchess of Cornwall also came to Wiltshire in June. She attended a charitable event before visiting the 'Big Lunch' held at the Mead Community Primary School in Hilperton. Cllr Richard Gamble represented the Council. The 'Big Lunch' was organised by the Big Community Group with the aim of bringing pupils, families and the local community together for an afternoon of fun, food and activities. There were around 500 present and it was a joyful occasion, which clearly demonstrated the good community spirit which present in Wiltshire.

**c) Armed Forces Day Celebrations**

The Council was pleased to support the flying of the Armed Forces Day Flag from our main Council office buildings. Celebrations were held around the County over the weekend of 29 and 30 June, providing a good opportunity for us to acknowledge the magnificent job the armed services do and to show our support for them all, whether serving members, veterans or cadets. Acknowledging that such events take many months of planning, the Chairman thanked and congratulated all those who worked hard to ensure their success.

**d) DBS Checks**

The Chairman reminded members that officers would be available after this meeting to check DBS forms (formerly CRB checks) for those newly elected Councillors who serve on the Children's Select Committee, the Health Select Committee and Corporate Parenting Panel.

**d) Ofsted Inspection**

The Chairman explained that Council was undergoing an unexpected Ofsted inspection reviewing the Council's safeguarding arrangements.

With the Chairman's permission, the Leader made the following announcement:

**e) Temporary Closure of Trowbridge Birthing Centre**

The Leader referred to the understandable concerns of members and the local community over the closure of the birthing centre at Trowbridge Hospital. She also referred to the briefing note circulated to members by Great Western Hospital (GWH), the provider of community maternity services in Wiltshire which explained its position.

In her capacity as Chairman of Wiltshire Health and Wellbeing Board, the Leader had arranged to meet with the Chairman and Chief Executive of GWH to discuss the situation. She had also requested a report on maternity services generally for discussion at the Health and Wellbeing Board. The Leader had been assured that the closure was only temporary over the summer period and taken as a health and safety measure to ensure that appropriate levels of trained staff were available to staff the birthing centre.

Cllr Jeff Osborn thanked the Leader for the interest she had shown in the matter and the action she was taking.

#### 43 **Petitions Update**

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

##### **Resolved:**

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

#### 44 **Public Participation**

No requests for public participation had been received.

#### 45 **Notice of Motion no. 1 - Highways and Streetscene Contract From Cllrs Jeff Osborn and Helen Osborn**

The Chairman reported receipt of the following motion:

##### **Notice of Motion no. 1 – Highways and Streetscene Contract From Cllrs Jeff Osborn and Helen Osborn**

Cllr Jeff Osborn moved the following motion which was duly seconded by Cllr Helen Osborn:

##### *Preamble*

*A number of members including myself have received several complaints on the grass cutting service or lack of it since commencement of the new Highways and Streetscene contract on 1 June 2013.*

*It is our view therefore that the Council should receive convincing reassurance that the recent problems with the grass cutting service will not reoccur.*

### Action

*That Council instructs the Environment Select Committee to:*

- *undertake regular and close monitoring of this element of the new contract with Balfour Beatty Living Places;*
- *to consider what lessons can be learned from how this contract was implemented to assist with planning future similar contracts and*
- *to make recommendations as appropriate to the Executive'.*

Cllr Jeff Osborn spoke to his motion expressing his concerns over the highways and streetscene contract. He explained that he had received several complaints that grassed areas had not been cut. Cllr Helen Osborn echoed such concerns and asked how the contract was being monitored and managed. She also considered that lessons should be learnt when considering future contracts.

A lengthy debate ensued during which the following main points were made:

- negative impact on residents
- lack of proper equipment provided to carry out the work
- quality of service was not consistent
- some play areas particularly affected which rendered them unusable
- health and safety concerns over possible injuries in long grass
- problems exacerbated by recent wet weather
- transfer of appropriate number of staff had also been an issue
- that lessons should be learnt from this
- reputational damage to the Council
- Councillors had not been kept informed

Cllr John Thomson Cabinet member for Highways and Transport responded to the motion. He explained that some difficulties had arisen partly due to the weather and partly due to not knowing how many staff would TUPE to the new contract until commencement of the contract. He reminded Council that he had made every effort to keep members fully informed by having circulated three separate briefing notes to members. The Managing Director of Balfour Beatty Living Places (BBLP) would be taking feedback from this meeting and addressing members' concerns. He confirmed that BBLP were putting things right quickly and catching up with the work at their own costs.

Cllr Thomson pointed out that grass cutting was a very small element of a considerable value contract with BBLP and he was happy that Councillors seemed content with the remainder of the contract.

Cllr Thomson did not think it right for Council to dictate to Scrutiny on what it should be taking up as issues. He considered that it was up to Scrutiny to determine its own workplan and priorities. Should Scrutiny decide to look into the contract, he confirmed

that he would be happy to attend its meetings to provide any input and information required.

Cllr Jeff Osborn with the consent of his seconder, amended the motion to read that '*That Council asks instructs the Environment Select Committee to.....*'

On being put to the vote, the above motion was LOST and it was therefore

**Resolved:**

**That notice of motion no. 1 on the Highways and Streetscene Contract be NOT adopted.**

#### 46 **Councillors' Questions**

The Chairman reported receipt of questions from Cllrs Helena Mckeown, Chris Hurst, Jeff Osborn, Helen Osborn, Howard Marshall, Simon Killane, Terry Chivers, Ian Thorn, David Jenkins, Helen Osborn, Gordon King and Chris Caswill. Details of questions were circulated and attached as Appendix A to these minutes together with the responses given.

Questioners agreed to take their questions as read and were given an opportunity to ask a relevant supplementary question to which the relevant Cabinet member responded.

Supplementary questions were raised and summarised as follows which should be read in conjunction with the attached questions.

Question 1 – Cllr Helena McKeown – studies highlighting links between children with autism and air pollution. Cllr Keith Humphries referred to the various studies on this subject by respected researchers. A number of leading experts across Europe had issued a statement following their consideration of a report on possible links. They concluded that whilst there was a link between children with autism and air pollution, it was not to an extent that required people to change their lives.

Question 2 - Cllr Helena McKeown – air pollution. Doctors were seeing a rise in patients with breathing difficulties during warmer weather in areas particularly affected by pollution. She asked if it would be possible to map out areas which were particularly affected. Cllr Keith Humphries explained that he would be happy to discuss the matter with Cllr McKeown.

Question 3 – Cllr Jeff Osborn – take up and continuation of Small Grant Scheme. Cllr Keith Humphries explained that a formal evaluation of the scheme would be undertaken at the end of the current scheme as well as looking into ways to better publicise it.

Question 4 - Cllr Howard Marshall – delays in completing land searches and whether there was a danger of delaying property completions. Cllr Sturgis confirmed that

officers would be proactively prioritising searches by exchange dates to avoid this happening.

Question 6 – Cllr Simon Killane requested clarification of the plans to provide media arrangements in the renovated council chamber at County Hall. Cllr Stuart Wheeler undertook to provide further information to Cllr Killane.

Question 8 – Cllr Terry Chivers – would the Highways contract be monitored and would there be penalties for non or poor performance. Cllr John Thomson confirmed that the contract included a detailed specification on what was required to be delivered. Not performing satisfactorily would bring a risk to the contractor of the contract not being extended for 2 years as allowed for in the contract.

Question 11 – Cllr Ian Thorn – when would he be able to meet with officers to discuss the particular problems which existed in Bradford on Avon South and the provision of additional bins. Cllr Thomson confirmed that there were no restrictions on arranging such a meeting with officers.

Cllr Question 12 – Cllr Ian Thorn - improving public consultation on the Council's own planning applications. Cllr Toby Sturgis gave a verbal response.

Question 14 – Cllr Ian Thorn – proposals for a review of residents' parking in Bradford on Avon. Cllr John Thomson undertook to provide a written response to all members on how the Council proposed to address the demand for residents' parking schemes throughout the County.

Question 15 – Cllr David Jenkins – requested a copy of the Council's policy on rail. Cllr Fleur de Rhé-Philippe explained that the policy was currently being updated and would be circulated to members in due course.

Question 16 – Cllr David Jenkins – Westbury rail network – would the Council be again writing to the Department for Transport putting the case for Westbury. Cllr Fleur de Rhé-Philippe explained that the Council would be doing all it could and that she was very aware of the impact this would have on the rail network in the County.

Question 17 – Cllr Jeff Osborn – involvement of Trowbridge Area Board on the future of the former Council offices at Bradley Road, Trowbridge. Cllr Wheeler explained that the disposal of this building was part of the Council's transformation policy to dispose of properties and concentrate resources on 3 modernised hubs.

Question 18 – Cllr Jeff Osborn – availability of Council diary for members. Cllr Stuart Wheeler explained that the traditional green diary was very expensive to produce. However, he was looking to investigate with officers an alternative solution that would include the reference information sought by members. Officers were also exploring the ability to provide the information as an App.

Question 19 – Cllr Helen Osborn – charging of volunteers to work and learn at Palmer Gardens, Trowbridge. Cllr Keith Humphries indicated that he was happy to discuss this matter further with Cllr Helen Osborn.

Question 22 – Cllr Chris Caswill – standard of care for vulnerable adults and the elderly. Was there confidence that with the appointment of four quality assurance posts and efforts to challenge and monitor, the problems recently highlighted would not recur. Cllr Keith Humphries explained that there were 250 care homes in the area, looking after 640 residents. Such incidences were rare and that he did have confidence in the service provided.

Question 23 – Cllr Chris Caswill – provision of a simple document providing contact details which families of those in care could use to follow up any issues. Cllr Keith Humphries explained that each care facility should have readily available details of their complaints process and that contact details were made available.

Question 24 – Cllr Caswill – Delay in the serious issues arising from the Avonmead case being addressed in a report for the Health Select Committee. Cllr Keith Humphries explained that it was important to collate all of the information in order to consider the issues carefully and thoroughly.

Question 25 – Cllr Helena McKeown – timing of visits of Avonmead before and after the Panorama TV programme. Cllr Keith Humphries explained that it had been inspected in April when no concerns had been raised.

#### 47 **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:

Cabinet	21 May & 18 June 2013
Overview and Scrutiny Management Committee	23 May 2013
Health Select Committee	30 May 2013
Environment Select Committee	11 June 2013
Northern Area Planning Committee	24 April, 29 May & 19 June 2013
Eastern Area Planning Committee	25 April, 30 May & 20 June 2013
Southern Area Planning Committee	18 April & 23 May 2013
Western Area Planning Committee	22 May & 12 June 2013
Audit Committee	18 June 2013
Staffing Policy Committee	22 May 2013
Wiltshire Pension Fund	4 June 2013
Wiltshire and Swindon Fire Authority	30 May 2013

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.



In accordance with paragraph 3 of the Cabinet Procedure Rules at Part 7 of the Constitution, the Leader presented a written record of delegations made by her for inclusion in the Council's Scheme of Delegation at Part 3A of the Constitution. It was noted that there was no change from the previous delegations but did reflect the new Cabinet members and their responsibilities. Council was therefore asked to note the written record of delegations as presented.

#### **Cabinet – 21 May 2013 – minute no. 37: Swindon and Wiltshire Local Transport Body**

Cllr Jeff Osborn enquired as to the membership of the Body. Cllr Fleur de Rhé-Philippe explained that it comprised 2 members of Wiltshire Council (herself and Cllr Toby Sturgis with support from the relevant Portfolio Holder), 2 members of Swindon Borough Council and 1 member of the Local Enterprise Partnership.

Cllr Jon Hubbard asked when the briefing note mentioned in the minute on the outcome of a meeting between officers, Duncan Hames MP and First Great Western would be circulated. The Leader confirmed that this would be circulated very soon as the meeting referred to had just been held last night (8 July).

#### **Overview and Scrutiny Management Committee**

Cllr Simon Killane, Chairman of the Management Committee explained that the number of subjects in the Committee's work programme was extremely challenging. However, he was grateful to officers for their support, in particular, Paul Kelly, Scrutiny Manager and his team.

Cllr Mike Hewitt enquired as to progress with the Budget Scrutiny Task Group. Cllr Killane confirmed that work was in hand to establish the Task Group.

#### **Staffing Policy Committee – 21 May 2013 – minute no. 22: Wiltshire Council Staff Survey**

A Councillor enquired as to how the results of the Staff Survey would be communicated to staff also involving the unions. Cllr Allison Bucknell confirmed that a meeting with the unions had been arranged for 10 July. Staff were being informed of the results through the Electric Wire and team briefings.

#### **Staffing Policy Committee – 21 May 2013 – minute no. 23 (2): additional meeting of Committee**

A query was raised as to 'urgent staffing matter' that would be the subject of an additional meeting of the Committee arranged for 26 June 2013. Cllr Allison Bucknell confirmed that the meeting had not in fact taken place and that she could not go into detail in open session as it related to exempt information.

#### **Wiltshire Pension Fund Committee – 4 June 2013 – minute no. 29: LGPS 2014 Reforms Update**

Cllr Tony Deane, Chairman of the Committee drew Council's attention to this minute which highlighted proposals contained within the Reform Update and invited members to refer any comments they had on the matter to him.

### **Strategic Planning Committee**

Cllr Andrew Davis, Chairman of the Committee reminded members that the meeting scheduled for 17 July had been postponed until 30 July 2013.

### **Standards Committee**

Cllr Julian Johnson, Chairman of the Committee reminded members that the Committee was scheduled for tomorrow (10 July 2013).

No questions were raised on the minutes of the Wiltshire and Swindon Fire Authority.

### **Resolved:**

- (a) That the minutes of the above mentioned minutes be received and noted.**
- (b) That the revised Part 3A of the Constitution – Delegation of Executive Functions as presented by the Leader, be received and noted.**

## **48 Statutory Post of Head of Paid Service**

With the Chairman's permission, the Leader presented the recommendation of Cabinet dated 21 May 2013 as follows:

*'To approve and recommend to Council that the statutory Head of Paid Service role now becomes the responsibility of the Corporate Directors, on a rotational basis and that the Monitoring Officer is instructed to make any consequential amendments to the constitution.'*

The report previously considered by Cabinet was presented as background information to Council. It was noted that it was proposed that the Head of Paid Service would rotate between the three Corporate Directors every four months.

It was explained that the designation of the statutory role of head of paid service to the Service Director HR & OD had operated well. However recent advice on safeguarding included a recommendation for the Chair of Local Safeguarding Children's Board (LSCB) to report to the Head of Paid Service. In addition a review of the current corporate leadership team had led to a proposal to change the membership of the team to further strengthen the organisational leadership role of the corporate directors.

There was discussion on how the role of overseeing the work of the chair of the LSCB could effectively be discharged under the proposed arrangements, given advice that this could not be undertaken by the statutory Director of Children's Services. It was agreed that this would be looked into further with a view to bringing back a protocol on how the role of Head of Paid Service would be discharged having regard to recent guidance on the Council's safeguarding responsibilities.

**Resolved:**

- (a) That a Protocol on the future role of the Head of Paid Service be drawn up and presented to the next ordinary meeting of Council on 12 November 2013.**
- (b) That in the meantime, Corporate Director, Maggie Rae be appointed Head of Paid Service.**

**49 Annual Report on Treasury Management 2012/13**

At the Chairman's request, Cllr Dick Tonge, Cabinet member for Finance, Performance, Risk, Procurement And Welfare Reform presented the annual report on Treasury Management for the period 2012/13 following consideration and recommendation by Cabinet on 18 June 2013.

The report reviewed:

- a) PrIs, TrIs and other treasury management strategies set for 2012-13 against actual positions resulting from actions within the year and
- b) investments during the year in the context of the Annual Investment Strategy.

Cllr Tonge guided Council through the detail of the report. Cllr Trevor Carbin asked a question on progress with recovering monies from the Icelandic Banks. Cllr Tonge undertook to provide Cllr Carbin with a written response.

**Resolved:**

**That Council receives and notes the Annual Treasury Management report for the period 2012/13 and in particular the :**

- (a) Prudential Indicators, Treasury Indicators and other treasury management strategies set for 2012-13 against actual positions resulting from actions within the year as detailed in Appendix A of the report presented; and**
- (b) Investments during the year in the context of the Annual Investment Strategy as detailed in Appendix B of the report presented.**

**50 Annual Report of the Corporate Parenting Panel - 2012/13**

Cllr Alan Macrae, Portfolio Holder for Safeguarding presented the Annual Report of the Corporate Parenting Panel for the period 2012/13. He reminded members that they were all Corporate Parents and thanked them for their commitment towards safeguarding by their attendance at the Safeguarding induction events and for signing the Safeguarding Pledge.

Cllr Macrae thanked officers for the report and members of the Corporate Parenting Panel for all their hard work. He referred to recent fundraising initiatives to support the Council's looked after children.

Cllr Jon Hubbard reminded members that the Council had been judged as outstanding by Ofsted on the way we worked with our looked after children. He thanked officers for their hard work and dedication, particularly Karen Reid and Lin Hitchman.

Clarification was sought on the issue of DBS checks and whether previously issued CRB checks were still in force or would have to be renewed every 3 years as referred to in the report presented. It was agreed to issue a clear statement to members on this issue.

**Resolved:**

**That the Annual Report of the Corporate Parenting Panel for the period 2012/13 be received and noted.**

51 **Review of Proportionality and Allocation of Seats on Committees to Political Groups**

**(a) review of committee places**

Following changes in the number of seats held by individual political groups on the Council, a request had been received from the Leader of the Conservative Group for a review of the allocation of seats to political groups.

There were currently 4 political groups on the Council. The respective strengths of those groups following the changes were as follows:

Name of group	No. of Councillors in group
Conservative	59
Liberal Democrat	26
Independent	8
Labour	4
Ungrouped	1

The net effect of the change in political group sizes was that the Conservative group would gain 2 seats and the Liberal Democrat group would lose 2 seats. A scheme of committee places was presented which had been the subject of discussion with Group Leaders.

The report explained how a review was carried out and the principles that had to be applied.

**Resolved:**

- (i) To note this report and the legal requirements.
- (ii) To confirm the aggregate number of committee places available to members of the Council being 174 as set out in Appendix B.
- (iii) To approve the following changes to the appointment of Councillors to committees to serve until the next occasion membership is reviewed under the provisions of the Local Government and Housing Act 1989:
- Cllr John Knight – removed from Western Area Planning Committee as a Liberal Democrat group member and added as a Conservative group member
  - Cllr Helena Mckeown – removed from Children’s Select Committee as a Liberal Democrat group member (becoming a substitute member)
  - Cllr Sheila Parker – appointed to Children’s Select Committee as a Conservative group member
- (iv) To make changes to the revised membership of the Wiltshire and Swindon Fire Authority for 2013/14 as follows:

**Cllr Howard Marshall (Liberal Democrat) – be removed**

**Cllr John Knight (Conservative) – be appointed**

**(b) Membership of Committees**

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

Following requests from Group Leaders and on being put to the vote, it was

**Resolved:**

**That Council approve the following changes to committee membership:**

Licensing Committee	Remove	Cllr Peter Hutton
	Add	Cllr Allison Bucknell
	Remove	Cllr Allison Bucknell (Substitute)
	Add	Cllr Bill Moss (Substitute)

Overview and Scrutiny Committee	Add Remove Add Remove Add	Cllr Crisp Cllr Peter Hutton Cllr S Dobson Cllr P Oatway Cllr P Oatway (Substitute)
Children's Select Committee	Remove Add Add Add Remove	Cllr Sheila Parker (Substitute) Cllr Stuart Dobson (Substitute) Cllr Chuck Berry (Substitute) Cllr Helena McKeown (Substitute) Cllr Mark Packard (Substitute)
Health Select Committee	Remove Add Add Remove Add Add Remove Remove Add Add	Cllr Peter Hutton Cllr Mary Champion Cllr John Knight (Substitute) Cllr Mary Champion (Substitute) Cllr Chuck Berry (Substitute) Cllr Gordon King Cllr Gordon King (Substitute) Cllr John Knight (Substitute) Cllr David Jenkins (Substitute) Cllr Rosemary Brown (Substitute)
Appeals Committee	Remove Add Add Remove Add	Cllr John Smale Cllr Sheila Parker John Knight (Substitute) Cllr Steve Oldrieve Cllr Desna Allen
Staffing Policy Committee	Remove Add Add	Cllr Peter Hutton (Substitute) Cllr Fleur de Rhé Phillipe (Substitute) Cllr Bill Moss (Substitute)
Standards Committee	Add	Cllr Pip Ridout (Substitute)
Police and Crime Panel	Add	Cllr Trotman (Substitute)
Audit Committee	Add	Cllr Jacqui Lay (Substitute)
Pension Fund Committee	Add	Cllr Fleur de Rhé Philipe (Substitute)
Environment Select Committee	Add	Cllr Phil Whalley (Substitute)

## Appendices

Appendix A – Questions from Councillors and responses

Appendix B – Scheme of Committee places

(Duration of meeting: 10.30 am - 3.00 pm)

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

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**Wiltshire Council**

**Council**

**09 July 2013**

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**Item 8 - Questions from Councillors**

**From Councillor Dr Helena McKeown, Salisbury St Edmund and Milford Division**

**To Councillor Keith Humphries, Cabinet Member for Public Health and Protection, Adult Care and Housing (excluding Strategic Housing)**

**Question 1**

Is the Cabinet member aware that there are two studies that highlight the links between children with autism and air pollution?

What steps are Wiltshire Council taking to ensure that our young people and expectant women are protected from this risk?

**Response**

**Part One**

A verbal response will be given at the meeting to the first part of this question.

**Part Two**

We have adopted an Air Quality Strategy which is explicit in identifying the health effects of air pollution and need for public health to work closely with air quality specialists to support improvements in local air quality and to protect human health, quality of life and the environment.

This work is continuing with the inclusion of air quality in the emerging Wiltshire Core Strategy, the production of draft Air Quality Supplementary Planning Guidance, the revised Wiltshire Air Quality Action Plan and inclusion as an indicator in the draft Wiltshire Business Plan.

The Public Health Consultant with lead responsibility for this area has established a Health & Environment Group. The group is composed of Public Health England (formerly Health Protection Agency), Public Health, Public Protection Services, Environment Agency and the Local Commissioning Board. This forum continues to monitor the developing evidence base around the health effects of air pollution as well as other environmental exposures. The group has also overseen a number of specific actions in relation to monitoring levels of air pollution and protecting the health of the local population, including;

- Developing a texting/messaging service which will alert those with asthma and other respiratory conditions to changes in the weather which might affect air quality and lead to an exacerbation of symptoms. Early warning of atmospheric and temperature changes enables people to adapt their activities and prevent acute episodes.
- Establishing a website to provide the public with real-time data on air quality, using monitoring systems in place in Air Quality Management Areas
- Commencing a review of existing Air Quality Action Plans, and developing a new format for the new Wiltshire-wide Air Quality Action Plan. This will have a much stronger community focus than previous plans.
- Reviewing diffusion tube monitoring locations across the county and revising locations where gaps were identified for the 2013 monitoring programme.
- Working with interested local Area Boards to help local areas identify their own solutions to reducing vehicle use. This includes:

#### **Devizes**

- The Devizes Transport Strategy has been approved by the Area Board, and a community based Devizes Air quality Steering Group has been established reporting to the Area Board.
- We have reviewed diffusion tube monitoring locations and revised their distribution to obtain a better picture of air quality within Devizes and reflect the boundaries of the new AQMA.

#### **Calne**

- Public consultation has been undertaken for the proposed Air Quality Management Area; two options were provided and of these the second option which covers the main thoroughfares in Calne is the preferred option. The Area Board took ownership of the consultation process and used Survey Monkey to gather opinions. They received over 200 responses from the public, which is one of the best responses received and illustrates the value of working with the Area Boards. The air quality management area was formally declared in January 2013.
- The area board has established a small working group to address air quality in Calne, chaired by Cllr Ansell.

#### **Bradford on Avon**

- Real time monitoring equipment has been relocated to Masons Lane. A considerable amount of work has been undertaken to find a suitable location. Residents of The Old Vicarage, Masons Lane have kindly agreed to the monitoring equipment being housed in their drive way. Detailed data for

nitrogen dioxide and fine particulates (PM10) levels will become available over the next year.

- The Bradford Community Air Quality Group has developed their preferred actions for the community air quality action plan. Actions include an origin and destination survey for the town, promotion of electric vehicles and low carbon buses and new HGV signage warning of the town bridge weight limit, as part of the Lorry Watch scheme.

### **Marlborough, Westbury**

- We will be contacting these boards in the near future with regard to Air Quality Action Planning.

### **Salisbury**

- We have been meeting with representatives of the Area Board since January 2013 regarding the establishment of a community AQAP working group. An air quality group was formally established in March 2013.
- 
- We have reviewed the location of diffusion tubes in Salisbury for the 2013 monitoring programme.
- We have fed into the development control process on a number of large developments in the Salisbury Area, and our draft SPD and developer guidance notes have proven a valuable starting point for discussions with developers.
- We have been monitoring data within Salisbury, and the results from the automatic analyser are below the annual average nitrogen dioxide levels of 40 ug/m<sup>3</sup>. The trend over the last 5 years has shown a decline in levels from as high as 43 in 2006 down to 39 in 2012 which is really positive news for Salisbury.
- The transport plan and action plan for Salisbury had many measures implemented including schemes such as Park and ride and SCOOT which will have contributed to the decline in nitrogen dioxide levels.
- Nitrogen dioxide diffusion tube trends within the City are also on a downward trend since 2006. There are now only exceedences in London Road, Minster Street (also on a downward trend) and Wilton Road.
- Wilton Road is of particular interest as nitrogen dioxide levels have been increasing since 2007. In light of this we have intensified monitoring along the road to help with establishing the extent of the problem. This has resulted in the new 2012 location at 225 Wilton Road showing an exceedence of the annual average. As this is an area not currently covered by the Salisbury AQMA a Detailed Assessment will have to be undertaken which will require further monitoring to establish if the AQMA needs to be extended. The road is controlled by the Highways Agency, therefore we will need to start involving

them to try and establish the cause of the increases and then possible solutions.

**Wiltshire Council**

**Council**

**09 July 2013**

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**Item 8 - Questions from Councillors**

**From Councillor Chris Hurst, Royal Wootton Bassett South Division**

**To Councillor Fleur de Rhé-Philippe, Cabinet Member for Economy, Skills and Transport**

**Question 2**

The Cabinet's decision to prioritise the re-establishment of Royal Wootton Bassett's Train Station is most welcome. How does the Cabinet intend to facilitate a new station and will they commit to working closely with all elected members of the area?

**Response**

Firstly, I should like to make it clear that at its meeting on 21 May, Cabinet simply approved the shortlisting of ten potential major transport schemes including Royal Wootton Bassett Station for consideration by the emerging Swindon & Wiltshire Local Transport Body (SWLTB).

Since that date, further assessment work has been undertaken on all the shortlisted schemes (including those put forward by Swindon Borough Council) in accordance with the Department for Transport's guidance and the SWLTB assurance framework. Based on this work, the SWLTB officer technical group (which includes an independent technical advisor) recommended a provisional prioritised and contingency list of schemes.

Given the limited government funding available (currently indicated at £16.9m), the relatively tight delivery timescale (April 2015 to March 2019) and the identified uncertainties and risks, Royal Wootton Bassett station has been approved as a 'Development Scheme' by the SWLTB – in essence, the Council and relevant partners need to work together to develop a more robust business case. In doing this work (which will firstly be subject to consideration of other strategic priorities and available resources), I will ensure that local elected members and relevant stakeholders are involved in the process.

**Wiltshire Council**

**Council**

**09 July 2013**

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**Item 8 - Questions from Councillors**

**From Councillor Jeff Osborn, Trowbridge Grove Division**

**To Councillor Keith Humphries, Cabinet Member for Public Health and Protection, Adult Care and Housing (excluding Strategic Housing)**

**Question 3**

- a) What is the official evaluation of the Wiltshire Council Carers Small Grant Scheme?
- b) Dead line for current round of applications was 30th June. How many applied? How many received grants? What was the total cost?
- c) Will the scheme continue?

**Response**

- a) The scheme will be evaluated against the criteria stated in the application form which is as follows:

Applications must be from a group or organisation and will not be accepted from individuals. They must be for projects or activities which can demonstrate that they will make a tangible difference to the lives of unpaid carers of all ages in Wiltshire in one or more of the following ways:

- To give carers a break from their caring role
  - To help carers learn a new skill which may increase their life chances and employability
  - To help improve carers' physical or emotional health and well-being
  - To reduce isolation
  - To increase peer support
  - To help carers' access to information, support and guidance
- b) The deadline for the current round of applications was 30 June 2013 and a total of 3 applications were received. The panel meeting (at which decisions will be taken about allocation of grants) is likely to take place week commencing 22 July. Information about numbers of grants and total costs will be available after this date. The scheme is funded through the carers pooled budget which is jointly funded by Wiltshire Council and NHS Wiltshire Clinical Commissioning Group.

- c) It is intended that the scheme will continue for the rest of this financial year and there is a further round planned for November 2013. A decision will be taken in early 2014 about whether or not the scheme continues in the financial year 2014/15. The decision will be based on an evaluation of the scheme with consideration given to value for money, quality and quantity of submissions, and proven outcomes for unpaid carers.

**Wiltshire Council**

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**Item 8 - Questions from Councillors**

**From Councillor Howard Marshall, Calne Central Division**

**To Councillor Toby Sturgis Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste**

**Question 4**

What will be done, and by when, to improve the long delays in the return of land searches in the north of the county?

Estate agents in my division are hurting badly and some are considering the viability of continuing to run a business in the north of Wiltshire as the delays are having an adverse effect on the cash flow of their business.

I understand the history of why we are where we are but I have no comfort as to improvement in the situation going forward. The latest I believe is that there are more requests coming in on a daily basis than can be cleared so the already unacceptable backlog is only getting bigger. This situation is urgent.

**Response**

The delay in responding to searches has resulted from a number of factors, not least the resignation of four experienced members in a short timeframe from a team of nine. A number of the remaining staff had also booked annual leave prior to the resignations being submitted.

As soon as the problem emerged the Development Service was able to delay the departure of one of the team and divert staff resources from elsewhere but the inescapable fact is that only trained staff can undertake formal searches and it takes around three months for staff to become fully trained. It is not a simply a matter of applying more staff resource to the problem because the staff need to be fully competent.

**Action taken to date**

The team has already:

- Drawn down support from the north planning team's admin section
- Persuaded two former team members to come back to work on a part time and temporary basis.
- Advertised for four replacements, interviewed and are now chasing start dates and references.



- Recruited one agency worker to relieve pressure until the new recruits are in post.
- Proactively prioritised searches by exchange date so no one should actually miss a sale or purchase.

**Item 8 - Questions from Councillors**

**From Councillor Chris Hurst, Royal Wootton Bassett South Division**

**To Councillor Toby Sturgis Cabinet Member for Strategic Planning,  
Development Management, Strategic Housing, Property and Waste**

**Question 5**

The Council's recent drive to ensure that all businesses in Royal Wootton Bassett have a Waste Transfer Note has caused a great deal of concern amongst small businesses.

1. Many business owners believe that they should have received greater notice that they required these documents
2. They believe they should have been given the opportunity to get their affairs in order before being served with fines.

What does the Cabinet member have to say which will alleviate these concerns?

**Response**

Fly tipping is an ever increasing problem and commercial waste constitutes a significant proportion of that waste. By undertaking these checks of how businesses handle their waste we actively pursue the market for illicit waste collectors who charge to collect and then dump the waste, and also deter businesses fly tipping waste themselves.

However, we are also becoming increasingly aware of large volumes of commercial waste being disposed of through the household waste stream, either through Household Recycling Centres (HRCs) or through their home refuse collection which poses a significant cost to the council tax payer.

Businesses need to evidence that their waste is being stored, collected, transported and disposed of in an appropriate manner, and by authorised organisations and to keep this evidence for two years.

By undertaking these checks we are reassuring the businesses that do fulfill their duties that we support them, it will reduce the incidents of illegally dumped waste and reduce cost to council tax payers.

By offering Fixed Penalty Notices we allow the businesses to 'draw a line' under the matter and move forward in compliance with legislation. Many recipients of these

notices have openly admitted that they have never paid anything to dispose of their business waste – one of them had been trading for over twenty years with all of their waste produced in that time collected at the cost of the council tax payer. In the vast majority of cases the cost of the FPN is far lower than the value of the waste collection and / or disposal costs that has – knowingly or not – historically been passed on to the council tax payer.

**Wiltshire Council**

**Council**

**09 July 2013**

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**Item 8 - Questions from Councillors**

**From Councillor Simon Killane, Malmesbury Division**

**To Councillor Stuart Wheeler, Cabinet member for Hubs, Heritage and Arts,  
Governance and Support Services.**

**Question 6**

I would like to know what steps are being taken to make sure the renovated County Hall councillors' chamber can accommodate the requirements of new media. This includes access to wireless broadband for all councillors during Full Council meetings, streaming of Full Council meetings to the world wide web and access for bloggers to use social media during meeting proceedings. I would also like to know what arrangements are being made to allow councillors to interact through social media during public question time at General Council meetings.

**Response**

The renovated County Hall will provide an infrastructure that incorporates access for social media accessible to the public and including a wireless capability for those using their own devices. A communications channels strategy is being developed to reflect the demand for real time, interactive communications. This strategy includes the use of social media during meetings and making this both visible and accessible.

## **Item 8 - Questions from Councillors**

**From Councillor Simon Killane, Malmesbury Division**

**To Councillor Keith Humphries, Cabinet Member for Public Health and Protection, Adult Care and Housing (excluding Strategic Housing)**

### **Question 7**

I would also like an update on progress with policy initiatives to give more weighting to local circumstances when allocating weighting to the points system that determines suitability for social housing through the Homes4Wiltshire points process.

### **Response**

Wiltshire Council has a choice based lettings system based on bands rather than points and this will continue after the review, which is currently underway. This review will determine priorities and procedures for the allocation of affordable housing across Wiltshire, including:-

- Eligibility and exclusion criteria for registration
- Property size criteria
- Banding structure that determines how applicants will be assessed and prioritised
- How homes will be allocated

A comprehensive informal and formal review of the allocation policy is being conducted to address opportunities under the Localism Act for greater freedoms for councils to adopt local policies and procedures on eligibility criteria and the allocation of social housing.

The consultation has included attendance at all area boards, meetings of the Wiltshire strategic housing partnership, external stakeholders including the MOD, HCA, Wiltshire police, the supported housing sector & voluntary sector and all Wiltshire's housing providers as well as writing to all households on the housing register informing them of the review and highlighting some of the potential impacts, such as the removal of the Bronze band.

There was a good response to the formal consultation. In total we have received 839 responses and other letters from groups and housing providers. The main points from the consultation were as follows:

- Over 60% of the respondents were both residents of Wiltshire and currently on the housing register

- 87.8% agreed that we should exclude from the register those who have exhibited unacceptable behaviour
- When considering the households who would be excluded from requiring a local connection to Wiltshire 64.6% of respondents did not want to see the transient group as an excluded group.
- 65.9% agreed that we should introduce the bedroom standard when making allocations for social housing
- 55.7% would like to the removal of the bronze band, which would be the households with no identified housing need.
- 75% of those who responded at area boards across Wiltshire wanted to see local homes for local people being introduced
- 71.8% agree that a local connection to Wiltshire should be introduced to ensure housing is only allocated to households with a connection to the area.

We have had very strong feedback from area boards that they would like to see local homes allocated to local people.

We are now in the process of analysing the consultation feedback and putting together an impact assessment to look at the positive and negatives points for some of the potential recommended changes.

A report will then be produced for the CLT, followed by Scrutiny before the paper is considered by Cabinet in September / October 2013.

**Wiltshire Council**

**Council**

**09 July 2013**

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**Item 8 - Questions from Councillors**

**From Councillor Terry Chivers, Melksham Without North Division**

**To Councillor John Thomson, Cabinet Member for Highways and Streetscene and Broadband**

**Question 8**

I'm sure you would agree that the new Highways contract got off to a disgraceful start. Can you guarantee a full investigation into just what went wrong and for this to be made available to all members?

Who will be taking full responsibility for this mess and will an apology be given to the residents of Wiltshire for this unacceptable situation we found ourselves in?

**Response**

The reasons for the delay in cutting grass have been discussed with the contractor. A combination of factors surrounding the transfer of service from several providers to one during cutting season has been behind the delay. The standards for delivering services are specified within the contract and are the contractor's responsibility, and when services are not delivered to the required standards, the contractor is given the opportunity to rectify the problem in the first instance. The Council believes that despite the initial shortcomings, our contractor has responded to resident's concerns about grass cutting and whilst there was a delay to amenity grass cutting in June BBLP are now cutting to schedule.

I also refer members to the recent briefing notes circulated to members on this issue and which are attached to this response.

**Question 9**

I welcome the news that our contractors have a new phone app to allow residents to report highway defects. Once these defects have been reported, will residents be kept up-to-date on the progress of these repairs and do the Council have the resources to fund these repairs?

**Response**

The mobile phone App is a Wiltshire Council initiative. A trial of the App has been running since 2012 and currently already covers a number of Streetscene services. The trial is being expanded to cover all Local Highway and Streetscene Services with automated feedback via email. The proposed services covered on the App are

already notified to the council by other means, including; phone, email and web reports. The App provides residents with another option to report these issues. With the ease to report matters through the App, and with the feedback offered, the council expects this will become the preference of smart phone savvy reporters. The new Highway and Streetscene contract is based upon response times to ensure reporters can expect an appropriately timed reaction to notified issues. The introduction of the app is aimed at improving the way members of public can report defects or problems to the council. Although this may initially result in an increase in number of reports, the actual amount of work will not change, and current level of funding should achieve the same standards, albeit with more focus on issues reported by the public through the app.

### **Question 10**

Residents were told that the last increase in car parking charges would go towards funding rural bus services. We now are looking at cuts to services in rural areas that provide a vital link for many local residents, can you explain why local residents have been misled?

### **Response**

The budget for funding non-commercial bus services has been set in the knowledge that income would be available from car parking charges. However, given the mounting pressures on local authority funding across the board this has not offset the need for some reductions in spending on bus services, and the budget for 2013/14 includes a requirement to make a saving through reviews of poorly used services. The reductions in the bus service budget have however been less than in some other service areas, less than in many of our neighbouring authorities, and less than would have been required had parking charges not been increased.



**Councillors' Briefing Note**  
**No. 145**

*Service :* Neighbourhood Services

*Further Enquiries to:* Bill Parks

*Direct Line:* (01225) 702649

*Date Prepared:* May 2013

**Member Briefing – Changes to the Local Highway and Streetscene Service**

To ensure all members are briefed on the changes to the Local Highway and Streetscene Service I am writing to update you on the management structure reorganisation and the arrangements for the new contract.

**New Contract**

The Highway and Streetscene contract, which commences on the 1st June 2013, brings a number of service providers into one service. Currently the Highway and Streetscene service providers include: Ringway Infrastructure Services; Balfour Beatty Living Places; The Landscape Group (two separate contracts) and the Council's own in-house Streetscene Service. Balfour Beatty Living Places were the successful contractor and will now run all these services on behalf of the Council.

The Parish Steward Scheme, grass cutting, litter collection, town centre cleaning etc activities are all contained in the new contract and will be continuing throughout the new contract period. What the contract will do is bring together the synergies of those activities to achieve efficiencies and maximise the benefits.

The biggest change you will see on the ground will be the operational teams working to one community area board with all officers being responsible for an area, rather than an individual service. This is to encourage operatives to identify solutions to problems they find and assisting the Council to work more proactively. To encourage operatives to adopt this new ethos the team members will be known as Community Stewards.

The Council is working with Balfour Beatty Living Places on the implementation of the new arrangements. Training and support will be

needed to allow staff to change their working practises. Whilst some improvements will occur almost immediately, others will need to be introduced in phases when circumstances allow.

## **Management Restructure**

The Local Highway and Streetscene management structure has recently been reorganised to bring it in line with the Highway and Streetscene Contract. The main change in the structure has been the formation of generic officers responsible for all Local Highways and Streetscene Services in a given area. Below are listed the officers concerned:

1. A **Community Coordinator**, is responsible for the management of the Local Highway and Streetscene assets and the community priorities within one community board area. The Community Coordinator is the town and parish council contact for that community board area.
2. An **Engineer** provides the technical support and strategic service provision across two community board areas. Feedback to Community Area Boards is undertaken by the Engineer at the Community Area Board Transport Groups.

Attached is a map showing the officers allocated to your area.

The Community Coordinators will be contacting their parish and town councils during May to introduce themselves.

The Council are reminding town and parish councils there are still spaces available on the Local Highway and Streetscene Contract Workshops being held in May and June.

These workshops explore the new ways of working and communication arrangements for the Local Highway and Streetscene Service.

They will discuss the new Local Highway and Streetscene maintenance services. They will seek parish and town council's views on performance matters and opportunities to work more effectively in the future. They will seek to identify the priorities of the parish and town councils.

Wiltshire Council Members are welcome to attend. If you would like to participate please contact Fiona Waind, Support Manager, on 01249 706355 or email [fiona.waind@wiltshire.gov.uk](mailto:fiona.waind@wiltshire.gov.uk).

Community Areas	Date	Time	Location
Melksham	21 May 2013	6.00pm – 8.00pm	County Hall Trowbridge
Westbury	21 May 2013	6.00pm – 8.00pm	County Hall Trowbridge
Trowbridge	21 May 2013	6.00pm – 8.00pm	County Hall Trowbridge
Bradford on Avon	21 May 2013	6.00pm – 8.00pm	County Hall Trowbridge
Chippenham	5 June 2013	6.00pm – 8.00pm	Monkton Park, Chippenham
Corsham	5 June 2013	6.00pm – 8.00pm	Monkton Park, Chippenham
Malmesbury	5 June 2013	6.00pm – 8.00pm	Monkton Park, Chippenham
Marlborough	5 June 2013	6.00pm – 8.00pm	Monkton Park, Chippenham
Royal Wootton Bassett and Cricklade	5 June 2013	6.00pm – 8.00pm	Monkton Park, Chippenham
Calne	5 June 2013	6.00pm – 8.00pm	Monkton Park, Chippenham
Devizes	23 June 2013	6.00pm – 8.00pm	Devizes Corn Exchange
Pewsey	23 June 2013	6.00pm – 8.00pm	Devizes Corn Exchange
Tidworth	23 June 2013	6.00pm – 8.00pm	Devizes Corn Exchange
Amesbury	23 June 2013	6.00pm – 8.00pm	Devizes Corn Exchange
Amesbury (alternative date and location)	7 June 2013	6.00pm – 8.00pm	City Hall, Salisbury
Salisbury	7 June 2013	6.00pm – 8.00pm	City Hall, Salisbury
Warminster	7 June 2013	6.00pm – 8.00pm	City Hall, Salisbury
South West	7 June 2013	6.00pm – 8.00pm	City Hall, Salisbury
Southern	7 June 2013	6.00pm – 8.00pm	City Hall, Salisbury

**Councillors' Briefing Note**  
**No. 147**

*Service :* Neighbourhood Services

*Further Enquiries to:* Mark Smith                      *Direct Line:* 07521 313323

*Date Prepared:* 21/06/2013

**Wiltshire Councils Highway and Streetscene Contract**

Wiltshire Council's new Highway and Streetscene contract commenced on the 1<sup>st</sup> June 2013 and covers a wide range of services including; highways maintenance, grounds maintenance, grass cutting, street lighting, bridge maintenance, winter maintenance and public convenience cleaning. The contract has an annual value of circa £25m, runs for five years with a possible extension of two years related to performance.

The contract will deliver savings of over £1million in the first year, with further efficiency savings in following years. The council has continued to promote awareness on the new contract, undertaking monthly Wiltshire Council, parish and town council briefings with community involvement meetings, the last one of which was completed at the beginning of June.

Naturally when transferring large scale contracts, from one provider to another there are service changes due to the practical requirements of introducing new ways of working, however Balfour Beatty Living Places (BBLP) who are providing the service have considerable experience, with a proven track record in mobilising large scale contracts. The vast majority of services passed seamlessly from the previous providers to BBLP. However, some of the council's grass cutting arrangements have been affected during the transfer. The council is responsible for approximately 5.5 million square metres of grass across the county, the equivalent of about 900 football pitches. The grass is cut on varying cycles of between one week for a sports pitch and four weeks for low use amenity areas. BBLP have responsibility under the contract for cutting approximately 6,000 kilometres of rural highway verge throughout the county, this grass is cut twice a year, the first cut is nearing completion and is on schedule.

To ensure the disruption to council services was limited BBLP have continued to provide additional staff and equipment, worked extra hours, including weekends, and prioritised local community priority areas. Many areas have not been affected by the transfer, however some areas behind schedule. It is anticipated that all Wiltshire Council amenity areas will receive at least one cut during June and then cut to the previous frequency thereafter. BBLP have approximately 75 staff deployed on grass cutting, they have hired in additional machines and deployed additional staff to grass cutting activities at no cost to the council. Officers are liaising with the contractor on a daily basis as would be expected in a contract of this scale. In the event that Members have any specific queries that haven't been addressed through the normal channels please contact either Philip Whitehead, Portfolio Holder – Highways & Streetscene or Mark Smith, Service Director – Neighbourhood Services.

Philip Whitehead - Portfolio Holder – Highways & Streetscene 07769 894481

Mark Smith - Service Director – Neighbourhood Services 07521 313323

**Councillors' Briefing Note**  
**No. 150**

*Service :* Neighbourhood Services

*Further Enquiries to:* Mark Smith      *Direct Line:* 07521 313323

*Date Prepared:* 05/07/2013

**Highways and Streetscene Grass Cutting**

Senior officers from Balfour Beatty Living Places (BBLP) attended an update meeting with Phillip Whitehead, portfolio holder for highways and streetscene, and Mark Smith, service director for neighbourhood services, on Monday, 2 July 2013. At the meeting BBLP confirmed it had fulfilled its commitment to complete the first cut of the urban grassed area by the end of June. It also confirmed the rural verge, amenity flail, low amenity grass and rough cut areas had all been cut to schedule and there had been no delay in these services.

BBLP gave a commitment that if any grassed areas are later identified as having been missed during the scheduled cut it would immediately return to rectify the issue.

The grass cutting frequencies will now return to the contract specification, which for urban grassed areas is one cut every two to three weeks.

Amanda Fisher, Balfour Beatty's managing director, will be attending full council on the 9 July 2013 to listen to the formal questions raised by members.

During June 2013 the council received around 110 complaints a week regarding grass cutting. This was 60 complaints more a week than the same time last year. The number of complaints has now returned to normal.

BBLP continues to provide additional resources to support the grass cutting service to ensure there are no further delays and is currently reporting all grass cutting is on schedule for July 2013.

Cllr Philip Whitehead – Portfolio holder highways and streetscene  
Mark Smith – Service director neighbourhood services

**Item 8 - Questions from Councillors**

**From Councillor Ian Thorn, Bradford on Avon South Division**

**To Councillor Toby Sturgis Cabinet Member for Strategic Planning,  
Development Management, Strategic Housing, Property and Waste**

**Question 11**

What is the council's policy for providing additional dog waste bins and their management in Bradford on Avon?

**Response**

If parish and town councils wish Wiltshire Council to relocate litter and dog bins in their area, providing it is on highway or Council amenity land, the Council will be pleased to assist. If the council's records demonstrate an on-going litter or dog waste problem in an area, the Council is pleased to consider providing additional bins. Where local councils, or businesses or interested groups wish to sponsor a litter bin, the Council will be pleased to consider any request. In these cases the options for provision could be:

- Provision on highway or Council amenity land, the local council or interest group funds a litter bin (with ongoing commitments if the bin is damaged or stolen) and the council provides the emptying service.
- Provision on private land or where there is no history of a problem, the local council or interest group funds a litter bin and the emptying.

It is noted that dog waste can be placed in litter bins. Wiltshire Council is happy for the local councils to place dog waste stickers on its bins, providing this is approved by the council's Branding Team. If the CABs wish to fund litter bin provision (with ongoing commitments if the bin is damaged or stolen) the council is pleased to provide the emptying service.

**Question 12**

Given the disappointment of many residents regarding the public consultation undertaken on the extension to Fitzmaurice School in Bradford on Avon, what steps is the council taking to improve public consultation on its own planning applications?

**Response**

A verbal response will be given at the meeting

## **Item 8 - Questions from Councillors**

**From Councillor Ian Thorn, Bradford on Avon South Division**

**To Councillor John Thomson, Cabinet Member for Highways and Streetscene and Broadband**

### **Question 14**

Are there any proposals for a review of residents' parking in Bradford on Avon?

### **Response**

The Network Management Team are currently writing a report detailing how the Council intends to address the demand for Resident's Parking Schemes throughout the County. Once this report is finalised and approved we will be in a position to discuss scheme priorities. At this moment in time there are no proposals in place to review the existing scheme in Bradford on Avon, however requests for a review can be submitted to Alister Storey in the Network Management Team who will be managing the assessment of requests.



**Item 8 - Questions from Councillors**

**From Councillor David Jenkins, Westbury North Division**

**To Councillor Fleur de Rhé-Philipe, Cabinet Member for Economy, Skills and Transport**

**Question 15**

What is the Council's current situation regarding the motion passed on the 8<sup>th</sup> November 2011 concerning recognising the current opportunities for improving the rail network in and through Wiltshire?

**Response**

The motion's principal themes were partnership working, consultations, recognising potential and exploring opportunities.

Since the motion was passed, the council has responded to rail industry consultations for which it was appropriate to submit its views, including franchising, fares and devolution of rail powers. It is currently involved in a series of meetings with Network Rail developing market studies as part of NR's Long Term Planning Process. The council will provide a formal response to the Regional Urban Market Study by the 26<sup>th</sup> July.

The bid to the Local Sustainable Transport Fund for improvements to Wiltshire's rail offering was successful. Improvements to the Westbury-Swindon rail service are being progressed in the difficult climate resulting from the abandonment of the Great Western refranchising process. We continue to work with First Great Western and South West Trains on schemes for improving stations and access.

Officers meet regularly with the West of England authorities and other neighbours. An invitation is expected for the Cabinet Member (or deputy) to attend the next West of England Joint Transport Executive Committee meeting.

A diverse range of potential rail schemes was considered in developing the list of Major Schemes funding candidates. Three new stations and an additional platform at Westbury are present in the shortlist. I intend to see council's policy on rail updated with particular attention to how we can best protect options to implement schemes when circumstances allow.

## Question 16

A new ITT (Invitation to tender) for the Great Western Rail Franchise is expected in 2016. What arrangements are the Council preparing to ensure the level of service to Westbury which is an important nodal hub in the rail network are maintained are not downgraded, bearing in mind that in the recent report by ARUP consultants on behalf of the Dft showed that electrification to Westbury would not be viable option after Gt Bedwyn?

## Response

The new Great Western Franchise is due to commence in July 2016; the ITT is due for publication in March 2015. There are several threads that the council can follow to maintain services:

- **Safety in numbers:** The LSTF project will increase passenger numbers at Westbury, improving the business case for stopping long-distance services there.
- **Long-term strategy:** The council will update its rail strategy, helping to give rail operators confidence that business here will develop.
- **Agreeing a common approach with other authorities:** Wiltshire and the far west (Devon and Cornwall) have competing demands for long-distance services. There is scope to devise a mutually beneficial approach; the benefits of this in securing influence over the franchise specification were demonstrated in the previous franchise round.

The failure of the electrification case is probably not harmful to Westbury's status as a nodal hub.

**Item 8 - Questions from Councillors**

**From Councillor Jeff Osborn, Trowbridge Grove Division**

**To Councillor Stuart Wheeler, Cabinet member for Hubs, Heritage and Arts,  
Governance and Support Services.**

**Question 17**

- a) Please may the Council be updated on proposals to demolish the former West Wiltshire District Council offices at Bradley Road, Trowbridge?
- b) What is the thinking behind demolition?
- c) Is the site on the market?
- d) Is it being considered for housing, retail or care facilities – or some other possibility?
- e) Have local people been consulted?
- f) Should it not be a matter for Trowbridge Area Board?

**Response**

- a) Demolition of the existing vacant offices and the former caretakers house (also vacant) will remove the liability for the Council to pay Council Tax and National Non Domestic Rates – to put this into context, after concessions, this equates to just over £450 for every single day. This would become zero following demolition.
- b) Pre-disposal discussions with the Planners indicate that there is no reason why the existing 'Employment Uses' should continue and other alternative uses can be considered, residential being the preferred option amongst other possibilities. The Council as landowner must explore best consideration (Sec 123 LGA 1972) for the site following the Cabinet (Capital Assets Committee) decision to sell the site in January 2012. A residential use would optimise this outcome. Carter Jonas has been appointed to advise the Council on how best to bring the site to the market and their research shows that there is in excess of 100,000sq.ft of vacant employment space currently on the market in Trowbridge and the take-up rate is something under 20,000sq.ft each year. There is therefore an oversupply of employment space.

- c) No
- d) The intention is to continue to prepare the property for marketing later this year. This will include a full legal and property information pack supported with a statement on its alternative potential uses.
- e) The site will require a planning permission before its use is changed following the usual consultation criteria. Officers are working closely with the proprietor of the Steps Ahead Nursery to ensure that any impacts are minimised or avoided.
- f) Consultation prior to and/or during the planning process will be informed by the planning officer once an application comes forward from the purchaser.

**Question 18**

Having spoken to fellow councillors, it is apparent there is a desire to have the green diaries re-issued. Why is this not happening?

**Response**

A verbal response will be given.

**Item 8 - Questions from Councillors**

**From Councillor Helen Osborn, Trowbridge Lambrok Division**

**To Councillor Keith Humphries, Cabinet Member for Public Health and Protection, Adult Care and Housing (excluding Strategic Housing)**

**Question 19**

Palmer Gardens, Trowbridge, are now charging for volunteers to work and learn at their premises.

Will this impact on anything that Wiltshire Council does in connection with the disadvantaged and/or vulnerable?

**Response**

Training Centre at Palmer Gardens has been set up and running since April 2013. The Council does not contract with Palmer Gardens direct but the organisation does receive payment from customers as part of their Direct Payments from Adult Care. The training they provide is a structured modular programme in order to achieve the City & Guilds NPTC entry level award (level 1), certificate (level 2) or diploma (level 3) in Skills for Working Life.

This new opportunity is very similar to the Shaw Trust Personal Development Service based in Salisbury, offering exactly the same qualification but Palmer Gardens can provide 'real' work experience in that they are a fully functioning Garden Centre.

Previously some of Palmer Gardens 'volunteers' required a high level of support. These people are now reclassified as 'clients'. Palmer Gardens do still have some volunteers i.e. unpaid workers, but these people tend to have gardening knowledge or other experience and are assisting with the training programme.

Their new clients are people who require personal development as part of their assessed need or those who wish to attend through self funding. They accept all classifications i.e. Learning Disabilities, Mental health, Sensory Impairment and Physical impairment.

Palmer Gardens can offer 40 places per week on the course. It is recommended that clients, in order to achieve qualification in a reasonable time frame, attend 3 days per week; 2 days in the training centre and 1 day practical skills. It is early days and no clients have thus far achieved the full qualification but they have had some success with achievement of modules towards. Based on Shaw Trust

Salisbury provision it may take an average of 18 months to achieve the full qualification.

Clients thus far have been referred by Social Workers, Residential Colleges, Job Centre Plus, or have been previous volunteers.

Palmer Gardens Training Unit are also offering work experience running alongside other college programmes for example students attending Lackham College. On this programme they already have one student who has secured an apprenticeship and one has secured temporary full-time employment during the summer.

Any previous 'volunteer' who does not wish to complete the qualification can still attend for full-day or ½ day by agreement. If this time is on a Mon, Tues, Thurs, Fri they attend the Training Centre and join in with the education days. If this time is on a Wednesday they join in with the activity day.

There is no obvious disadvantage to Wiltshire Council customers rather a formalisation of any previous arrangements with Palmer Gardens. The opportunity to gain a C & G qualification, at levels 1 to 3 (according to ability) in order to increase future job prospects would appear to be an advantage for those who choose this route. If 'volunteering' is to be of real value in building and encouraging work skills this is underpinned by encouraging real commitment, regular attendance, time keeping, structure etc, which this more formal programme would appear to offer.

For others, who may not be looking to achieve a paid job, they can continue to attend as and when but may be restricted to attending only on a Wednesday which is the 'activity' day built into the weekly programme. These people will now be referred to as clients not volunteers.

**Item 8 - Questions from Councillors**

**From Councillor Gordon King, Westbury East Division**

**To Councillor Keith Humphries, Cabinet Member for Public Health and Protection, Adult Care and Housing (excluding Strategic Housing)**

**Question 20**

Does the council have any concerns that the levels of payments to care homes and home care providers is limiting the quality of care provided to Wiltshire's vulnerable and elderly residents?

**Response**

Care Homes without nursing: With regard to payments to care homes the council has taken two approaches. The majority of beds purchased by the council in care homes without nursing are part of the block contract with the Orders of St John Care Trust where the price has been agreed as part of the overall block contract and within which there are mechanisms in place for annual reviews that take account of factors that affect costs in care homes such as wages, building maintenance, service charges etc..

The remaining beds the Council purchases under the terms of a framework agreement where prices have been agreed with each provider that reflect their costs. The framework agreement contains an annual uplift mechanism, which, like the Orders of St John's contract, reflects costs that affect care home provision.

Care homes with nursing: The Council has a small number (120 beds) of block contracts for nursing care with the remainder being purchased under framework agreements. The block contracts were awarded as a result of a competitive tendering process with providers submitting prices. The framework agreement for nursing care, as with other care homes, has individual prices for each care home in Wiltshire which reflects separate negotiations that have been undertaken.

The Council works closely with the care home sector and has supported the development of the Wiltshire Care Partnership (WCP). WCP represents the views of 54% of care homes in Wiltshire and through regular consultation and close working relationships with care homes in Wiltshire are excellent.

Unlike many authorities where fees are set, Wiltshire recognises the link between cost and quality, which was extensively discussed at the Health Select committee on 2<sup>nd</sup> July. I have welcomed a joint approach with the Health Select Committee to look at this key issue.

Homecare: In 2010 following a robust tendering process, the Council awarded eight framework agreements for the provision of all homecare services for older and vulnerable people. The costs for providing these services were submitted by providers and based upon their ability to deliver the services specified. As with care homes, an annual inflationary uplift is applied based upon an agreed formula to reflect the costs of this provision, staff, mileage and back office costs. Relationships with the four providers delivering these eight contracts are excellent and all providers are fully compliant with Care Quality Commission requirements.

The link between costs paid by the council and the quality of care delivered is recognised and was discussed at Health Select Committee on 2<sup>nd</sup> July.

### **Question 21**

Does the Council have any concerns about the predominant use of “zero hours” contracts in the Social Care sector?

### **Response**

The Council has representation on a small national working group convened by the United Kingdom Home Care Association that brings together homecare providers and commissioners to discuss areas of interest. Evidence obtained from this group would suggest that for some staff the flexibility offered by zero hours contracts is attractive and enables them to work when and if they choose. However, a workforce that predominantly comprises staff employed on zero hours contracts with no opportunity to guaranteed work, is unlikely to deliver the quality service we require.

The approach the Council has taken to commissioning its Help to Live at Home contract had, amongst its objectives, to develop the homecare workforce. To achieve this, the Council has entered into long term contracts (5+2 years), and has given each of the four providers all the work in one of eight geographical areas. This enables those providers to appoint local staff to work in local areas and ensure there is sufficient, stable, volume to offer those staff regular and guaranteed work.

Currently, the workforce delivering Help to Live at Home comprises a mix of salaried and hourly paid staff. The expectation of the contract is that over time the providers will increase the number of salaried staff and this is monitored through contract management meetings.

The most important aspect of homecare provision is the quality of the workforce. The Council is working with the four providers to develop a career pathway for this workforce that will offer these staff, career development opportunities, improved training and improved terms and conditions, as well as improved pay.

This issue was extensively explored and addressed at Health select Committee on 2<sup>nd</sup> July.



**Item 8 - Questions from Councillors**

**From Councillor Chris Caswill, Chippenham Monkton Division**

**To Councillor Keith Humphries, Cabinet Member for Public Health and Protection, Adult Care and Housing (excluding Strategic Housing)**

**Question 22**

In the light of a second case of poor private sector care provision of Wiltshire residents being revealed by a BBC television programme, what additional measures will now be taken to pro-actively identify problematic levels of care being given to our vulnerable adults and elderly residents in care homes used by the Council?

**Response**

The Council currently has a system of undertaking announced and unannounced visits to all care providers in the County. These visits provide an opportunity to see the care homes in operation and to work closely with the staff to develop aspects of quality within each home.

Care home providers in Wiltshire have shown a willingness to develop their services by establishing a provider run organisation the 'Wiltshire Care Home Partnership', this has started life by focussing on the relationship between Wiltshire Council, the providers and the Care Quality Commission. Their aim is to promote quality and to actively challenge those providers who are not achieving acceptable levels of service. At present 60% of care homes in Wiltshire have signed up to this organisation and we envisage that more will follow.

The Council is building on its current quality assurance system, by adding four quality assurance posts. They will undertake quality monitoring with of all care homes within Wiltshire, including unannounced visits. Where problematic levels of care are seen, remedial action is taken, which may include referring the situation to Council's Safeguarding Adults and Mental Capacity Team (SAMCAT) for a whole home investigation, as happened with the situation reported on the recent Panorama programme.

The Council and the regulator, the Care Quality Commission, meet regularly and share intelligence about any services that cause us concern. This helps us identify providers at an early stage where there may be problems, Commissioning teams then work with providers to improve the situation.

All safeguarding alerts regarding care homes go to our specialist Safeguarding Adults and Mental Capacity Act Team (SAMCAT). They triage all referrals and are

able to spot at an early stage where they may be patterns of concern concerning particular providers.

### **Question 23**

In addition to the phone number being provided by the Council, what steps are available to individuals who believe their relatives have been given unacceptably poor levels of care in such homes?

### **Response**

The phone number provided by the Council is the gateway for relatives. If the matter is of such concern it would trigger a safeguarding alert and would be dealt with by our Safeguarding Adults and Mental Capacity Act Team (SAMCAT).

If the matter relates to quality of care of services commissioned by the Council, this would be passed to the relevant commissioning team, who would also routinely contact the relatives raising the concerns

Relatives are also able to report any concerns they have to the regulator, the Care Quality Commission.

### **Question 24**

Was the Avonmead case not sufficiently serious to justify a report to, and discussion at the Health Select Committee? In retrospect, was this not an opportunity missed for collective consideration of lessons learnt and possible ways forward?

### **Response**

The agenda for the Health Select Committee is set by members of the Health Select Committee. There is to be an independent review of this case which will report within the next three months. Select Committee involvement, after the independent review would be welcomed and this will be discussed with the Chair of the Committee at the time.

**Wiltshire Council**

**Council**

**09 July 2013**

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**Item 8 - Questions from Councillors**

**From Councillor Dr Helena McKeown, Salisbury St Edmund and Milford Division**

**To Councillor Keith Humphries, Cabinet Member for Public Health and Protection, Adult Care and Housing (excluding Strategic Housing)**

**Question 25**

When did Wiltshire Council last visit Avonmead care home before the Panorama expose of poor care and what conclusions were reached as the result of that visit?

**Response**

A verbal response will be given at the meeting.

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## SCHEDULE OF COMMITTEE PLACES

Committee	Total Number of Places for Elected Members	Conservative Group Allocation ( 59 seats)	Liberal Democrat Group Allocation (26 seats)	Labour Group Allocation ( 4 seats)	Independent Group Allocation ( 8 seats)	UKIP ( 1 seat)
Strategic Planning	11	7	3	-	1	-
Area Planning Committees						
North	11	7	4	-	-	-
South	11	6	2	2	1	-
East	8	7	-	-	1	-
West	11	7	2	-	2	-
Licensing	12	7	4		1	-
Overview and Scrutiny Management	13	7	4	1	1	-
Children's Select	13	8	3	1	1	-
Environment Select	13	7	4	1	1	-
Health Select	13	7	4	1	1	-
Standards	12	7	3	1	1	-
Police and Crime Panel	7	4	2	-	1	-
Audit	12	7	3	-	1	1
Appeals	8	5	3	-	-	-
Staffing Policy	9	5	3	-	-	1
Officer Appointments	5	3	1	-	1	-
Pension Fund	5	4	1	-	-	-
<b>TOTALS:</b>	<b>174</b>	<b>105</b>	<b>46</b>	<b>7</b>	<b>14</b>	<b>2</b>

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