

COUNCIL

MINUTES OF THE COUNCIL MEETING HELD ON 9 NOVEMBER 2010 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE.

Present:

Cllr Desna Allen, Cllr Richard Beattie, 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 Ernie Clark,
Cllr Richard Clewer, Cllr Christopher Cochrane, Cllr Peter Colmer,
Cllr Mark Connolly, Cllr Christine Crisp (Vice-Chair), Cllr Michael Cuthbert-Murray,
Cllr Brian Dalton, Cllr Andrew Davis, Cllr Peter Davis, Cllr Tony Deane,
Cllr Christopher Devine, Cllr Bill Douglas, Cllr Mary Douglas, Cllr Peggy Dow,
Cllr Peter Doyle, Cllr Rod Eaton, Cllr Nick Fogg, Cllr Peter Fuller,
Cllr Richard Gamble, Cllr Jose Green, Cllr Howard Greenman, Cllr Mark Griffiths,
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 Jon Hubbard, Cllr Chris Humphries, Cllr Peter Hutton,
Cllr Tom James MBE, Cllr George Jeans, Cllr David Jenkins, Cllr Julian Johnson,
Cllr Simon Killane, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Howard Marshall,
Cllr Ian McLennan, Cllr Jemima Milton, Cllr Francis Morland, Cllr Bill Moss,
Cllr Christopher Newbury, Cllr John Noeken, Cllr Jeffrey Ody, Cllr Helen Osborn,
Cllr Jeff Osborn, Cllr Sheila Parker, Cllr Graham Payne, Cllr Stephen Petty,
Cllr Nina Phillips, Cllr Leo Randall, Cllr Fleur de Rhe-Philippe, 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 Carole Soden,
Cllr Toby Sturgis, Cllr Julie Swabey, Cllr John Thomson, Cllr Dick Tonge,
Cllr Anthony Trotman, Cllr Bridget Wayman, Cllr Ian West, Cllr Fred Westmoreland,
Cllr Stuart Wheeler, Cllr Roy While, Cllr Christopher Williams and Cllr Graham Wright

60. Apologies

Apologies for absence were received from Councillors Mark Packard, Chris Caswill, Laura Mayes, Linda Conley, John Knight, Paul Darby, Keith Humphries, Stephen Oldrieve and Alan Macrae.

61. Declarations of Interest

No declarations of interest were made.

62. **Minutes of Previous Meeting**

The minutes of the Meeting held on 13 July 2010 were presented.

Resolved:

That the minutes of the last Council meeting held on 13 July be approved as a correct record and signed by the Chairman.

63. **Announcements by the Chairman**

(a) The Next Four Years – A Presentation

The Chairman explained that the meeting would be adjourned following the conclusion of business under Item No.7 of the Summons, to allow the Leader of the Council to give a presentation to Council and allow discussion on the challenges the Council would be facing over the next four years. Please see the end of minute no. 68 below.

(b) Chairman's Reception 2011

The Chairman confirmed that he would not be holding a Chairman's Reception during his year of office and that such a decision had been taken with the agreement of the Leader of the Council.

(c) Wiltshire Council Civic Carol Service

The Chairman reminded Councillors of their invitation to attend the Council's Civic Carol Service which would be held at St. John's Parish Church, Devizes on Wednesday, 15 December at 7.00 p.m, conducted by the Archdeacon of Wiltshire, the Venerable John Wraw.

Alternatively Councillors were welcome to join the annual Staff Carol Service to be held in the Council Chamber at 1.00 p.m. on the same day. Musicians from the Wiltshire Rural Music School would be providing the musical accompaniment for that celebration and the Reverend Rob Thomas from St. James' Parish Church in Trowbridge had kindly agreed to lead the service.

(d) Remembrance Day Services & Parades

The 2010 Royal British Legion Poppy Launch in Wiltshire was held at County Hall on the 28 October with the Leader and Vice-Chairman of the Council purchasing the first poppies. The Chairman stressed how it was good to be involved with this important and vital fund raising work undertaken by the Royal British Legion, given the strong and valued armed services link to Wiltshire.

The Chairman thanked those Councillors who would be attending Annual Remembrance Day Services and Parades to lay wreaths at war memorials across the County on behalf of Wiltshire Council.

(e) 'Shaping the Future – Being the Best' – Corporate staff awards 2010

The Chairman referred to the first corporate awards held on Monday 27 September at the City Hall in Salisbury to celebrate and recognise the excellent work being done by Wiltshire Council employees. 200 nominations had been received shortlisted to 68 before the judges agreed on the winners which were read out by the Chairman.

On behalf of Council, the Chairman congratulated the winners and those who were highly commended in a variety of categories.

(f) Keith Gale – Lifetime Achievement Award

The Chairman paid tribute to Mr Keith Gale who had been awarded a lifetime achievement award as part of the 'Your Local Hero Awards' run by the Salisbury Journal. Mr Gale had been an active and inspirational youth worker for the Council for over 40 years, and served local government with distinction. The Chairman congratulated him on his award and wished him all the best in his future and ongoing youth work; sentiments which were echoed by other Councillors.

(g) Seminar on the Voluntary and Community Sector

The Chairman reminded Councillors that a seminar on the voluntary and community sector had been arranged to take place in the council chamber following this Council meeting. The Seminar would be focussing on the Council's relationship with the voluntary and community sector and the wide range of work undertaken with them.

64. **Petitions**

(a) **Petitions Received**

Petition – Save Melksham Library

The Chairman reported receipt of a petition organised by Cllr Jon Hubbard, details of which were circulated. The petition with 2,184 signatories called on the Council to keep Melksham's Library located in the town centre and for it not be relocated to a new Melksham campus out of town.

At the Chairman's invitation, Cllr Jon Hubbard presented the petition. He explained that he was generally in favour of the campus proposals which included replacement of out of date facilities for Melksham. He was however, concerned that such a well used library would be relocated out of town to the detriment of local residents and would entail the loss of a valuable community resource which had only recently been refurbished. He also pointed out that a number of people used the library to access the internet to search for employment following the loss of the Job Centre.

At the Chairman's invitation, Cllr John Noeken, Cabinet member for Resources responded to the petition. He confirmed that as yet, no detailed proposals or costings relating to a potential Melksham campus had been considered or agreed. He also referred to the financial challenges facing councils and the Government's highlighting of the opportunities that savings offered by property rationalisation gave to protecting front line services and providing a platform for improved service delivery.

The Chairman of Melksham Area Board, Cllr Jonathan Seed reassured Council that the majority of Melksham Area Board members saw the campus opportunity as a hugely positive event for local residents. Melksham Area Board would be asked to confirm that the Area Board should be the appropriate body to represent the Melksham Community Area in the consultation with Wiltshire Council on the Melksham Community Area Campus project.

Resolved:

That Council receive and note the petition and that it be referred to Melksham Area Board.

(b) **Petitions Update**

A report by the Head of Democratic Services was presented which informed Council of the withdrawal of the Government's statutory guidance relating to petitions and gave details of the seven petitions received for the period since the last Council meeting.

It was explained that the statutory guidance relating to petitions was revoked by the Government with effect from 24 September, principally to allow local authorities more discretion on how they deal with petitions. The Council remained legally bound to comply with the minimum requirements of the statutory duty in place to respond to petitions until such time as the relevant legislation was repealed. Council noted that a new e-Petitions facility would be introduced on 15 December 2010 to meet these requirements.

Resolved:

That Council:

- i) notes the report, the petitions received and the actions being taken, as set out in the Appendix to this report;**
- ii) notes the withdrawal of the statutory guidance relating to how local authorities deal with petitions and**
- iii) notes the activation of a new e-Petitions facility in advance of the statutory deadline of 15 December 2010 available to all those who**

live or work in Wiltshire or use Wiltshire Council services.

65. **Public Participation**

There were no requests for public participation.

66. **Wiltshire Anti-Social Behaviour Reduction Strategy and Implementation Plan**

The Leader of the Council presented Cabinet's recommendation dated 27 July 2010 on the adoption of the Wiltshire Anti-Social Behaviour Reduction Strategy.

The Leader explained that she had attended the launch of the Strategy with Wiltshire Police and other partners last week. The Strategy would enable closer partnership working with other partner agencies which would lead to better and more closely co-ordinated efforts.

The Leader urged the Councillors to familiarise themselves with the Strategy and Implementation Plan in order to assist their constituents in tackling anti social behaviour issues in association with partner agencies.

During discussion of the Strategy, concern was expressed by some Councillors that there were insufficient references in both the Strategy and Implementation Plan on the role of Councillors and how they could engage in the process on behalf of their constituents.

Cllr Jeff Osborn also sought information on the circumstances leading to the issuing of a Dispersal Order for the Studley Green area of Trowbridge.

Resolved:

- (a) That Council adopt the Wiltshire Anti-Social Behaviour Reduction Strategy and Implementation Plan.**
- (b) To inform the Community Safety Partnership of this Council's grave concerns over the lack of member involvement being documented in the Strategy and Implementation Plan and that a response be sought from the Partnership on this issue.**
- (c) That a report on the issuing of a Dispersal Order in respect of the Studley Green area of Trowbridge be provided to Cllr Jeff Osborn and Cllr Helen Osborn.**

MEETING ADJOURNED

The meeting was adjourned at this point (12.10pm) to allow for a presentation by the Leader of the Council and discussion on the challenges facing the Council over the next four years.

The Next Four Years: The challenges we face

The Leader reported that work was continuing on a Business Plan that would take a robust and realistic approach to managing the challenges the Council would be facing over the next four years. The Business Plan would focus on:

- making savings necessary following the outcome of the Comprehensive Spending Review (CSR)
- protecting the most vulnerable people in our communities, the local economy and keeping the council tax low
- investing to make improvements and in delivering new services including waste and recycling, leisure, housing and broadband access

Council noted the reduction in Government Grant by 28.4% over the four year period with the reduction front loaded in years one and two and the loss of most ring fenced and specific grants. This would mean the Council needed to find up to £30 million in extra savings in next year's budget and the Leader explained how the savings would be found.

A management review was currently underway to reduce the number of managers by 240 over the next two months. All services areas across the Council were working to identify savings of 12%. Some services would be reviewed over the next four years to maximise efficiencies and savings and make reductions of at least 19%. The purchasing of goods and services would be reviewed which included renegotiating with the contractors to reduce costs and review contracts. Additionally, every effort would be made to increase income wherever possible.

At a time of significant job losses in the public sector, every effort would be made to support the local economy by actively encouraging new employment opportunities in the County.

The Business Plan was constantly being reviewed as more information emerged from Central Government. The Leader acknowledged that the Council's role, its workforce, its responsibilities and how it worked with its communities and partners would undoubtedly change. In this context, the Leader specifically referred to emerging legislation in the form of the Health White Paper, the Adult Care White Paper, the Localism Bill and the Police Bill.

A discussion then commenced which started with contributions from other group leaders and then other members of the Council on the challenges as outlined and the Council's response to them. The Leader responded to the points raised. Councillors appreciated the opportunity to discuss this very important issues.

MEETING RECONVENED

The meeting reconvened after lunch at 2.00pm.

67. **Revenue Budget Virement 2010-11**

Cllr Fleur de Rhe Philipe, Cabinet member for Finance, Performance and Risk presented a recommendation from Cabinet dated 19 October 2010 for Council to approve virements from reserves as a way of managing the financial pressures and Government reductions. The report of the Chief Finance Officer was presented which provided background information and explained that there had been a number of unforeseen and extraordinary pressures on the Council's budget. Such pressures included the Government's reduction in Area Based Grant, a confirmed increase in adult social care need and costs associated with the current management review.

Resolved:

That the Council, in line with Financial Procedure Rule 15.7, approve the virements from reserves as highlighted at paragraphs 7 to 9 of the report presented.

68. **Annual Report on Treasury Management 2009/10**

Cllr Fleur de Rhe Philipe, Cabinet member for Finance, Performance and Risk presented the Annual Report on Treasury Management for 2009/10 for consideration. This would enable Councillors to consider the performance of the Council against the parameters set out in the last approved Treasury Management Strategy. It was noted that the report had been considered and agreed by Cabinet at its meeting on 14 September 2010. Cllr de Rhe Philipe explained that quarterly reports would be presented to Cabinet on the Strategy to enable close monitoring of investments and Prudential Indicators.

In response to a question from Cllr Colmer, Cllr de Rhe Philipe undertook to provide him with a written reply to confirm the amount originally invested with Icelandic banks, the amount recovered, the amount we anticipate in recovering and the amount that would be lost from the Council's original estimate.

Resolved:

That Council notes:

- a) **the actual cash position at the end of 2009-10 against the original forecast for the year;**
- b) **Prls and other treasury management strategies set for 2009-10 against actual positions resulting from actions within the year as detailed in Appendix A of the report presented and**
- c) **investments during the year in the context of the Annual Investment Strategy as detailed in Appendix B of the report presented.**

69. Councillors' Questions

The Chairman reported receipt of questions from Councillors Ernie Clark, Jon Hubbard, Jeff Osborn, Helen Osborn, Nick Fogg, Simon Killane, Trevor Carbin, Peter Colmer, Graham Payne and Ricky Rogers.

Details of the questions and responses given were previously circulated and are attached as Appendix A to these minutes.

Supplementary questions were made in some cases summarised as follows:

Cllr Clark – harmonisation of taxi services – questioned the ability to find a solution to harmonise the service. In the absence of Cllr Keith Humphries, Cabinet member for Health and Wellbeing, it was agreed to provide a written response.

Cllr Clark – ‘Housing Matters’ magazine – asked how many Wiltshire Council tenants had asked for information in a non-English language. The Leader undertook to provide a written response.

Cllr Clark – Chief Executive’s salary – asked why the Leader would not be approaching the Chief Executive on a cut in his pay. The Leader explained that the Chief Executive’s pay had been set at the median line and agreed by all political parties on the Council.

Cllr Clark / Cllr Hubbard – costs of Wiltshire Council branding – Cllr Clark asked for a breakdown of how the reorganisation was saving approximately £18 million per annum. The Leader undertook to provide a written response. Cllr Hubbard queried the comparative costs mentioned in the response and expressed a view that money spent on branding could have been better spent on funding jobs.

The Leader explained that the decision to rebrand following the Council’s decision to change its name to Wiltshire Council had been taken two years ago and in a different financial climate. She also commented that the Council had been open and transparent in detailing the costs associated with the rebranding.

Cllr Hubbard – costs of redundancies under local government reorganisation – questioned why terms and conditions were harmonised up to the best rather than down and how this would compare under new terms and conditions of service.

The Leader replied that the Implementation Executive formed from members of all 5 councils had at the time looked at the issue sensibly and made decisions with help from DCLG. The severance arrangements agreed had been purely for the period of local government reorganisation and it was noted at the time that the arrangements would be subsequently reviewed.

Cllr Helen Osborn – Pedestrian crossing on Bythesea Road/Gateway shopping complex – Cllr Osborn reiterated her concern that it could take an accident to occur for the issue to be addressed and wished to be kept informed.

Cllr Nick Fogg – Pewsey Road Bridge, Marlborough – Cllr Fogg thanked Cllr Tonge for his answer and explained that most of his concerns had been addressed. He questioned whether it was possible to examine lessons learnt following completion of major projects. He also referred to negotiations needing to take place with utility companies prior to a project being undertaken.

Cllr Dick Tonge, Cabinet Member for Highways and Transport confirmed that consultation did take place with Area Boards on major projects in their area. Every effort was made to ensure utility companies completed their works on time during major projects. The issue of costs to local authorities in carrying out remedial repairs following works by utilities had been taken up with the relevant Minister.

Cllr Peter Colmer – Redundancy costs since April 2009 – Cllr Colmer added that the average cost per redundancy based on the written reply equated to £90,000, and asked whether the Leader agreed that the redundancy pay policy had no demonstrable gain and was in conflict with the aims of the move to one council.

The Leader disagreed and stressed that the move to one Council generated £18 million year on year savings. The Council as a unitary authority was in a much better position to weather the current financial challenges than the five former councils would have been. Reducing the five senior management teams to one was always going to cost.

Cllr Peter Colmer – Asked if there was a definite date for the appointment of a full time equivalent Empty Homes Officer.

Cllr Brady explained that the advert for the post was withdrawn in light of the management review currently taking place to provide the opportunity for the post to be filled internally by someone at risk of redundancy.

Cllr Peter Colmer – Accuracy of information at meetings – Suggested that it would be more prudent for Cabinet members to undertake to provide written responses where there was any uncertainty.

Cllr Payne – Shaw Trust/Palmer Gardens, Islington, Trowbridge – Reiterated his concerns to establish ownership. Cllr Thomson agreed to ask officers to investigate the matter further and to keep Cllr Payne informed.

Cllr Ricky Rogers – Appointment of Governors to Salisbury Sarum Academy – Cllr Rogers asked if the method of appointing a Governor in this case would be applied to all other Governor appointments or just for the Bremerton Division.

Cllr Lionel Grundy, Cabinet Member for Childrens' Services explained the circumstances leading to the appointment of a Governor for this Academy.

70. **Executive Business**

(a) **Update from the Leader and/or Cabinet Members**

No reports were made.

(b) **Area Boards – General issues**

Cllr Desna Allen expressed some concerns over the timescale for circulating minutes of the Area Board Chairmen's meeting. Cllr Chris Williams, Portfolio Holder for Communities would look into the matter.

(c) **Scheme of Delegation on Executive Functions**

The Leader of the Council presented a revised Scheme of Delegation on Executive functions details of which were presented. The Leader explained that as part of the review of the constitution, she had taken the opportunity to revise the Scheme to reflect more accurately arrangements for the discharge of Executive functions.

The Scheme documented delegations to Cabinet, Cabinet Committees, individual members of Cabinet, Area Boards, Officers or under joint arrangements. The Leader also reported to Council the establishment of two Cabinet Committees. The Cabinet Capital Assets Committee was responsible for the management of capital assets. The Cabinet Business Rates Relief Committee was responsible for determining applications for business rates relief above a certain threshold. The terms of reference and membership details of both Cabinet Committees were presented.

Resolved:

That Council notes the changes to the Leader's Scheme of Delegation on Executive Functions which would be included as Part 3A of the revised constitution.

71. **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 consideration of the following matters:

- The Corporate Director for Neighbourhood & Planning had provided an overview of the Department's priorities for the next 12 months and that this would be reflected in the Committee's work programme.

- Consideration of the Car Parking strategy and Leisure services review in advance of consideration by Cabinet.

Overview and Scrutiny Resources Select Committee

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

- A Task Group had been established led by Cllr Tony Trotman to look at S106 agreements. Cllr Jeff Osborn commented that in order to capitalise on S.106 agreements, the initiative needed to be properly resourced.

Cllr John Brady explained that he had attended a meeting of the S.106 Task group on 8 November and he pledged to resource this area of work as much as possible within budgetary constraints.

Children's Services Select Committee

Cllr Carole Soden updated Council on the Committee's consideration of the following matters:

- Earlier this year a Rapid Scrutiny exercise was undertaken on the review of Special Educational Needs provision.
- The committee intended to carry out a major review of special schools and post-16 educational needs by way of a Task Group with the Committee seeking volunteers to serve on the Task Group.

72. Minutes of Cabinet and Committees

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

Meeting	Date
Cabinet	27th July, 14th September, 19 October
Children's Services Select Committee	22nd July, 23rd September
Environment Select Committee	6th July, 7th September
Health and Adult Social Care Select Committee	8th July, 9th September
Overview & Scrutiny Organisation and Resources Select Committee	15th July, 16th September

Officer Appointments Committee	27th July, 31st August
Standards Committee	21st July, 22nd September, 26th October
Staffing Policy Committee	28th July, 22nd September, 12th October
Wiltshire Pension Fund Committee	14th July, 15th September, 30th September
Strategic Planning Committee	7th July, 21st July
Audit Committee	30th September
Northern Area Planning Committee	21st July, 11th August, 1st September, 22nd September, 13th October
Eastern Area Planning Committee	22nd July, 12th August, 14th October
Southern Area Planning Committee	15th July, 5th August, 26th August, 16th September, 7th October, 28th October
Western Area Planning Committee	14th July, 25th August, 15th September, 6th October, 27th October

The Chairman then 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 of their respective Committees.

Cabinet – 19 October 2010 – Minute No. 146. Transformation of Waste and Recycling Collections

Cllr Ian McLennan referred to the Council's website which explained circumstances which would lead to re-consultation and asked why the views of South Wiltshire appeared to have been dismissed without undertaking a further consultation.

Cllr Toby Sturgis replied that he was not aware of the statement made on the website and would provide Cllr McLennan with a written response.

Children's Services Select Committee – 23 September 2010 – Minute No. 109 - Laverstock Schools Update

Clarification was sought on the comment 'It was agreed that this was an Area Board issue' in relation to the bullet point concerning parking.

Cllr Carole Soden, Chair of the Children's Services Select Committee replied that there had been much discussion on this at the meeting when the view was taken that it was an Area Board issue given that it was a localised issue. She noted that Cllr Mary Douglas, Chairman of the Salisbury Area Board had taken this on board.

Cllr Mary Douglas offered to discuss this with further with Cllrs Richard Britton and Ian McLennan separately.

Cllr McLennan doubted that the Area Boards had sufficient money to deal with this issue without a financial injection from the Cabinet.

Cabinet – 14 September 2010 – Minute No. 135. Free Swimming Initiative

Cllr Brian Dalton queried Cabinet's decision to discontinue the Free Swimming Initiative.

Cllr Stuart Wheeler, Cabinet member for Leisure, Sport and Culture clarified that the Council had run the initiative which had been funded from a specific Government grant. However, since withdrawal of the grant, the Council was unable to fund it as it would cost £500k in a full year, money which the Council did not have.

Resolved:

That the above mentioned minutes be received and noted.

73. **Wiltshire Police Authority**

The minutes of the Wiltshire Police Authority meetings held on 16 September and 12 October 2010 and report were received and noted. No questions on these documents had been received from Councillors.

74. **Wiltshire and Swindon Fire Authority Minutes**

The minutes of the Wiltshire and Swindon Fire Authority meeting held on 23 September 2010 were received and noted with no questions having been received from Councillors.

75. Notices of Motion

(a) Notice of Motion No. 13 - Landshare - From Councillors Jon Hubbard and Peter Colmer

The Chairman reported receipt of the following notice of motion from Cllrs Jon Hubbard and Peter Colmer:

‘That:

Council welcomes:

The Landshare website (www.landshare.net) which, is there to connect people who want to grow their own fruit and vegetables, to people who have space to share. It is also a community website that enables people to share knowledge and resources, encourage debate and discussion, plus lower barriers to entry into the “grow your own” movement.

That Council resolves to support this initiative by:

- Putting a link on the council’s website
- Place an article in the next edition of Your Wiltshire promoting ‘Landshare’
- Publicise allotments available in Wiltshire and how to rent one, where necessary working with Town and Parish Councils.
- Publicise the contact details for all allotment societies across Wiltshire’.

Once moved and seconded, Cllr Jon Hubbard was invited to speak to the motion. He explained that the motion was designed to assist the Council in its objective to promote self-sufficiency and he commended the motion to the Council.

The Chairman moved that the motion be debated and this was duly seconded by the Vice-Chairman and on being put to the vote, it was

Resolved:

That notice of motion no.13 be debated

The Chairman called on Cllr Sturgis to open the debate as the Cabinet member for Waste, Property and Environment before inviting Group Leaders and then opening the debate to other Councillors.

Cllr Toby Sturgis explained that the company mentioned in the motion was a social enterprise which sought to connect those who owned surplus land and those who wished to grow food but did not have land. He confirmed that a link to landshare was already available from the Council’s website. Cllr Sturgis moved an amendment to the motion which was duly seconded which

he read out to the meeting. On being put to the vote, the amendment was CARRIED and on being put to the vote as a substantive motion, it was

Resolved:

That motion no. 13 be adopted as amended, as follows:

That Council welcomes:

The Landshare website (www.landshare.net) which, is there to connect people who want to grow their own fruit and vegetables, to people who have space to share. It is also a community website that enables people to share knowledge and resources, encourage debate and discussion, plus lower barriers to entry into the 'grow your own' movement.

That Council resolves to support this initiative by:

- **Putting information in Your Wiltshire covering Landshare**
- **Listing known allotments and allotment societies**
- **Continuing to consider requests to transfer council owned land suitable for allotments in accordance with our policies.**

(b) **Notice of Motion No. 14 - Daylight Saving Bill - From Councillor Trevor Carbin**

The Chairman reported receipt of the following motion from Cllr Trevor Carbin:

That Wiltshire Council:

Supports the Private Members Bill being put forward by Rebecca Harris MP to introduce double summertime in the UK, and calls on Wiltshire's MPs to support the Bill at its second reading in the House of Commons on December 3rd.

Reasons

1. The change would mean lighter evenings and darker mornings. It would cut Wiltshire's road casualty rate, saving lives and reducing injuries.
2. Britain's major sporting organisations including The Football Association, The Lawn Tennis Association and The England and Wales Cricket Board are in support of the proposal, because it would allow more time for sport especially for schoolchildren via after-school activity.

3. Environmental organisations including 10:10 support the move. The change would save an estimated 5,000 tonnes of CO2 in Wiltshire annually, thus helping the council to meet its environmental objectives”.

Having been moved and seconded, the Chairman invited Cllr Trevor Carbin to speak to the motion.

The Chairman moved that the motion be debated and this was duly seconded by the Vice-Chairman. On being put to the vote, the motion to debate was LOST and it was

Resolved:

That notice of motion no. 14 above be deferred until the next Council meeting on 22 February 2011.

76. **Review of the Council's Constitution**

Mrs Isabel McCord, Chairman of the Standards Committee and Focus Group on the Constitution introduced this item to Council. She gave a brief synopsis of the work undertaken to review the constitution and urged Councillors to adopt the constitution as revised. She also thanked the Focus Group and officers for all their hard work in reaching this stage.

The Chairman presented a report on the outcome of the review of the constitution. Council in previously adopting a constitution for Wiltshire Council did so on the basis that a review would be undertaken into its effectiveness in light of experience after six months of operation. The Standards Committee was requested to carry out the review which it did by establishing a Focus Group on the Constitution to carry out the detailed work required.

The Focus Group comprised a member from each political group on the Council and representatives from the Standards, Audit and Overview and Scrutiny Resources Select Committees. Members of the Focus Group commented that serving on the Focus Group had been a very positive experience and had been an extremely productive exercise.

The Focus Group had recommended a number of changes to the constitution as reflected in the revised draft constitution made available to all Councillors. The Standards Committee held a special meeting on 26 October 2010 to consider the conclusions and recommendations of the Focus Group. The Standards Committee was satisfied with the detailed work undertaken by the Focus Group and drew up a series of recommendations for Council's consideration with a view to adopting a revised constitution. To assist Council, a summary of the main changes being recommended was also presented.

The Chairman referred to the following three issues which remained outstanding:

- Protocol 7 – Media Relations, the Focus Group had asked for this to be redrafted. It was also noted that this document would need to take account of the proposed new Local Authority Code of Recommended Practice on Local Authority Publicity once in place.
- Cabinet member response times – In light of the comments made by the Focus Group and Cabinet members, the Standards Committee had asked this Council to determine the issue believing that it would be useful to include an appropriate timescale for responses.
- Guidance on amendments to motions – As requested by the Focus Group, the Monitoring Officer had produced this guidance for initial consideration by the Chairman of Council and Group Leaders, details of which were presented.

Cllr Stuart Wheeler, member of the Focus Group agreed to answer questions on the review and recommended changes. Cllr Wheeler confirmed that there had been cross party support for the changes proposed. He also explained that further reviews would be required as a result of emerging legislation including the Localism Bill in particular once enacted.

The Chairman circulated a motion which took on board the recommendations of the Standards Committee and the above mentioned outstanding issues and this was duly seconded by the Vice-Chairman and on being put to the vote, it was

Resolved:

That Council:

- 1. Adopts the following recommendations of the Standards Committee dated 26 October 2010 (this excludes recommendation (iii) relating to the Media Relations Protocol:**
 - (i) To approve the changes proposed to the constitution shown as tracked changes on the draft revised constitution for adoption by Council at its meeting on 9 November 2010.**
 - (ii) To approve for inclusion in the constitution the Protocol on Partnerships, the Protocol on Guidance to Councillors on Outside Bodies and the Protocol on Governance Reporting Arrangements.**
 - (iii) That Council determines the issue of whether or not provision should be made in the constitution in respect of response times by Cabinet members (see 4. below).**
 - (iv) To note the decision of Cabinet dated 19 October 2010 to defer consideration of the review of the Development Control Service until such time as the implications of any changes to**

the planning system as a result of the Decentralisation and Localism Bill are known. Consequently, the Scheme of Delegation on Planning – Part 3C and the Planning Code of Good Practice for Members of Wiltshire Council – Protocol 4 remain unchanged in the meantime.

- (v) To designate the current Scrutiny Manager post as Wiltshire Council's Scrutiny Officer to be responsible for the statutory functions as defined in Section 31 of the Local Democracy, Economic Development and Construction Act 2009.
- (vi) To authorise the Monitoring Officer to make such amendments as are necessary to give effect to decisions of Cabinet, Council or its committees and to ensure that the constitution is clearly presented and legally fit for the purpose of the Council.
- (vii) To thank the Focus Group, its Chairman Mrs Isabel McCord and other members of the Council who contributed to the review for all its valuable work in undertaking the detailed work required to carry out the review.
- (viii) To agree that the Focus Group remains in being to assist with
 - the ongoing review work on the constitution as and when required;
 - producing user friendly summaries of the relevant parts of the constitution for use by members of the public and members of the Council and
 - specifically to review the constitution in light of any changes in the legislation including the proposed Decentralisation and Localism legislation

and to amend its terms of reference to reflect the above.

2. To ask the Monitoring Officer, after consultation with the Focus Group on the Review of the Constitution and the Service Director, Policy and Communications to prepare and approve a revised Media Relations Protocol, which takes account of the proposed new Local Authority Code of Recommended Practice on Local Authority Publicity, due to come into effect on 1 January 2011.
3. To ask the Monitoring Officer to approve the 'Guidance on Amendments to Motions' following consultation with the Focus Group on the Review of the Constitution for inclusion as an appendix to Part 4 of the Constitution – Rules of Procedure – Council.

4. In relation to the issue of Cabinet Member response times, to include the following as a third bullet point under paragraph 6.8 of Part 12 – Role and Responsibilities of Councillors, applying the provision to all Councillors:

‘To acknowledge any enquiries normally within four working days of receipt, and provide a substantive response, where required, within ten working days, if possible.’

5. To agree that the Constitution as revised should come into effect on 1 December 2010 in order to allow time for the document to be updated and formatted and for the changes to be communicated to all concerned.

77. **Membership of Committees**

The Chairman gave Group Leaders an opportunity to make any necessary changes to committee membership in accordance with the allocation of seats to political groups previously approved by the Council.

The Leader of the Council in her capacity as leader of the Conservative group requested approval of the following changes:

Councillor Bridget Wayman - appointed to the Wiltshire and Swindon Fire Authority

Eastern Area Planning Committee:

Cllr Jemima Milton - appointed as a full member

Cllr Jonathon Seed - appointed as a substitute member

Council acknowledged that the Chairman of Eastern Area Planning Committee would be elected at the next meeting of the Committee when if necessary, a Vice-Chairman would also be elected.

Strategic Planning Committee – Cllr Charles Howard appointed as a full member.

Councillor Jon Hubbard as leader of the Liberal Democrat group requested approval of the following changes:

Wiltshire Pension Fund Committee:

Cllr Mark Packard - appointed as a full member

Cllr David Jenkins – appointed as a substitute

Southern Area Planning Committee:

Cllr Peter Colmer and Cllr Petty to be added as substitutes

Councillor Ricky Rogers as leader of the Labour group requested approval of the following change:

Southern Area Planning Committee:
Cllr Rogers appointed as a substitute

Resolved:

That the above membership changes in respect of the Wiltshire and Swindon Fire Authority, Eastern Area Planning Committee, Strategic Planning Committee, Wiltshire Pension Fund Committee, and Southern Area Planning Committee be approved.

Meeting duration: 10.30am – 4.10pm
(which includes adjournments for a presentation and lunch)

Given the time, the Seminar on the Voluntary and Community Sector scheduled to take place on the rising of the Council meeting as mentioned by Chairman under minute no. 63 (g) above would now not take place.

Appendix A – Questions and responses

(Duration of meeting: 10.30 am - 4.10 pm)

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

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Wiltshire Council

Appendix A

Council

9 November 2011

COUNCILLORS' QUESTIONS
FROM COUNCILLOR ERNIE CLARK
HILPERTON DIVISION

TO COUNCILLOR KEITH HUMPHRIES
CABINET MEMBER FOR HEALTH AND WELLBEING

Question 1

Since the inception of 'one council' the administration has been very keen to 'harmonise'. However, eighteen months on it seems odd that each of the ex district council areas still has its own Hackney Carriage hire rates and various times of day when these rates change. I also understand that taxi drivers are still licensed only for their old areas when plying for hire, rather than 'Wiltshire'. Why is this? Also, with diesel costs having escalated, when will the hire tariffs next be reviewed?

Response

The issue of the hackney carriage (taxi) and private hire vehicle licensing regime was considered by the Licensing Committee at its meeting on 26 May this year. The report followed an extensive consultation exercise involving all taxi and private hire vehicle licence holders in Wiltshire, as well as a broad cross section of 600 members of the public and other bodies representing disabled users. Meetings were also held with the taxi trade in all four hub areas as part of the consultation process, to gauge their views on the review of the licensing regime.

The Licensing Committee agreed to introduce the following changes from 1 October 2010:

- Introduce a single penalty points scheme for hackney carriage drivers in the Wiltshire Council area
- Harmonise conditions relating to vehicle age
- Phase in changes to harmonise conditions relating to wheelchair accessible vehicles
- Harmonise vehicle inspection checks
- Retain four zones within Wiltshire Council area
- Retain four existing tariffs (fares) within the harmonised conditions, enforcement and administrative arrangements.

On the specific issue of tariffs, there was a considerable difference in the range of the four former district hub tariffs, which reflect the variation in locality and demand (i.e. rural/city/tourism/night time economy hire rates. In addition during all four meetings with the trade it became apparent the trade representatives were opposed to the proposed single tariff. As there was no clear consensus amongst the trade the committee agreed to continue with the four different rates, and to carry out further consultation. This consultation is ongoing at present. A significant additional issue to be aware of is that where the council imposes a new single rate then it is responsible

for the cost of both recalibrating the taxi meters (around £22,500) and for the cost of advertising the changes (approx. £8,000 – £10,000).

The effect of the increase in fuel prices has led to the taxi trade in the north and west areas requesting a review of their tariffs. Drivers in the south and east areas have not asked for any review. A meeting with the trade is planned for 15 November to progress this. Where the trade ask for a review the council is not responsible for bearing any costs.

With regard to the zoning question, the trade survey results showed that 68% of drivers returns wished to retain the four separate zones. This influenced the committee's decision. Drivers who wish to ply for hire across the entire Wiltshire Council area are able to apply to drive in all four zones for a small administrative fee.

FROM COUNCILLOR ERNIE CLARK
TO COUNCILLOR JANE SCOTT
LEADER OF THE COUNCIL

Question 2

Wiltshire Council produces a magazine titled 'Housing Matters'. Could I please be provided with answers to the following questions relating to this publication.

- a) What is the annual cost of production inclusive of officer time etc.?
- b) Why is there no 'external' advertising?
- c) The back page advises, in four non-English languages, how information on WC can be obtained. What are these four languages and how was the decision made to use these rather than any other non-English language?
- d) The two-page article in the Summer 2010 edition on the council leader was 'different'. I now know that Jane has been 'The Dairy Queen of Blackpool'. However, what serious purpose did this article serve? The recipients presumably receive other WC publications that extol the savings target of 'one council', area boards etc. Why the duplication?

Response

a) The production costs below are based on estimates, as staff time includes branding and communication officers, as well as the Housing Tenant Participation Officer.

Annual production cost of design and print	- £20,000
Officer time over a year	- £10,000
Postage for 4 issues	- £ 5,300

Note – to save on postage costs, wherever possible Housing Matters is sent out with the quarterly rent statements.

b) A policy decision was taken by the editorial board (made up of housing staff, tenants, and a leaseholder) not to have advertising. Although selling advertising space would reduce costs, the revenue is likely to be low given the small circulation.

c) The languages are Cantonese, Arabic, Urdu and Polish. These were selected on the basis that they represent the four biggest communities in Wiltshire that do not speak English as a first language. The 2011 Census will provide updated information if these are still the appropriate languages.

d) The background information on me was compiled from an interview I gave to give the feature some human interest, as in the past "Housing Matters" has been criticised for containing an excessive amount of official information. It is recognised that tenants receive other council publications and that there may be some duplication. The housing editorial staff liaises with the corporate communications team to discuss and plan content.

"Housing Matters", is well received by tenants. As the social landlord the council has a legal duty to maintain communication and regularly consult with its tenants. Some of the information is of a statutory nature, i.e. gas appliances servicing and other health and safety advice, notification of Annual General Meetings, the annual tenant's survey and report.

It is widely regarded as best practice for social landlords to send their tenants a regular magazine particularly where tenants have the opportunity to get involved in contributing to the publication and participating in the wider service.

To improve the production process, the communications team is producing some terms of reference for "Housing Matters", and production guidelines. The guidelines will be agreed by the editorial board and the Tenants' Panel in November, and by the Housing Commission. The guidelines will include editorial board membership, forward planning, suitable content, number of pages and frequency, and sign off arrangements.

FROM COUNCILLOR ERNIE CLARK
TO COUNCILLOR JANE SCOTT
LEADER OF THE COUNCIL

Question 3

It has been reported in the press that the Chief Executive of the new (unitary) Cornwall Council is to take a 5% pay cut in order to 'lead from the front'.

Is either the Leader, or her Cabinet, thinking of approaching the Chief Executive of Wiltshire Council to see if he will be following this example?

Response

No.

FROM COUNCILLOR ERNIE CLARK
TO COUNCILLOR JANE SCOTT
LEADER OF THE COUNCIL

Question 4

Could the administration of this council please justify the spending of £475,000 on establishing the Wiltshire Council 'brand' please. Why was it felt necessary for this council to spend so much?

FROM COUNCILLOR JON HUBBARD
MELKSHAM SOUTH DIVISION

TO COUNCILLOR JANE SCOTT
LEADER OF THE COUNCIL

Question 1

You will be aware of the recent BBC News article recently which revealed that Wiltshire Council spent £475,000 on rebranding following the merger of the five councils into one, the second highest cost nationally of rebranding exercises by newly formed unitary authorities.

I assume some of this cost included the free pens, shopping trolley tokens and other freebies distributed to the public in an effort to justify the new council. Can you please explain how spending nearly half a million of public money on a name change really represents best value for money?

How come Liberal Democrat controlled councils in Northumberland and Bedford were able to perform similar exercises for a fraction of the cost (£5,776.45 and £19,000 respectively)? Even the highly rural and geographically large new Cornwall Council only spent £65,000 on their rebranding exercise.

Response to questions from Cllrs Clark and Hubbard

Wiltshire Council was formed as a new organisation from five separate councils in April 2009.

It was vitally important people knew who to contact from the day the new council was launched – 1 April 2009 – in relation to a council service or to have their say on the services provided.

The Implementation Executive made a recommendation to the former county council not to change the name and to continue as Wiltshire County Council. Full council, however, agreed that the new council should be called Wiltshire Council as it was a

new organisation and, as such, should have a new name and be rebranded to avoid any customer confusion relating to the former five organisations.

Rebranding is a cost that has to be met when organisations are merged and the cost formed part of the transition costs submitted to Government. In the creation of Wiltshire Council this reorganisation is now saving around £18 million a year.

The council was acutely aware of the need to ensure rebranding was undertaken in the most cost effective way possible.

The design of the new brand and the creation of the tag line *where everybody matters* were undertaken in house and with the input from local people - no money was spent on external agencies for this work.

Where possible, stocks of leaflets and stationery were used in the run up to the new council to avoid unnecessary wastage.

Where building, vehicles and other assets had to be rebranded the focus was on those that were most visible to the customer such as refuse freighters and signage at our main public-facing offices.

Costs for rebranding

Parking services incurred a cost of £17,135 as there were statutory obligations to change ticket machines.

Design samples of a new brand = £2,188 - the logo was designed in-house along with letterheads, comp slips and business cards.

The policy was to use up old stock and replace items in a 'business-as-usual' process.

Website rebranding: nil - the websites were redesigned in-house and no specific costs are attached.

Building signs: across five councils - £179,227

Vehicle livery: across five councils' fleets - £90,436 - new vehicles were not purchased and re-spray not done - stickers, were designed to cover old logos.

Uniforms: £113,827 - some service teams at the five councils had uniforms and some didn't - uniforms for frontline staff and those who needed specific clothing items were implemented consistently.

Road signs: £2,366

Internal office signage: £11,395

Refuse and recycling sites: Nil

Parks and gardens: open spaces and play areas - £17,494

Car parks signage - £23,505

The quotes from other councils relate to design costs of a new logo only and not for rebranding. Our comparative cost for logo samples produced was £2,188.

QUESTIONS FROM COUNCILLOR JON HUBBARD
MELKSHAM SOUTH DIVISION

TO COUNCILLOR JANE SCOTT
LEADER OF THE COUNCIL

Question 2

Please confirm what the total costs of redundancies would have been for ex-Wiltshire County Council employees if they had been made redundant under the new redundancy scheme employed by the council instead of the special scheme created solely for the purpose of paying off old council staff during and after the transition to one council.

Response

There were 11 ex Wiltshire County Council employees redundant as a result of the move to "One Council" (LGR). The total cost of those redundancies based on the redundancy pay policy for LGR was £1,968,066.00. The estimated cost, if the new redundancy pay policy were to be applied is £1,152,028.00. This cost includes the redundancy pay and estimated pension strain costs of the pension being taken early where applicable.

Question 3

The Independent on Sunday recently reported on the appointment of former Chief Executive Keith Robinson to the board of directors of consulting firm Charteris. The article made reference to the appointment of Charteris as the consultants employed by the council during the transition to unitary. Obviously we all congratulate Keith on his appointment and wish him well in his new career, but can you please confirm if Charteris are still employed by Wiltshire Council for any work, and if so which contracts and for what values? What was the total amount paid to Charteris for their work during the preparation and transition to unitary?

Response

Charteris has a well established business in the provision of advisory services to Local and Regional Government. In common with other consultancy companies, from time to time they seek input from industry figures to help them understand how to develop services within markets. They had formerly had no direct dealings with Keith Robinson with regard to any contractual work at Wiltshire Council but when they heard that he had stepped down from his role as Chief Executive of Wiltshire Council felt that he could be someone who could provide this kind of input.

Keith Robinson is not and will not become a Charteris employee. Charteris pay for his occasional services through a standard contractor agreement.

This question was asked at several points during the transition at the Implementation Executive and at Council and we had to confirm support costs to the DCLG as part of the process. We confirmed every time we were asked, that Charteris were not involved in the transition programme nor the creation of one council.

Charteris are employed currently to work in Adult Care to help transform Social Care (for which Wiltshire received a specific grant in excess of £2.3m), on a call off contract valued up to £900,000 and to help the Council look at transforming other services through Systems Thinking at a call off contract up to £100,000.

Charteris are currently contracted with the council through the AMTEC consortium, of which Charteris are a partner organisation. This was through a robust procurement process being procured under the OGC Buying Solutions framework. This is a national arrangement set up in compliance with all EU-procurement legislation against which all authorities can buy from.

FROM COUNCILLOR JEFF OSBORN
TROWBRIDGE GROVE DIVISION

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

Question

Can the Council please be informed whether it will be involved in a Local Enterprise Partnership?

Response

On the 9th June 2010, the Government, CLG and BIS, invited interested parties to submit proposals for the creation of Local Enterprise Partnerships (LEPs). LEP proposals were to be submitted jointly by business and upper tier local authorities and be with Government by 3rd September 2010.

The Wiltshire Strategic Economic Partnership considered the issue at its meeting on the 15th July 2010 and agreed to work jointly with Wiltshire Council on the development of a LEP proposal or proposals that gave best advantage to the business community of Wiltshire. Consultation with over 120 businesses and business representative organisations identified the issues to be championed and what constituted the best economic footprint for any LEP proposal.

Discussions were held with both Gloucestershire and Swindon, and Dorset and Hampshire over the summer months. Given tensions with other partners and competing LEP proposals, neither Hampshire nor Dorset were able to progress a 'Central Southern' LEP to proposal stage, whereas discussions with Gloucestershire and Swindon progressed to a proposal which was submitted within the timescale required.

We were formally informed on the 28th October that whilst our bid had not been given the 'green light', in general it was seen as a strong proposal and with further work, could still come forward as a LEP.

WSEP and Wiltshire Council still wish to see the creation of a LEP with a geographical footprint that recognises the challenges faced by Wiltshire's business community and are consulting with partners prior to any reworked proposal being submitted to Government.

FROM COUNCILLOR HELEN OSBORN
TROWBRIDGE LAMBROK DIVISION

TO COUNCILLOR DICK TONGE
CABINET MEMBERS FOR HIGHWAYS AND TRANSPORT

Question

A number of local people have complained to me regarding the dangerous and confused pedestrian crossings at Bythesea Road to access the new Trowbridge Gateway shopping complex. There is a need for a total re-think of the arrangements.

Are Highway engineers aware of the problem and what action will they be taking to remedy it?

Response

In allowing planning permission for retail development on the south side of Bythesea road, there was an inevitable and clearly deliberate change to the function of the street. The previous dominance by car traffic has now been altered by a significantly increased demand from pedestrians. There are presently two controlled pedestrian crossings along the new shopping frontage closely spaced approximately 100m apart. These crossings are well used although it is recognised that pedestrians opt to cross Bythesea Road at many other points. Such activity is a byproduct of Bythesea Road becoming a shopping destination, but has not prompted the need for any significant alterations or additions. There are no recorded injury accidents along that stretch of road which are attributable to those movements.

Further significant development opportunity exists in the vicinity at the Waterside site – as and when we have a better understanding of the shape and scale of any proposals, there will need to be a further review of traffic and pedestrian movement over and along Bythesea Road.

FROM COUNCILLOR NICK FOGG
MARLBOROUGH WEST DIVISION

TO COUNCILLOR DICK TONGE
CABINET MEMBER FOR HIGHWAYS AND TRANSPORT

Question

What lessons, if any, have been learnt from the controversy surrounding the rebuilding of the Pewsey Road bridge in Marlborough?

Response

It is common practice to review a project upon completion to identify any process or technical improvements that could be applied in the future. Pewsey Road Bridge Replacement will be reviewed upon completion. I will make sure that Cllr Fogg, other local members and the Town Council are copied in to any report on this.

In addition we will be developing a Network Management Strategy as part of LTP3, following the one year implementation plan, which will seek to make a number of improvements in the way road works are managed to ensure disruption is minimised on Wiltshire's roads.

FROM COUNCILLOR SIMON KILLANE
MALMESBURY DIVISION

TO COUNCILLOR LIONEL GRUNDY
CABINET MEMBER FOR CHILDREN'S SERVICES

Question

Given the statement from MP Michael Gove about Playbuilder funding, can I be assured that those applicants that have been formally awarded grants will now receive the funding they were promised.

Letter from Michael Gove MP supplied by Cllr Killane attached as background information.

Response

Year 2 of the Playbuilder Programme was suspended by the Coalition Government in June 2010 and no further activity was allowed to be undertaken until the the outcome of the financial review was known. This was a significant delay of 5 months imposed by the Coalition Government. The financial review outcome was released the last week of October 2010 with permission to continue the programme but with a substantial reduction in the available capital from £595,684 - £372,235. As a result the bids for Year 2 had to be reviewed, using the original site selection prioritisation methodology and matrix, as approved by Cabinet on 22 September 2009. All Year 2 projects were also required to submit to the Playbuilder Project Board by 2 November 2010 detailed plans of the project progress to date, including consultation results. Where the required information was not supplied and/or the project did not have the capacity to deliver by the 31 March 2011 timeframe, the Board were unable to proceed with the projects.

Malmesbury were initially awarded £5k, as they were the last Parish on the matrix to meet the threshold of receiving support, due to another project not being viable this was then increased to £11K. Since being granted the funds In April 2010, despite numerous request for information and numerous requests for contact, Malmesbury Town Council have not engaged with us or provided the information required by the Project Board to assess the viability of their project. The Board were therefore unable to proceed with this project.

FROM COUNCILLOR TREVOR CARBIN
HOLT AND STAVERTON DIVISION

TO COUNCILLOR LIONEL GRUNDY
CABINET MEMBER FOR CHILDREN'S SERVICES

Question

In February this year Wiltshire Assembly of Youth, together with WC officers and councillors, agreed that a county wide system of 'fairer fares' across the primary transport providers would benefit young people using the buses and the companies providing the service as cheaper fares would encourage a greater number of under 18s to use buses.

A 'statement of intent' affirmed: "Over the next six months we will work together towards a 'fairer transport deal' for young people in Wiltshire up to the age of 18." Signatories to the statement included Stagecoach South and Stagecoach Swindon, the Wiltshire and Dorset Bus Co., Wiltshire councillors Richard Gamble and Richard Clewer, David Whewell, WC head of youth work and Liam Tatton-Bennett on behalf of the voluntary sector.

What has been achieved to help young people since these commitments were made?

Response

1. The Council has allocated £5000 to each of the Area Boards for locally-devised schemes to improve transport for young people. Some examples of how this has been used are as follows;
 - In the Lavington area, the Youth Development Service worked with young people to plan and set up a pilot scheme for weekend evening transport into Devizes using a community bus. Unfortunately this was not successful due to lack of take up. However, it has been useful in establishing a model that can be used elsewhere to test potential demand. The lack of take up could have been the result of the timing of the pilot in May, at the height of the school exam season, when evenings were light and sunny and when no special attractions were on in the town. Also most trips took place on a Saturday although there is some evidence that Fridays would be more successful.
 - A second pilot along similar lines is planned for the Amesbury area at a different time of year.
 - The Marlborough Area Board are offering free transport (to be provided by youth service minibuses/school minibuses/community minibuses) on a pilot basis for a series of 7 youth events over November and December. They are also commissioning Community First's community transport team to carry out a 'mapping and gapping' exercise, to consolidate previous work done to ascertain young people's transport needs in the Marlborough Community Area; to map the transport services that might be available to meet these; and to ascertain the willingness of young people and other local people to coordinate bookings for, or to drive and chaperone minibus transport.
2. It is suggested that all Area Boards are asked to report on what they have achieved with the money that was given to them, as this would be useful in

tracking progress and identifying successful approaches that might be adopted more widely.

3. Wilts & Dorset have introduced an enhanced young peoples' fares scheme with discounts up to and including age 18, valid at any time of day (their previous policy, which had attracted considerable criticism over the years, was that child fares were only available up to the 15th birthday, and were not available before 9.00am on weekdays). This has been funded by reducing the amount of discount offered compared with the previous child fare.
4. Stagecoach West have advised that, as a result of pressure from young people in both Wiltshire and Gloucestershire, they will be offering a promotional 'Mega-weekend' ticket for young people up to and including 18, initially for a trial weekend later this month (19th – 21st November). This will give unlimited travel on Stagecoach West buses for the whole weekend for a price of £5. If this is successful they intend to repeat the trial for another weekend this winter. If the trials result in increased use without losing income, they will consider a longer term experiment to offer off-peak discount fares for young people up to age 18 (the current age limit for child fares is 16). The company have no plans to offer discounted travel for 16-18 year olds at peak times.
5. There have been discussions with another major bus company (not one of the signatories to the 'statement of intent', and who currently offer child fares up to age 16) who say they can not at present afford to increase the age limit to 18, as they have less scope to offset the cost and can not risk reducing income at a time when they already face significant losses of revenue as a result of reductions in central government funding.
6. The 20% reduction in Bus Service Operators Grant announced in the Spending Review, and the revised guidance on OAP concessionary fares reimbursement recently announced by the Department for Transport that will significantly reduce operators income, is causing great concern in the industry and is likely to result in across the board fares increases and withdrawals of service; in addition to any reduction in local authority funding for bus services. Operators are understandably reluctant to risk losing income given these uncertainties.
7. The draft public transport strategy in the third Local Transport Plan (currently out for consultation) includes in the Implementation Plan an action to encourage voluntary standardisation of the qualifying age limits and the rates of discount on bus fares available to young people. This will be continue to be pursued with the bus operators, although the financial uncertainty facing the industry at the moment may hinder progress.
8. It is also intended to review fares on Council - funded bus services during the coming year, and this will consider adopting a similar approach to that taken by Wilts & Dorset. As stated at the meeting with young people in February, there are no plans to introduce a council - funded concessionary fares scheme for young people due to the cost implications.

9. It is also intended to review fares on Council - funded bus services during the coming year, and this will consider adopting a similar approach to that taken by Wilts & Dorset. As stated at the meeting with young people in February, there are no plans to introduce a council - funded concessionary fares scheme for young people due to the cost implications.

FROM COUNCILLOR PETER COLMER
CRICKLADE, LATTON & MARSTON MEYSEY DIVISION

TO COUNCILLOR JANE SCOTT
LEADER OF THE COUNCIL

Question 1

How many employees have been made redundant since the migration to a unitary authority so far? What has the total cost exposure been, segmented by the component parts, redundancy payments, pay in lieu of notice, pension fund contributions etc?

Response

The total cost in the 2009-10 accounts for all redundancy and retirements was £9.5m. Note 2 to the accounts of the 2009-10 published financial statements, reported that the exceptional costs of severance relating to the move to "One Council" (LGR) was £7.1m, which can be analysed between redundancy at £6.4m and retirement at £0.7m.

The total costs in the accounts for the financial year 2010/11 to date are £2.2m. An analysis of the balances held in the accounts is shown below:

2009-10

Redundancy & Severance = £7m

Augmented Grants Early Retirement = £0.8m

Retirement Grant = £1.7m

2010-11 to date:

Redundancy & Severance = £1.3m

Augmented Grants Early Retirement = £0.9m

The total number of employees made redundant since April 2009 is 130, of which the total number of redundancies relating to LGR is 62.

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

Question 2

The proposed Localism Bill proposes bringing more empty homes back into use. How effective has the Empty Homes Scheme been in meeting this aspiration?

Response

Before the Localism Bill was even proposed, housing recognised that a significant priority for Wiltshire should be about making best use of existing accommodation and this included bringing back into use empty homes. Empty homes are an identified priority in both the draft Wiltshire Community Plan 2011-2016 and the Wiltshire Corporate Plan 2010-14.

Empty properties represent an unacceptable waste of resources at a time when demand for affordable housing is high. Bringing empty homes back into use is of advantage to the community (increasing the availability of housing stock) and the Council (achieving the objective of increasing the supply of housing and preventing the loss of a valuable resource).

Our council tax records from April 2010 show that Wiltshire has a minimum of 1644 homes that have been empty for more than six months. This is a minimum figure because owners do not necessarily apply for the empty property discount for council tax purposes. Because of this empty homes are difficult to identify

There are many reasons why a property might become empty for a long period of time. The houses may be empty pending the outcome of legal proceedings, either through probate or family law, or the owners have perhaps have needed to go into residential care or are incapable of managing their affairs.

Bringing empty properties back into use will increase the amount of housing available and thus reduce the number of individuals in housing need. The advantages of bringing these properties back into use include an increase in housing supply, a potential financial saving as it is often more cost effective to renovate an existing property than to build a new one, and an improvement to the environment of the area, including saving the resources required to build a new property. There are also benefits for the owner of the property as it can provide an income either through rent or sale.

The strategic housing team are currently developing an Empty Homes Strategy which will look closely at the cause and nature of empty homes and the full range of potential measures to bring empty homes back into use as part of. It will also provide a clear approach for officers to deal proactively with properties that are left empty, including seeking information about those properties that do not show up in council tax records. Wiltshire is also working with other councils to model best practice

approaches and to use these as exemplars. This new Empty Homes Strategy will seek to ensure that the different departments of the Council involved in an empty home case will act in a co-ordinated and clear way.

The target is, through Council intervention, to bring back into use 50 long-term empty homes (those empty for more than 6 months) by 2014. The focus of this work is on long-term empty homes, which are defined as those properties whose owners have been in direct contact with the Council on more than five occasions. Achievement of this target is dependant on officer resources being available to implement the strategy.

We have obtained approval to recruit a full time empty homes manager but due to the current management restructures it was agreed we should place this post on hold so that those who are affected will have the option to apply. For the past few months a member of the private sector housing team has been prioritising work related to empty homes and has been able to send letters to nearly all landlords / owners who have an empty home encouraging them to bring them back into use. We are also in the middle of doing a survey with our town and parish councils to try and identify further empty homes in the area so that appropriate action can be made to get them back into use.

Within the corporate plan we now record the total amount of non local authority owned vacant dwellings returned to occupation or demolished during the financial year as a result of action by the local authority. Since April 2010 we have recorded 190 properties being returned to use and anticipate a total of 470 by the end of this financial year.

**TO COUNCILLOR FLEUR DE RHE-PHILIPPE, CABINET MEMBER FOR FINANCE,
PERFORMANCE AND RISK**

Question 3

Why is factually incorrect information being stated in public meetings?

The background to this is that at cabinet on 27th. July, I asked if there was any risk to the income stream for car parking as no adverse full year variance was being indicated. The response was that there was no risk as the current position was due to phasing. At cabinet on 18th. September I asked the same question as there was now an adverse variance, the cabinet member's response was that this was due purely to VAT changes. I followed up this response with the Finance Department, which confirmed that this response was incorrect, the VAT change only being a minor element of the shortfall

Again at cabinet on 27th. July I asked for an explanation regarding the shortfall in income relating to Development Services, the response being that this was due to purely a shortfall in planning applications submitted. I followed up this response with

the Finance Department, which confirmed that this response was incorrect, the planning applications only being one element of the shortfall of income.

Response

When the first monitoring report was provided the period of monitoring was broadly in line with demand but there was a delay in increasing charges that had not filtered through and as such it was forecast the increase would cover the shortfall of lost income. Unfortunately the level of historical records on demand has been limited and as such this has hampered effective demand and forecast analysis. I cannot explain why the later meeting was explained as purely a VAT effect. There was then a further follow up by Central Finance with DNP to investigate the variance which identified the position reported to Members in later months re £500k shortfall projection in car parking and £50k due to VAT rates rising in January 2011 and being absorbed. As far as I can make out this arose largely due to a timing issue of sharing information between Finance teams and briefing the portfolio holder and Cllr Colmer's question. I have addressed the matter and requested that all future reports and briefings are improved both in terms of level of transparency and detail behind. The continued restructure of Finance will also help with improvements in Communications.

Regarding Development Control the issue of shortfall again is complicated by several factors and it is not just a drop in applications, although this is a key factor that has consequential impacts. The cause of the confusion for members is again routed in communication within Finance and I am addressing this and apologise.

FROM COUNCILLOR GRAHAM PAYNE
TROWBRIDGE DRYNHAM DIVISION

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

Question

Are you aware that the Palmer Gardens Charity, the trusteeship of which passed to the Shaw Trust from the former Wiltshire County Council in the mid 1980s, has recently been subsumed into the Shaw Trust Organisation under a Uniting Direction. Can you reassure this council, as the body which was originally vested with the control of the Palmers Garden Charity by the family, that full consultation took place between the Shaw Trust and ourselves or Wiltshire County Council before the merger action took place? If so, what form of consultation took place?

Additionally, can you please reassure me that the land occupied under lease by the Shaw Trust/Palmer Gardens off Islington, Trowbridge will remain in trust on behalf of the young people of Trowbridge for its original purpose (i.e. education of young

people from Trowbridge and district) and will not be sold off for short term expediency?

Response

Council officers have researched the records relating to the Palmer Gardens site and can find no evidence to suggest that the council has any legal interest in this property.

After looking at the Palmer Trust web-site, it is reasonable to assume that the family set up a Trust and Wiltshire County Council became a Trustee in the 1970's, however the trusteeship was passed to the Shaw Trust in the 1980's. There is no evidence to indicate that the council ever had any rights of ownership of the land or the buildings on the site.

In that context, the Shaw Trust may not have deemed it necessary to formally consult the council whilst undertaking the Uniting Direction. There have been no formal consultations with officers from Wiltshire Council.

The future of the land therefore would appear to be in the hands of the merged Palmer gardens Trust and Shaw Trust and therefore the Council would have no involvement in the sale or use of the land.

FROM COUNCILLOR RICKY ROGERS
SALISBURY BEMERTON HEATH DIVISION

TO COUNCILLOR LIONEL GRUNDY
CABINET MEMBER FOR CHILDREN'S SERVICES

Question

Appointment of Local Authority School Governors

Why was the long established protocol of local members leading the appointment of local authority school governors to schools in their communities not followed in the appointment of the local authority governor to Salisbury Sarum Academy.

How many of the appointed governors to Salisbury Sarum Academy come from the Bemerton Community?

Response

Academies have an Academy trust which is responsible for the land and assets of an academy and is directly responsible for appointing the governing body. It is possible for the members of the Trust Body and the governing body to be the same.

Academy governing bodies are not subject to the same Governance Regulations (constitution, procedures, staffing) as maintained schools. The make-up of an academy governing body is determined by its Articles of Association and the majority of the governing body is appointed by the Academy Trust

The governing body is subject to the trust body which will have the power to seek amendments to the composition of the governing body by seeking amendments to the Articles of Association.

The governors for Sarum Academy were appointed by the trust following nominations. The LA as a sponsor has one governor, the councillor for Lower Bemerton.

In seeking an LA nomination for the governing body the Council's lead officer for the Sarum Academy project tabled a request for a nomination at the LA Academy Board in June 2010. This request was taken forward by the Director of Children's Services for consideration by me as the Cabinet member and the Leader of the Council. The subsequent nomination of the member for Lower Bemerton was supplied to the lead officer and in turn was forwarded to the Academy Trust and accepted.

I have attached details on the appointment of governors for your information:

GOVERNORS

- 45. The number of Governors shall be not less than three but (unless otherwise determined by ordinary resolution) shall not be subject to any maximum.**
- 46. Subject to Articles 48-49 and 64, the Academy Trust shall have the following Governors:**
 - a. up to 3 Sponsor Governors, appointed under Article 50 ;**
 - b. 1 LA governor if appointed under Article 51 ;**
 - c. 1 parent governor appointed under Articles 53-58;**
 - d. up to 2 Governors appointed by Bryanston School;**
 - e. up to 2 Governors appointed by Bath Spa University;**
 - f. 1 staff governor, appointed from among the staff at the Academy;**
 - g. the Principal;**
 - h. any Additional Governors, if appointed under Article 62 ; and**
 - i. any Further Governors, if appointed under Article 63 .**
- 47. The Academy Trust may also have any co-opted Governor appointed under Article 59.**
- 48. The first Governors shall be those persons named in the statement delivered pursuant to sections 9 and 12 of the Companies Act 2006.**
- 49. Future Governors shall be appointed or elected, as the case may be, under these Articles. Where it is not possible for such a Governor to be appointed or elected due to the fact that an Academy has not yet been established or the Principal has not been appointed, then the relevant Article or part thereof shall not apply.**

APPOINTMENT OF GOVERNORS

- 50. The Principal Sponsor shall appoint the Sponsor Governors and may appoint himself as a Sponsor Governor. Bryanston School may appoint up to two Governors. Bath Spa University may appoint up to two Governors.**
- 51. The LA may appoint the LA governor.**
- 52. The Principal shall be treated for all purposes as being an ex officio Governor.**
- 52A. The staff governor shall be elected by the teachers and such other staff as shall be employed by the Academy Trust at the time of the election from amongst their number.**
- 52B. The Governing Body shall make all necessary arrangements for and determine all other matters relating to any election of the staff governor. Any election of the staff governor which is contested shall be held by secret ballot.**
- 52C. Where a vacancy for the staff governor is required to be filled by election the Governing Body shall take such steps as are reasonably practical to secure that all teachers and other staff employed by the Academy Trust at that time are informed of the vacancy and that it is required to be filled by election, informed that they are entitled to stand as a candidate and vote at the election and given an opportunity to do so.**
- 53. Subject to Article 57, the Parent Governor(s) shall be elected by parents of registered pupils at the Academy. A Parent Governor must be a parent of a pupil at the Academy at the time when he is elected.**