

COUNCIL

MINUTES OF THE COUNCIL MEETING HELD ON 18 MAY 2010 AT COUNCIL CHAMBER, COUNTY HALL, TROWBRIDGE.

Present:

Cllr Desna Allen, Cllr Chuck Berry, Cllr John Brady, Cllr Richard Britton, Cllr Philip Brown, Cllr Rosemary Brown, Cllr Allison Bucknell, Cllr Jane Burton, Cllr Trevor Carbin, Cllr Nigel Carter, Cllr Chris Caswill, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Christopher Cochrane, Cllr Peter Colmer, Cllr Linda Conley, Cllr Christine Crisp (Vice-Chair), Cllr Brian Dalton, Cllr Paul Darby, 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 Mollie Groom, Cllr Lionel Grundy OBE, Cllr Brigadier Robert Hall (Chairman), Cllr Russell Hawker, Cllr Mike Hewitt, Cllr Malcolm Hewson, Cllr Alan Hill, Cllr Charles Howard, Cllr J 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 Jerry Kunkler, Cllr Jacqui Lay, 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 Stephen Petty, Cllr Nina Phillips, Cllr Fleur de Rhe-Philipe, Cllr Pip Ridout, Cllr Bill Roberts, Cllr Ricky Rogers, Cllr Judy Rooke, Cllr Paul Sample, Cllr Jane Scott OBE, Cllr Jonathon Seed, Cllr John Smale, 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

20. Election of Chairman

Presentations

For the information of Councillors, the following presentations were made prior to the meeting:

Showing of a short film 'Making a Difference' on the Council's Parish Steward Scheme which would also be shown at forthcoming meetings of the Area Boards.

Presentation on the Touch2ID scheme given that Trowbridge had been selected as the UK pilot site.

The outgoing Chairman, Cllr Brigadier Hall sought nominations for the position of Chairman of Wiltshire Council for 2010/11.

Cllr Brigadier Hall was proposed by Cllr Seed and seconded by Cllr Deane.

In the circumstances, Cllr Brigadier Hall vacated the chair and left the meeting for the duration of this item.

Cllr Moss, Vice-Chairman in the Chair

Cllr Moss asked if there were any other nominations. At which point, Cllr Moss was proposed by Cllr McLennan and seconded by Cllr Rogers. Cllr Moss declined the nomination and there being no further nominations, it was

Resolved:

That Councillor Brigadier RWS Hall be elected Chairman of Wiltshire Council for 2010/11.

Cllr Brigadier Hall then signed the Declaration of Acceptance of Office of Chairman of Wiltshire Council in the presence of the Chief Executive.

Cllr Brigadier RWS Hall in the Chair

The Chairman commented that it was an honour to be re-elected Chairman of the Council and thanked Councillors for their confidence in him.

21. **Election of Vice-Chairman**

The Chairman sought nominations for the position of Vice-Chairman of Wiltshire Council for 2010/11.

Cllr Christine Crisp was proposed by Cllr Milton and seconded by Cllr Wheeler. There being no further nominations and on being put to the vote, it was

Resolved:

That Cllr Christine Crisp be elected Vice-Chairman of Wiltshire Council for 2010/11.

Cllr Crisp signed the Declaration of Acceptance of Office of Vice-Chairman of Wiltshire Council in the presence of the Chief Executive.

22. **Apologies**

Apologies for absence were received from Councillors Marshall, Soden, Griffiths, Connolly, Beattie, Cuthbert-Murray,, Jeans and Randall.

23. **Minutes of Previous Meeting**

The minutes of the last meeting held on 23 February 2010 were presented. The Chairman explained that minor amendments had been made to the copy for signature to correct the spelling of Wootton Bassett and only having one entry for the Chairman in the list of attendees.

Resolved:

That the minutes of the last meeting held on 23 February 2010 as amended be approved as a correct record and signed by the Chairman.

Minute number 8 – Budget

(1) Revenue Budget Proposals for 2010/11

The Leader reminded Council that in considering the budget at the last meeting, she undertook to write a letter to HM Treasury copied to Ministers to press for an explanation of why this authority continued to be poorly funded in comparison to other authorities. At the Leader's request, a copy of the letter sent and the response from Barbara Follett, Parliamentary Under Secretary of State was circulated to Councillors for their information. The Leader explained that following the change in Government, she would write a further more detailed letter, copied to local MP's, to press for a more satisfactory explanation.

24. **Declarations of Interest**

No interests were declared.

25. **Election Results**

For Council's information, the Chairman presented the Returning Officer's report which gave the results of the Parliamentary elections for the Council's area held on 6 May and congratulated those elected. The Chairman asked for any suggestions or observations on the election process to be referred to the Chief Executive in his capacity as Returning Officer.

Resolved:

That the report be noted.

26. **Announcements by the Chairman**

(a) Bill Moss – Vice-chairman

The Chairman paid tribute to the help and support given to him by his outgoing Vice-Chairman of Council, Councillor Bill Moss.

(b) Award – Implementation of BMP/SAP

The Chairman announced that Wiltshire Council had recently received two prestigious awards for the implementation of SAP, delivered through the business management programme (BMP).

The Council had been named as a 2010 Computerworld honours program Gold Laureate and was also awarded the SAP bronze quality award.

Both awards represented a significant achievement on the part of everyone involved in the BMP, which was delivered on time and in budget, despite very challenging timescales and numerous competing priorities associated with the one council programme. Jacqui White, the service director for Shared Services and Customer Care accepted the award on behalf of her team.

(c) Online Register of Interests - reminder

The Chairman reminded Council that it had at its last meeting agreed that Councillors' register of interest details would be published online on a voluntary opt-in basis. Details of how this would be done had since been issued to all elected and co-opted members of the Council. It was noted that no details would be published online unless a member gave their express approval. Members of the Council were asked to contact Democratic Services if they wished to have their interest details published online.

(d) Wiltshire Flag

The Chairman gifted a Wiltshire flag to the Council in recognition of his service as Chairman of the Council for the past year and requested that it be displayed along with the other flags in the Council chamber.

(e) Janet de Rhe Philipe

The Chairman reported that Mrs Janet de Rhe Philipe, Senior Assistant to the Chief Executive and Assistant to the Lord Lieutenant would soon be retiring from the Council having given 27 years service to the Council. Janet looked after the Lord Lieutenant and Deputy Lord Lieutenant of Wiltshire, the Chairman of Council and Vice-Chairman of Council. She also coordinated Royal visits in

Wiltshire and was highly regarded by private secretaries of the Royal family and was awarded the Royal Victorian Order in the 2007 Birthday Honours. The Chairman thanked her for all her hard work commenting that she had been a longstanding and valuable member of staff at County Hall.

(f) The late former councillor Allan Peach

The Chairman paid tribute to the work of former Wiltshire County Councillor Mr Allan Peach who had sadly died recently. Mr Peach had been Chairman of Wiltshire County Council in 2004/05 and served local government and the community of Amesbury with distinction and dedication for many years. His death was a great loss not only to the town of Amesbury but also to the County. These sentiments were echoed by other members of the Council. The Chairman and the Leader of the Council as well as other Councillors, past and present had attended a thanksgiving service for Mr Peach's life on 12 May held in Amesbury.

As a mark of respect the Council stood for a moment's silence.

27. **Petitions**

Petition – Night TaxiBuzz Service – Pewsey Vale Area

The Chairman reported receipt of a petition organised by the Association of Kennet Passengers. The petition with 202 signatories objected to the decision to cut the Night TaxiBuzz service and called on the Council to review its decision.

At the Chairman's invitation, Mrs Kate Freeman, the petition organiser and Mrs Susan Hiscocks presented their petition and urged the Council to reinstate the service . A copy of the petition and petition statement were circulated.

The Chairman called on Cllr Dick Tonge, Cabinet member for Highways and Transport to respond to the petition. Cllr Tonge acknowledged that this matter had also been raised at the Environment Select Committee on 11 May. He assured the petitioners that both the representations made to the Environment Select Committee and to this Council meeting had been given serious consideration. He explained how the service was an experimental one intended to test whether taxibuses could provide evening services in rural areas at an affordable subsidy. However, the service had proved very expensive to run with each passenger journey costing the council about £12 in subsidy. Alternatives for particular groups affected were being investigated. He reiterated that whilst the Council regretted the inconvenience that the withdrawal of the Night TaxiBuzz service had caused, the subsidy level was far too high for it to continue, even when proposals made by the petitioners were taken into account.

Councillors Dow and Carter both spoke in support of the petition.

Resolved:

- a) That Council receive and note the petition.
- b) That a copy of the full statement made by Cllr Dick Tonge, Cabinet member for Highways and Transport be sent to the petition organisers to explain why unfortunately, the NightBuzz could not be restored.

28. **Public Participation**

The Chairman reported receipt of a question from Mr Ross Kavanagh of Hilperton regarding the classification of Hilperton village within the Wiltshire Core Strategy. A copy of the question together with the response from Cllr John Brady, Cabinet member for Economic Development, Planning and Housing was circulated. Mr Kavanagh was unable to attend the meeting. The Chairman therefore accepted the question and response from Cllr Brady as tabled and asked that a copy of the response be forwarded to Mr Kavanagh.

Attached is Appendix A - Question from Mr Kavanagh and response (minute no. 28 refers)

29. **Appointments**

- (a) Appointment of Committees and Review of Allocation of Seats on Committees to Political Groups
- (b) Appointment to Committees
- (c) Appointment of Chairmen and Vice-Chairmen of Committees
- (d) Appointment of Wiltshire Council Members to Serve on the Combined Fire Authority

The Chairman drew Councillors' attention to the reports of the Service Director, Legal and Democratic Services which invited Council to

- appoint the various committees of the Council and review the allocation of seats on those committees to political groups according to their respective political strengths on the Council;
- make appointments to committees in accordance with such a review taking into account the wishes of the political group leaders;
- appoint chairmen and vice-chairmen of committees excluding the Standards and Select Committees which would be asked to make such

appointments at their respective first meetings. The Chairman explained that following this item, he would seek to adjourn the meeting over the lunch period to allow each Area Board to meet to elect its respective Chairman and Vice-Chairman.

- Appoint nine Wiltshire Council members to serve on the Combined Fire Authority for the ensuing year.

The Chairman explained that Group Leaders had been consulted on the principles of what was being proposed.

The Leader proposed a motion which encompassed all of the above, details of which were circulated and this was duly seconded; on being put to the vote, it was

Resolved:

- (a) To note the reports and the legal requirements.
- (b) 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
Organisation and Resources Select
Children’s Services Select
Health and Adult Social Care Select
Environment Select
Audit
Appeals
Staffing Policy
Officer Appointments
Pension Fund
Joint Committee for Appointment to Wiltshire Police Authority

- (c) To approve the aggregate number of committee places available to members of the Council being 169 and the number on each committee as follows:-

<u>Committee</u>	<u>Total Number of Places for Elected Members</u>	<u>Conservative Group Allocation (61 seats)</u>	<u>Liberal Democrat Group Allocation (24 seats)</u>	<u>Labour Group Allocation (2 seats)</u>	<u>Independent Group Allocation (8 seats)</u>	<u>Devizes Guardians Group Allocation (3 seats)</u>
Strategic Planning	13	9	3	-	1	-
Area Planning Committees						
North	10	7	3	-	-	-
South	11	6	3	1	1	-
East	9	6	1	-	1	1
West	11	6	3	-	2	-
Licensing	12	8	3	-	1	-
Organisation and Resources Select	13	7	3	1	1	1
Children's Services Select	13	9	3	-	1	-
Health & Adult Social Care Select	13	8	3	-	1	1
Environment Select	13	7	3	1	1	1
Audit	13	8	3	-	1	1
Appeals	9	6	3	-	-	-
Staffing Policy	9	6	2	-	1	-
Officer Appointments	5	3	1	-	1	-
Pension Fund	5	3	2	-	-	-
Joint Police Appointing Committee	7	4	2	-	1	-
Great Western Ambulance Joint Scrutiny Committee	3	2	-	1	-	-
<u>TOTALS:</u>	169	105	41	4	14	5

- (d) To appoint Area Boards, constituted as area committees as set out in paragraphs 17 to 19 of the report and within the Constitution, and to appoint those members representing electoral divisions to their respective area boards as set out in Appendix B of these minutes.**

- (e) To agree to continue the proposed arrangements for any future appointments of Councillors to Health Scrutiny Joint Committees as set out in paragraph 13 of the report presented.
- (f) To approve the nominations of Group Leaders, as set out in Appendix C 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.
- (g) To appoint the Standards Committee with the terms of reference as set out in the Constitution and to reappoint the following Council members to serve until the next Annual Council meeting in 2011:-

Councillors Fuller, Johnson, Hewson, McLennan, Clark and Carter.

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

<u>Non-Elected Voting Members</u>	<u>Representing</u>
Vacancy (Reserve/substitute: Mr C Shepperd)	Church of England
Dr M Thompson (Reserve/substitute: Canon L. O'Driscoll)	Roman Catholic Church
Mr N Owen	Parent Governor (Secondary)
Mrs A Kemp	Parent Governor (Special)
Mrs R Ryan	Parent Governor (Primary)
<u>Non-Elected Non-Voting Members</u> (Up to Five)	School, Children and Young People representatives
Mrs D Dale	Further Education Representative
Mr C Dark	Secondary Schools Headteacher Representative
Mrs J Finney	Primary School Headteachers Representative
Mr J Hawkins	School Teacher Representative
Mr C King	Children & Young People's Representative

- (i) To appoint the following councillors to serve on the Combined Fire Authority for 2010/11 :-

Conservative (6) Councillors	Liberal Democrat (2) Councillors	Independent (1) Councillor
Peter Davis	Howard Marshall	Christopher Newbury
Graham Payne	Jeff Osborn	
Mollie Groom		
Christopher Devine		
Philip Brown		
Brigadier Robert Hall		

- (j) To appoint following Chairmen and Vice-Chairmen:-

<u>Committee</u>	<u>Chairman</u>	<u>Vice Chairman</u>
Area Planning Committee – Eastern	P Brown	C Howard
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	W Moss	N Phillips
Officer Appointments Committee	J Scott	JThomson
Pension Fund Committee	T Deane	C Howard
Staffing Policy Committee	A Bucknell	M Hewitt
Strategic Planning Committee	A Davis	C Crisp

- (k) To note that in accordance with the Constitution the Chairmen and Vice Chairmen of the Standards Committee and Select Committees will be elected at their first meeting.

Attached is Appendix B - Membership Area Boards (minute no. 29 refers)

Attached is Appendix C - Membership of Committees (minute no. 29 refers)

30. **Appointments Process - Chairmen and Vice-Chairmen of Area Boards**

The Chairman presented the report of the Head of Democratic Services which proposed a revised procedure for electing chairmen and vice chairmen of Area Boards for the period 2010/11 in order to improve the process on last year.

The proposal involved each Area Board meeting in turn in the Council Chamber with each member of an Area Board standing so as to be easily identified as a member. The Chairman of the Council, appointed as a non voting ex-officio member would then manage the appointments process supported by Democratic Services. Where the Chairman of Council was himself a full voting member of an Area Board, the Vice-Chairman of Council would be the non

voting ex-officio member. The Chairman and Vice-Chairman's role on the Area Board would be limited to facilitating the appointment process. This would take place either on the rising of Annual Council or during an adjournment of the meeting whichever is appropriate at the time.

It was noted that Group Leaders having been consulted on this proposal had raised no objections. During the debate, a proposal was moved that election of chairmen and vice-chairmen should be undertaken at the first round of meetings of Area Boards in the presence of other members of the Area Boards. However, this was subsequently withdrawn with a request that this be given consideration in the future.

Cllr Williams, Portfolio Holder for Communities reported that a training event for chairmen and vice-chairmen of Area Boards had been arranged.

Resolved

- a) That Council agrees the procedures for the election of chairmen and vice chairmen of Area Boards as set out in paragraph 5 of the report presented.
- b) That the Council agrees the appropriate amendments to the Constitution to facilitate the appointments process as set out in paragraphs 6 and 7 of the report presented.

31. **Corporate Plan**

The Chairman called upon the Leader of the Council to present the recommendation of her Cabinet concerning the adoption of the Corporate plan. The report considered by the Cabinet in arriving at its recommendation was presented as background information together with the recommended Plan.

The Leader of the Council moved that Council adopt the Corporate Plan and this was duly seconded by Cllr Thomson. The Leader explained that the Medium Term Financial Plan would be reviewed in the context of the outcome of the public spending review. A Business Plan was being drawn up which would document how the Council would make efficiencies.

The Chairman of the Council invited Cllr Jeff Osborn to add any comments on behalf of the Scrutiny Select Committee. Cllr Jeff Osborn explained that the Corporate Plan had been examined in detail by the Scrutiny Select Committee. The relevant Scrutiny Committees would examine the Service Delivery Plans, the Medium Term Financial Plan and Business Plan. He urged backbench members to be as involved as possible as scrutinising all of these documents would require a great deal of work.

Cllr Carbin explained that whilst agreeing with most of what was included in the Plan he considered the wording in some parts of it lacked ambition. He moved

an amendment to the effect that the Council adopt the Corporate Plan and looks forward to a more ambitious and dynamic version being produced when it was next reviewed. On being put to the vote, the amendment was LOST.

Following debate which included comments from other group leaders, it was

Resolved:

That Council adopt the Corporate Plan 2010-2014.

32. **Homelessness Strategy**

The Chairman called upon Cllr John Brady as Cabinet member for Economic, Development, Planning and Housing to present the recommendation of Cabinet concerning adoption of the Homelessness strategy. The report considered by the Cabinet in arriving at its recommendation was presented as background information together with the recommended Strategy.

Cllr Brady moved adoption of the Homelessness Strategy and this was duly seconded. Cllr Brady explained that if adopted, this would be the Council's first Homelessness Strategy. The Strategy set out the Council's plans for the prevention of homelessness and for securing that sufficient accommodation and support would be available for people who become homeless or who were at risk of becoming so.

During the debate a number of issues and points of clarification were raised to which Cllr Brady responded. Cllr Brady reported that he was seeking to arrange a meeting with the Housing Minister to lobby the Government on housing issues and particularly with a view to ensuring that the social housing grant is not lost as part of the public sector cuts.

Resolved:

That Council adopts the Homelessness Strategy 2010/15.

MEETING ADJOURNED

The meeting was adjourned at this point (1.45pm) to allow each Area Board to meet to elect its Chairman and Vice-Chairman in accordance with the newly adopted procedure (minute no. 30 refers).

The meeting reconvened after lunch at 2.30pm.

33. **Councillors' Questions**

The Chairman reported receipt of questions from Councillors Nick Fogg, Trevor Carbin, Ernie Clark, Peter Colmer and Jeff Osborn.

Details of the questions and responses given were tabled at the meeting and attached as Appendix D to these minutes.

Supplementary questions were made in some cases summarised as follows:

Cllr Fogg – honoraria payments made by the former Kennet District Council. Cllr Fogg commented that use of the word honoraria was perhaps misleading. The report although exonerated those concerned did comment that the confidentiality clause gave the matter an air of secrecy. He requested that the circumstances and details of this matter should be made publicly available.

The Leader responded by emphasising that this related to the former Kennet District Council and not Wiltshire Council. She confirmed that legal advice had been taken to ensure that information considered confidential including the names of individuals was treated accordingly. She explained that matters which could be made public had already been included in a Part I report to the Audit Committee which had endorsed the actions taken. The Leader also added that her understanding was that honoraria payments were made in recognition of additional work carried out by officers during a particularly difficult time.

Cllr Carbin – publication of Valley News. Cllr Carbin sought clarity over what the media could do with the Council's strapline which would warrant a ban of their publication from Council premises.

Cllr Thomson emphasised his response which stated that the publication in question had not been banned from Wiltshire libraries but asked to follow the Council's guidance.

Cllr Clark – Private Eye article. Cllr Clark sought information on the number of payments and total amount the Council was seeking to recover.

The Leader responded that the Council was seeking to recover two amounts totalling £20,000.

Cllr Clark – Housing Revenue Account debt plan. Cllr Clark asked what was the Council's views on an increased debt of £115m.

Cllr Brady commented that he was unable to give an answer at this stage and that he was awaiting advice from the new Government.

Cllr Clark - Affordable housing in villages. Cllr Clark sought clarification on whether or not villages would be involved in developing affordable housing policies.

Cllr Brady confirmed that villages would be consulted. He also added that villages could help in developing affordable housing policies and gave an open invitation to parish councils who wished to speak with him.

Cllr Colmer – cost of administering the Area Board process. Cllr Colmer asked that aside from the distribution of grants, when would Area Boards be given further delegated powers to provide more benefit to their communities.

Cllr Thomson emphasised that the main role of Area Boards was to influence decisions at a local level.

Cllr Colmer – Removing people from the Homes 4 Wiltshire database who no longer required housing. Cllr Colmer enquired as to the timescale for this filtering process.

Cllr Brady asked Cllr Colmer to email his question to him and he would provide a written response.

Cllr Jeff Osborn – Non implementation of SATs and guidance issued to governing bodies. Cllr Osborn sought information on what the guidance contained.

Cllr Grundy gave an undertaking to give a written reply in order to provide as accurate information as possible.

Attached is Appendix D - Councillors' questions and responses (minute no. 33 refers)

34. **Executive Business**

(a) **Executive Updates**

The Chairman invited the Leader and members of her Cabinet to update Council on any significant executive matters.

Pay Harmonisation

Cllr John Noeken, Cabinet member for Resources drew Council's attention to Briefing Note no. 35 which updated Councillors on the Pay Harmonisation process.

ICT Contract

Cllr John Noeken, Cabinet member for Resources updated Council on the position with regards the Council's ICT contract. It was noted that the Council would be terminating its contract with Steria. Work was taking

place on developing exit plans for some services alongside designing a new ICT service. The remaining life of the contract would be closely monitored with regular meetings held with Steria to manage the exit strategy and to manage performance issues robustly.

Cllr Jeff Osborn added that this was of fundamental importance to the Council. The Scrutiny Select Committee at its meeting on 27 May would be considering establishing a Task Group to look at this in more detail. In the meantime, he would continue to work closely with Cllr Noeken and the Service Director.

(b) Area Boards

Councillors were given the opportunity to ask questions of a general nature only concerning Area Boards.

Cllr Chris Williams, Portfolio Holder for Communities read out guidance concerning dual hatted members on Area Boards. He also referred to a report which would be considered by the Standards Committee on 19 May on the same subject in relation to the procedure for applying for dispensations. He undertook to circulate the report and guidance to all Councillors. He also advised that a meeting of Area Board Chairmen would be held at on 20 July 2010.

The Leader referred to guidance from Standards for England on declarations of interests in particular the difference between what constituted a personal and prejudicial interest. She understood that it was where an interest was considered a prejudicial interest requiring a member to withdraw from a meeting which would result in a meeting being inquorate which was causing difficulties.

Cllr Jeff Ody commented that the Devizes Area Board operated very successfully but considered that the relationship with the partnerships was rather ambiguous and therefore sought guidance from Cllr Thomson.

Cllr Thomson replied that he would be more than happy to meet with Cllr Ody and the Chairman of the Area Board or the Area Board to explain. He added that the Wiltshire Forum of Community Area Partnerships (WfCAP) would also be able to assist.

35. **Overview and Scrutiny**

The Chairmen of the Overview and Scrutiny Select Committees were invited to update Council on major activities within their respective Select Committees.

Environment Select Committee

Cllr Mollie Groom updated Council on her Committee's activities since the last Council meeting and ongoing matters:

- The Environment Select Committee had met twice since the last meeting of Council, minutes of the March meeting could be found in the separate Minutes Book.
- At the meeting on May 11 some of the key issues raised included a commitment to signing the contract for the new MBT plant in Westbury within the next 6 weeks and confirmation that the PFI housing agreement should be finalised by the end of July.
- An enormous amount of work was being carried out by the various Task Groups of the Committee. Cllr Groom gave a general invitation to any members who wanted to get involved in these groups.

Overview and Scrutiny Organisation and Resources Select Committee

Cllr Jeff Osborn updated Council on his Committee's consideration of the following matters:

- Pay harmonisation and terms and conditions of service
- Partnership working in connection with community safety
- S.106 Agreements
- Value for money

Children's Services Select Committee

In Cllr Carole Soden's absence, Cllr Jon Hubbard (Vice-Chairman) updated Council on the following matters:

- The Children's Services Select Committee had met once since the last Council meeting, details of which could be found in the separate Minutes Book.
- At the Committee's next meeting on 8 June, Councillors would be focussing on what was being done to improve Wiltshire's primary schools, as well as receiving a report on transport for pupils with Special Educational Needs - an historic area of overspend for this Council.
- A seminar for all Councillors would be held on 22nd July in the Council Chamber on the current review of Special Educational Needs (SEN) provision in Wiltshire, held in the Council Chamber. Further details would be provided to Councillors.

36. **Minutes of Cabinet and Committees**

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

Cabinet	23/02/10, 23/03/10 and 20/04/10
Children's Services Select Committee	18/03/10
Environment Select Committee	02/03/10
Health and Adult Social Care Select Committee	11/03/10
Organisation and Resources Select Committee	25/03/10
Audit Committee	24/03/10
Officer Appointments Committee	23/03/10
Standards Committee	10/03/10
Staffing Policy Committee	10/03/10
Wiltshire Pension Fund Committee	25/02/10
Northern Area Planning Committee	24/02/10, 17/03/10, 07/04/10, 28/04/10
Eastern Area Planning Committee	04/02/10, 25/02/10, 18/03/10, 29/04/10
Southern Area Planning Committee	18/02/10, 22/04/10
Western Area Planning Committee	10/02/10, 17/10/10, 10/03/10, 21/04/10

Resolved:

That the above mentioned minutes be received and noted.

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

No questions were raised. Cllr Moss, Chairman of the Licensing Committee mentioned that training for Licensing Committee was being arranged for 13 July 2010 on the rising of the next Council meeting. The training would cover the

Councillors' roles as 'interested parties', the new provisions relating to the regulation of sexual entertainment venues and update training on mandatory conditions on licences.

37. **Wiltshire Police Authority**

The minutes of the Wiltshire Police Authority meeting held on 11 February 2010 and the report of the Police Authority were received and noted. No questions on these documents had been received from Councillors.

38. **Wiltshire and Swindon Fire Authority**

The minutes of the Wiltshire and Swindon Fire Authority meeting held on 11 February 2010 were received and noted. No questions had been raised by Councillors.

39. **Duty to Respond to Petitions**

Cllr Noeken, Cabinet member for Resources presented the report of the Head of Democratic Services on the new Duty to Respond to Petitions, imposed as a result of the Local Democracy, Economic Development and Construction Act 2009.

The background to the Act and its key principles were outlined. Local authorities were required to establish a scheme for handling petitions by 15 June 2010 with a further requirement to establish a scheme for handling e-petitions by 15 December 2010. Council was therefore asked to consider a suggested petition scheme to meet this requirement. It was noted that the Council already made provision within its constitution for handling petitions which more than met the minimum requirements now imposed. Council was keen that the suggested petition scheme would supplement rather than replace the existing provisions for handling petitions. It was noted that the new duty would not extend to regulatory matters such as development control and licensing where there were mechanisms already in place to deal with representations on those issues.

Resolved:

(a) That Council:

- (i) approve the petition scheme as set out in the Annexe to the report presented, in particular to set the thresholds referred to in paragraphs 6.3 and 6.7 (2.5% of the local authority population to trigger a debate at Council and 1.25% to require an officer to attend a meeting of the appropriate Select Committee to answer questions) ;**

- (ii) **note that further detail would be required to guide users on the e-petition element of the scheme and to authorise the Solicitor to the Council and Monitoring Officer to make the final alterations to this part of the scheme;**
 - (iii) **agree that the scheme supplements the current provisions relating to petitions within the Constitution;**
 - (iv) **agree that the scheme be reviewed as part of the overall review of the Constitution being undertaken by the Focus Group on the Review of the Constitution; and**
 - (v) **produce an easy to read guide to petitions for public use.**
- (b) To designate the Solicitor to the Council and Monitoring Officer as the Proper Officer for petitions with delegated authority to determine inappropriate or non-compliant petitions and whether e-petitions may be hosted on the Council's web site, as well as approving minor amendments to the scheme such as changes in names of officers or designation of posts.**

40. Financial Regulations and Financial Procedure Rules

Cllr de Rhe Philipe, Cabinet member for Finance, Performance and Risk presented a report by the Chief Finance Officer, which proposed a revised set of Financial Regulations and Procedures as recommended by the Audit Committee at its meeting on 24 March 2010. Cllr de Rhe Philipe moved that Council adopt the Financial Regulations and Procedures and this was duly seconded by Cllr Roy While, Chairman of the Audit Committee

The new Financial Regulations and Procedures had been produced in accordance with good practice. They had been reviewed and developed by a dedicated Working Group comprising the Chair of the Audit Committee, Chief Finance Officer, Head of Internal Audit, the Cabinet Member for Finance, Performance and Risk, elected Member representative for the Audit Committee and other relevant officers. The Financial Regulations and Procedures as proposed and a summary outlining the main provisions were presented.

Resolved:

That Council adopts the Financial Regulations and Procedures as revised and replaced in the Constitution with immediate effect.

41. Date of Council Tax Setting meeting - 2011

The Chairman moved that the date for the council tax setting meeting in 2011 be confirmed as 22 February 2011 and this was duly seconded by the Vice-Chairman.

Resolved:

That the date of the next Council Tax Setting meeting be confirmed as 22 February 2011.

42. **Notices of Motion**

No notices of motion were received for the meeting.

Appendices:

- A – Question from Mr Kavanagh and response (minute no. 28 refers)
- B – Membership Area Boards (minute no. 29 refers)
- C – Membership of Committees (minute no. 29 refers)
- D – Councillors' questions and responses (minute no. 33 refers)

(Duration of meeting: 11.00am – 3.40pm)
(which includes an adjournment between 1.45pm – 2.30pm)

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

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

PUBLIC PARTICIPATION

QUESTION FROM MR ROSS KAVANAGH OF HILPERTON

**TO COUNCILLOR JOHN BRADY, CABINET MEMBER FOR ECONOMIC
DEVELOPMENT, PLANNING AND HOUSING**

Question

In the West Wilts Core Strategy, Hilperton was treated as a village. During the consultation process more than 300 objections - over half of total responses - were received concerning further development around Hilperton.

Why in the consolidated Wilts 2026 paper is Hilperton no longer listed as a village but as part of Trowbridge? Will the Council provide concrete assurance that such a clear public mandate will be acted upon and Hilperton will continue to be treated as a village for planning purposes?"

Response

In the Spatial Strategy background document, which accompanied the Wiltshire 2026 consultation, and on which the consultation document is based, Hilperton is identified as part of a 'grouped settlement' (Appendix B). This list includes 'Tidworth and Ludgershall', as well as the 'Trowbridge and Hilperton (including Staverton Marina) functional grouping'. 'Laverstock and Salisbury' are treated similarly in the South Wiltshire Core Strategy.

Appendix B to the Spatial Strategy background paper states:

"If Hilperton were located at some distance from Trowbridge, it would be able to function more independently as a small town or village. However, due to its proximity to Trowbridge, and its close relationship with its neighbour, it cannot be considered in isolation."

There is an eminently practical reason why, for the purposes of the Core Strategy, Hilperton should be treated as a part of the 'Trowbridge/Staverton Marina/Hilperton' functional grouping. Namely, that the Local Development Framework should allocate an appropriate level of development to each settlement in accordance with its needs. By treating Hilperton as part of a "grouped settlement", such additional development can be accommodated at the most suitable location, or locations, for the grouping as a whole. If

Hilperton were regarded as separate and distinct from Trowbridge for the purposes of the Core Strategy, additional development would have to be accommodated in or around the village to satisfy, what would then be, a separate need.

This 'grouping' of settlements for the purpose of the Core strategy, is just that. It implies no loss of identity for Hilperton, but merely reflects, from a spatial planning perspective, the relationship between settlements either abutting or in close proximity to one another.

The outcome of the Wiltshire 2026 consultation that was undertaken last year is being analysed and consideration will be given to the views received before any decisions are made about how Hilperton is shown in the draft Core Strategy when it is prepared. We fully appreciate and understand the weight of opinion of the local community on the status of the village for planning policy purposes and are taking this into consideration in developing the draft Wiltshire Core Strategy.

It would be wrong at this stage in the process to make statements about what the document should and should not contain in advance of considering all the evidence and completing the draft Core Strategy for formal approval by members.

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

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

Members

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

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

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

Members

Trevor Carbin
 Linda Conley
 Rosemary Brown
 Malcolm Hewson

Calne Area Board**Electoral Divisions 5**

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

Members

Christine Crisp
 Chuck Berry
 Tony Trotman
 Howard Marshall
 Alan Hill

Chippenham Area Board**Electoral Divisions 10**

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

Members

Jane Scott
 Peter Hutton
 Nina Phillips
 Paul Darby
 Chris Caswill
 Desna Allen
 William Douglas
 Judy Rooke
 Mark Packard
 Howard Greenman

Corsham Area Board

Electoral Divisions 4

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

Members

Sheila Parker
Alan Macrae
Dick Tonge
Peter Davis

Devizes Area Board

Electoral Divisions 7

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

Members

Philip Brown
Jeff Ody
Jane Burton
Nigel Carter
Laura Mayes
Richard Gamble
Lionel Grundy

Malmesbury Area Board

Electoral Divisions 4

Brinkworth
Malmesbury
Minety
Sherston

Members

Toby Sturgis
Simon Killane
Carole Soden
John Thomson

Marlborough Area Board

Electoral Divisions 4

Aldbourn & Ramsbury
Marlborough East
Marlborough West
West Selkley

Members

Chris Humphries
Peggy Dow
John Fogg
Jemima Milton

Melksham Area Board

Electoral Divisions 6

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

Members

Stephen Petty
Rod Eaton
Jon Hubbard
Mark Griffiths
Roy While
Jonathon Seed

Pewsey and Tidworth Area Committee

Electoral Divisions 6

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

Members

Robert Hall
Jerry Kunkler
Stuart Wheeler
Charles Howard
Chris Williams
Mark Connolly

Salisbury Area Board

Electoral Divisions 8

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

Members

Christopher Cochrane
Ricky Rogers
Brian Dalton
Paul Sample
Mary Douglas
Bill Moss
John Brady
Richard Clewer

South West Wiltshire Area Board

Electoral Divisions 5

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

Members

Jose Green
George Jeans
Bridget Wayman
Tony Deane
Richard Beattie

Southern Wiltshire Area Board

Electoral Divisions 5

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

Members

Richard Britton
Julian Johnson
Ian McLennan
Leo Randall
Christopher Devine

Trowbridge Area Board

Electoral Divisions 9

Hilperton
Southwick
Trowbridge Adcroft

Members

Ernie Clark
Francis Morland
Tom James

Trowbridge Central
Trowbridge Drynham
Trowbridge Grove
Trowbridge Lambrok
Trowbridge Park
Trowbridge Paxcroft

John Knight
Graham Payne
Jeff Osborn
Helen Osborn
Peter Fuller
Steve Oldrieve

Warminster Area Board

Electoral Divisions 5

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

Members

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

Westbury Area Board

Electoral Divisions 4

Ethandune
Westbury East
Westbury North
Westbury West

Members

Julie Swabey
Michael Cuthbert-Murray
David Jenkins
Russell Hawker

Wootton Bassett and Cricklade Area Board

Electoral Divisions 6

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

Members

Peter Colmer
Allison Bucknell
Jacqui Lay
Mollie Groom
Bill Roberts
Peter Doyle

Appointments to Committees

Strategic Planning Committee (13)

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

Area Planning Committee – East (9)

Conservative Group (6)	Liberal Democrat Group (1)	Labour Group (0)	Independent (1)	Devizes Guardians (1)
P Brown	P Dow	-	J Fogg	J Burton
R Gamble				
C. Howard				
C Humphries				
L Mayes				
C Williams				
Substitutes:				
L Grundy	P Colmer		G.Jeans	J.Ody
J. Kunkler	-		C. Newbury	N Carter
J. Milton				

Area Planning Committee – North (10)

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (0)	Independent (0)	Devizes Guardians (0)
C Crisp	P. Colmer	-	-	-
P Davis	B. Douglas			
P Doyle	H. Marshall			
A Hill				
P Hutton				
T Sturgis				
T Trotman				
Substitutes:				
C Berry	P. Darby			
M Groom	S. Killane			
B Roberts	M. Packard			

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	I. West			
M Douglas	G. Wright			
J Green				
M Hewitt				
F Westmoreland				
Substitutes:				
W Moss	P. Sample		E.Clark	
L. Randall			R.Hawker	
J Smale			C.Newbury	

Area Planning Committee – West (11)

Conservative Group (6)	Liberal Democrat Group (3)	Labour Group (0)	Independent (2)	Devizes Guardians (0)
R Eaton	M. Hewson	-	E. Clark	-
P Fuller	J Knight		C. Newbury	
M Griffiths	S Petty			
G Payne				
J Seed				
R While				
Substitutes:				
A Davis	R Brown		F Morland	
F De Rhé-Philippe	T Carbin		R Hawker	
P Ridout	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	J Hubbard			
M Griffiths				
B Moss				
N Phillips				
B Roberts				
J Seed				
Substitutes:				
A Bucknell	T Carbin			
J Lay	B Douglas			
P Ridout	H Marshall			

Organisation and Resources Select Committee (13)

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (1)	Independent (1)	Devizes Guardians (1)
T. Deane	J Hubbard	R Rogers	N Fogg	N Carter
C Devine	J Osborn			
P Doyle	J Rooke			
C Howard				
J Lay				
B Roberts				
J Seed				
Substitutes:				
C Berry	T Carbin		E Clark	J Burton
M. Douglas	D Jenkins		R Hawker	J. Ody
P Ridout	G Wright		C Newbury	

Children's Services 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	H Osborn			
P Fuller				
M Griffiths				
J Lay				
B Moss				
P Ridout				
C Soden				
Substitutes:				
C. Crisp	P Dow		E Clark	
C Devine	P Colmer		J Fogg	
B Roberts	H Marshall		T James	

Health and Adult Social Care 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	P Colmer			
P Davis	M Hewson			
M Hewitt				
P Hutton				
N Phillips				
P Ridout				
B Roberts				
Substitutes:				
R. Britton	T Carbin		N Fogg	N. Carter
M Douglas	P Darby		R Hawker	J. Ody
W. Moss	J Hubbard		G Jeans	

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
P Doyle	P Colmer			
J Green	S Oldrieve			
M Groom				
A Hill				
C Humphries				
L Randall				
Substitutes:				
C Howard	T Carbin		N Fogg	J. Burton
J Johnson	C Caswill		R Hawker	J. Ody
T Trotman	H Marshall		G Jeans	

Audit Committee (13)

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

Appeals Committee (9)

Conservative Group (6)	Liberal Democrat Group (3)	Labour Group (0)	Independent (0)	Devizes Guardians (0)
A Bucknell	B Douglas	-	-	-
A Davis	P Dow			
P Davis	D Jenkins			
A. Hill				
J Milton				
R While				
Substitutes:				
C Crisp	J Hubbard			
C Cochrane				
B Wayman				

Staffing Policy Committee (9)

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

Officer Appointments Committee (5)

Conservative Group (3)	Liberal Democrat Group (1)	Labour Group (0)	Independent (1)	Devizes Guardians (0)
L Grundy	T Carbin	-	C Newbury	-
J Scott				
J Thomson				
Substitutes:				
J Noeken	C Caswill		E Clark	
J Brady			G Jeans	
F de Rhe-Philippe			T James	

Pension Fund Committee (5)

Conservative Group (3)	Liberal Democrat Group (2)	Labour Group (0)	Independent (0)	Devizes Guardians (0)
T Deane	D Jenkins	-	-	-
C Howard	J Osborn			
S Parker				
Substitutes:				
F De Rhé-Philippe	M Packard			
W Moss				
J Smale				

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			G Jeans	
R Tonge			T James	

Great Western Ambulance Joint Scrutiny Committee (3)

Conservative Group (2)	Liberal Democrat Group (0)	Labour Group (1)	Independent (0)	Devizes Guardians (0)
C Crisp	-	I McLennan	-	-
M Hewitt				
Substitutes:				
P Hutton		R Rogers		
P Ridout				

ANNUAL COUNCIL
18 MAY 2010

COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR NICK FOGG
MARLBOROUGH WEST DIVISION**

**TO COUNCILLOR JANE SCOTT
LEADER OF THE COUNCIL**

Question 1

Is she aware of the article that appeared in *Private Eye* on April 30th concerning bonuses awarded at Kennet District Council? Can she comment on the accuracy of the report and advise this Council if it is intended to take any further steps as a result of the report on the issue by KPMG.?’

Response

The Leader is aware of the article and the circumstances to which it relates.

Following the transition to the new Wiltshire Council the then acting chief executive was advised by the monitoring officer and chief finance officer of honorarium payments made to some employees of the former Kennet District Council.

In order to ensure transparency and accountability, the acting chief executive agreed that the Council’s external auditors, KPMG, should carry out an independent audit into the payments.

The auditors concluded that the payments were made under appropriate authority, but advised that the approach followed by the former district council in determining how non-pensionable honorarium payments were made, and to whom, lacked objectivity and transparency and was insufficiently documented. The report, however, stressed that no direct evidence of deceitful or illicit behaviour was uncovered during the audit.

Although this matter concerns a predecessor authority, the auditors provided a number of recommendations, based on good practice, which are being implemented in relation to Wiltshire Council’s own policy on any future payment of honoraria.

Legal advice has since been obtained on the validity of the payments included within the audit and steps are now being taken to recover payments where it is legally and economically justifiable to do so in the interests of council tax

payers. These focus upon those cases where an honorarium payment was mistakenly included in severance calculations. The Council is unable to comment on individual cases because of legal restrictions to which we are subject under data protection legislation.

Wiltshire Council's Audit Committee considered a confidential report on this matter at its meeting on 24 March 2010, and endorsed the action that is being taken regarding recovery of payments.

WILTSHIRE COUNCIL

**ANNUAL COUNCIL
18 MAY 2010**

COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR TREVOR CARBIN
HOLT AND STAVERTON DIVISION**

**TO COUNCILLOR JANE SCOTT
LEADER OF THE COUNCIL**

Question 1

One of the three key goals set out in WC's First Year Plan was to "Ensure local, open, honest decision making." Cabinet on 23rd June 2009 resolved to devise a rotation scheme for meetings of the Cabinet "so that meetings are held regularly around the county."

Of the ten Cabinet meetings since that resolution was made one (July 2009) was held in Salisbury and the next nine were in County Hall.

What is the reason for this failure of Cabinet to observe its own resolution of June 2009?"

Response

We did agree to rotate cabinet meetings around the County and for the Cabinet Forward Work Plan to be used to identify localised issues which would determine the location of meetings.. We had a significant item for Salisbury in respect of the Academies project in June last year and accordingly, the meeting which discussed that item in July was held in Salisbury. Since then, in the absence of what could be regarded as significant local issues, Cabinet meetings have been held at County Hall.

I do intend, that regardless of whether or not there are local issues to be considered, meetings will be rotated around the County in future and at the Cabinet meeting on 20 April, I circulated details of the location of future meetings which are as follows.:

24 May - Monkton Park, Chippenham
22 June - County Hall
27 July - Browfort, Devizes
14 September - City Hall, Salisbury
19 October - Browfort, Devizes
16 November - Monkton Park, Chippenham
14 December - County Hall

WILTSHIRE COUNCIL

**ANNUAL COUNCIL
18 MAY 2010**

COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR TREVOR CARBIN
HOLT AND STAVERTON DIVISION**

**TO COUNCILLOR JOHN THOMSON
DEPUTY LEADER AND CABINET MEMBER FOR ADULT CARE,
COMMUNITIES AND LIBRARIES**

Question 1

The publication "Valley News" has been banned from Wiltshire libraries.
Why?

Response

It is not correct to state that Valley News has been banned from Wiltshire Libraries.

Valley News has made a complaint, which is currently being investigated by the Local Government Ombudsman. The position, as confirmed to the Ombudsman, is as follows.

On 3 September 2009, the council's communications team was made aware by the General Manager (South) covering Tisbury Leisure Centre of concerns regarding the content of articles published in Valley News September edition regarding Wiltshire Council.

The concern also referred to the use of the council's branding and logo and a modification made to the logo to substantiate one particular article.

The article concerned did not reflect balanced reporting as no comment was sought from the council. It was written as an opinion piece rather than a news story but was presented as a news article. It was in the council's view neither fair nor balanced and related to money spent on advertising for key posts in the council and the value of staff.

The council was not offered a right of reply regarding senior management salaries or the recruitment of the Chief Executive post, or to advise on the vast savings made as a result of the new council reducing the number of senior managers and chief executives.

The communications team was only made aware of copies of Valley News being available in Tisbury Leisure Centre. It was not aware of copies in any other council premises at this stage. There is no agreement or contractual arrangement regarding the promotion or display of Valley News publications.

The manager of Tisbury Centre was advised to withdraw the September edition only from the Leisure Centre. There was no communication or decision regarding future editions.

To note -

The council currently spends £480.00 on advertising in Valley News to promote Tisbury Leisure Centre.

WILTSHIRE COUNCIL

**ANNUAL COUNCIL
18 MAY 2010**

COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR ERNIE CLARK HILPERTON
DIVISION**

**TO COUNCILLOR JANE SCOTT
LEADER OF THE COUNCIL**

Question 1

The 30th April edition of Private Eye carried an article in its Rotten Boroughs page entitled 'Under the counter'. This brought the matter of non-pensionable honoraria awarded by Kennet District Council into the public domain. The article named a councillor involved in the process and gave details of the sum of money awarded to various officers (over £60,000).

In the interest of 'open decision making' will this matter in future be discussed by the Audit Committee in public, or will this council still seek to use the Data Protection Act 1998 to keep the matter 'under wraps'?

Response

Cllr Clark is referred to the response to the question raised by Cllr Fogg on the same subject.

In dealing with this matter the council has been concerned to ensure that the interests of council tax payers are protected. The council has sought to be and will continue to be as open as possible within the constraints of the law. In particular, the council has a legal duty to protect the rights of individuals under data protection legislation, breach of which would expose the Council to potential litigation, including proceedings before the Information Commissioner.

WILTSHIRE COUNCIL

**ANNUAL COUNCIL
18 MAY 2010**

COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR ERNIE CLARK
HILPERTON DIVISION**

**TO COUNCILLOR JOHN BRADY, CABINET MEMBER FOR ECONOMIC
DEVELOPMENT, PLANNING AND HOUSING**

Question 1

Under the proposed revision to the Housing Revenue Account debt plan, Wiltshire Council's 'council housing' debt will increase from £4million to £119million. Is the council in broad agreement to this £115million increase? If so, why?

Notwithstanding grants currently available exclusively to councils, would it not be prudent for this council to encourage its tenants to allow a transfer of the housing stock to either a RSL or an ALMO with existing WC staff TUPE'd to the new body?

Response

As you have correctly identified, proposals were circulated by the previous Government for alternatives to the current Housing Revenue Account subsidy system. At this time, we do not have any information as to the status of those proposals and whether or not they will be carried out by the new Government.

With regard to stock transfer as you probably know Salisbury District Council balloted its tenants for a second time on a transfer to a newly formed housing association in 2006 but 72% decided to stay with the council. Since that time the financial position of the HRA has marginally improved and therefore it is our view that tenants are less likely to vote for a transfer. Overall the reasons for tenants to vote for transfer have decreased rather than increased. A transfer ballot is a very costly and time consuming exercise likely to cost approximately £500k. We do not detect any desire amongst tenants to reopen the stock transfer debate and the proposals for the subsidy change currently being consulted on may further reduce the desire for a transfer.

The main priority for the council is to provide a period of stability and certainty about the future of council housing during which we can deliver a service improvement programme that will over the next two years ensure that our housing management service is a high performing, quality service that is responsive to the needs of our tenants.

COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR ERNIE CLARK
HILPERTON DIVISION**

**TO COUNCILLOR JOHN BRADY, CABINET MEMBER FOR ECONOMIC
DEVELOPMENT, PLANNING AND HOUSING**

Question 1

I have not been able to find any reference to the provision of affordable housing in the LDF consultation document. Currently in west Wiltshire there is a requirement for up to 50% provision in villages and up to 30% in towns for new developments that meet certain criteria. On 'exception' sites outside Village Policy Limits (VPL) the requirement is for 100% unless the housing is for agricultural or forestry workers.

Assuming that this authority will still be seeking a mechanism for affordable housing to be built via 'planning gain', what criteria will be used for villages where you propose to remove the VPL? How will you control small scale 'speculative' housing from intruding into the countryside? Will villages that have their VPL removed only see 30% affordable housing in future, thus denying villages much needed houses for rent?

Response

The LDF consultation document (Wiltshire 2026: Planning for Wiltshire's Future) was a very broad high level document outlining the key issues in each settlement and the proposed areas of growth. It suggests how each area might change by 2026 and then what the core strategy should seek to deliver, including an outline of the suggested scale and location of housing and employment development where this has been identified. It also sets out the general location of preferred options for sites to help provide for this growth within each community area, and provides a brief description of the option, together with the reason for its choice.

The more detailed policy development outlining how the objectives for each community will be achieved through planning policy will be a later part of the process. This policy development will include the development of affordable housing policies outlining the amount of affordable housing to be sought in urban and rural areas and the approach to exceptions sites in rural areas. It is intended that this work will take place over the summer months with a view to publishing draft policies in the autumn of 2010 for further consultation.

The draft South Wiltshire Core Strategy, programmed for adoption in autumn 2010, requires new developments on sites of 15 dwellings or more to provide 40% affordable housing and 25% on sites between 5 and 14 dwellings. While we cannot guarantee the same levels across Wiltshire due to the need to take into account local circumstances and evidence this gives an indication as to the level that we might deliver through new policy elsewhere in Wiltshire.

In terms of 'Village Policy Limits', as agreed at Council on 10 November, a review on the application of these is being undertaken as part of the development of the draft Wiltshire Core Strategy to ensure a consistent approach across Wiltshire and allow local views on this issue to be sought.

WILTSHIRE COUNCIL

**ANNUAL COUNCIL
18 MAY 2010**

COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR ERNIE CLARK
HILPERTON DIVISION**

**TO COUNCILLOR JOHN BRADY, CABINET MEMBER FOR ECONOMIC
DEVELOPMENT, PLANNING AND HOUSING**

Question 1

Time and again we see the strap line 'Wiltshire Council.' Where everybody matters'. Could the planning portfolio holder therefore advise why the Spatial Planning department seems intent on ignoring the opinion of some 500+ Hilperton residents in their response to a WWDC consultation document regarding future development around Hilperton? Does he want a petition served on the council, similar to that from Chippenham residents recently, to convince him that this council is working against residents and not for them in Hilperton?

Why has the stance regarding the Hilperton Village Policy Limit changed since the recent departure of an ex WWDC planning consultant?

Response

The outcome of the Wiltshire 2026 consultation that was undertaken last year is being analysed and consideration will be given to the views of the Hilperton residents before any decisions are made about how Hilperton is shown in the draft Core Strategy. A petition would not provide any additional weight to the comments already received. We fully appreciate and understand the weight of opinion of the local community on the issues surrounding future development at the village including its status and are taking this into consideration in developing the draft Wiltshire Core Strategy.

The position regarding the status of Hilperton in adopted planning policy and as indicated in the emerging Wiltshire Core Strategy (Wiltshire 2026 consultation document) has not changed. Notwithstanding this, it would be wrong at this stage in the process to make statements about what the Core Strategy should and should not contain in advance of considering all the evidence and completing the draft Core Strategy for Committee approval

COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR PETER COLMER
CRICKLADE, LATTON & MARSTON MEYSEY DIVISION**

**TO COUNCILLOR JOHN THOMSON, DEPUTY LEADER AND CABINET
MEMBER FOR ADULT CARE, COMMUNITIES AND LIBRARIES**

Question 1

What is the total annual cost in administering the Area Board process (excluding the grant funding sum of circa £1m)?

Response

The total cost of the Area Boards Team is £1.2m per annum or £63k per community area. This includes the Head of service, team leaders, 18 Community Area Managers, administration team, sound technicians and all associated administrative, transport and support costs.

The total cost of Democratic Services Support to the Area Boards is approximately £250,000. The costs are approximate as budgets such as premises hire and refreshments cover all formal meetings not just Area Boards. Estimates have therefore been made as to the proportion of these costs that are attributable to area boards. The costs however do not include the printing and distribution of agenda.

**TO COUNCILLOR JOHN BRADY, CABINET MEMBER FOR ECONOMIC
DEVELOPMENT, PLANNING AND HOUSING**

Question 1

How is the Homes 4 Wiltshire data base audited to remove applicants that no longer require affordable housing and how often is this process carried out?

Response

It is part of our policy that we should have a rolling programme with all Homes 4 Wiltshire applicants being written to once a year on the anniversary of their joining the register. If there is no response; their circumstances have changed and they are no longer entitled, or people tell us they are no longer in need of housing they should be removed from the register. Unfortunately as a result of the review and other work commitments we have not been able to carry out that filter. However we are taking on additional staffing resource to work in this area, with the Homes 4 Wiltshire review now being completed, we expect to commence this work within the next couple of months.

Once people have been adequately housed through the system they are shown as adequately housed and no longer form part of the register. We also send out a newsletter and where these are returned "gone away" we will remove the applicant from the register.

WILTSHIRE COUNCIL

ANNUAL COUNCIL

18 MAY 2010

COUNCILLORS' QUESTIONS

QUESTION FROM COUNCILLOR JEFF OSBORN
TROWBRIDGE GROVE DIVISION

TO COUNCILLOR LIONEL GRUNDY CABINET MEMBER FOR
CHILDREN'S SERVICES

Question 1

How has the Local Education Authority been affected by the publicised action not to implement SATS?

Response

Schools are not required to tell the Local Authority of the action they intend take. However DCE contacted all schools and asked their intentions. 7 confirmed that they would be taking some form of action. 22 advised us that they were undecided and the remaining schools indicated that they would be continuing as normal. LA staff have continued to monitor the situation.

The LA has role through the SATs of undertaking a sample of monitoring and compliance visits to ensure that the SATs are appropriately undertaken. We wrote to all schools and advised them that these visits would continue. Officers have continued in their visits, making a note on their report if the SATs have not taken place or other action in line with union guidance is in place. I am advised that the majority of these visits have taken place as expected.

From feedback & general intelligence it would appear that the majority of schools have continued with the SATs in Wiltshire. However from informal feedback the number not participating does seem higher than the 7 reported, although at this stage we do not have definite numbers.

Schools HR have issued guidance to governing bodies on their role with regard to the Headteacher and teacher action.

