

**Wiltshire Council**

**Council**

**22 February 2011**

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**Councillors' Questions**

**Questions From Councillor Ernie Clark  
Hilperton Division**

**To Councillor Jane Scott OBE, Leader Of The Council**

**Question 1**

Wiltshire Council is due to relocate to the old George Ward school site soon. However, during November 2010, I noticed a number of Haven Fire vans outside the old school site including evenings and weekends.

The school had pupils in it until July and presumably had a fire alarm system that safeguarded the pupils and staff. Why, four months later, did it seem that the whole of the premises needed a new system? What work was required, why the apparent urgency and what was the cost?

**Response**

The school's occupation was under a fire risk assessment and management protocol in line with the Regulatory Reform (Fire Safety) Order 2005, which would have acknowledged the presence of a functional fire alarm system. This system was not a full fire detection system, and relied on manual call points. This system, coupled with a robust fire risk assessment, based on the school's hours of use, evacuation procedures and the like, provided adequate protection for the pupils and staff at the school up to July, and was the responsibility of the school to manage.

The nature of the works carried out at the school to change its use from a school to an office, albeit for temporary use, required a full Building Regulations application to be made. This brings with it a requirement to comply with the current building regulations. The building regulations are not required to have been retrospectively applied to existing occupied school buildings. The former school is to be used on a temporary basis and so only absolutely necessary works have been specified. In order to ascertain what the legal minimum installation would be, a Pre-occupation Fire Risk Assessment (in accordance with the Regulatory Reform (Fire Safety) Order 2005) was undertaken early on and a fire strategy developed in support of the Building Regulation application.

The system installed provides for smoke detection to corridors and escape routes only, with heat detection to tea-points, communications rooms, boiler room and the canteen/kitchen. We have not installed a full detection system to all areas. The developed fire strategy makes allowance for the fact that the occupied areas of the building are on the ground floor and escape doors are numerous. In conjunction with active management by the Council over the next two years, this has avoided the

need to install a full detection system. In addition, some works have been necessary to improve the sound level of the existing fire alarm sounders to meet current building regulations requirements for office buildings.

The cost of works to the fire alarm system is in the order of £48,000.

In summary, the works to the fire alarm system at the former George Ward School have been specified to match the requirements of the Building Regulations, and to fit with a robust fire risk assessment in line with fire safety regulations. These works have been wholly necessary in order for the use of the buildings to be changed from a school to an office.

## **Question 2**

What progress is being made to recover the 'non-pensionable honoraria' awarded either for doing additional work or 'acting up' at Kennet District Council? Has any money actually been recovered yet?

## **Response**

The Council is pursuing two claims amounting to a total sum of approximately £ 20,000. Both cases are being contested and one of the individuals has instructed a solicitor. The Council is considering its position in the light of the points raised in defence.

**To Councillor John Brady, Cabinet Member For Economic Development,  
Planning And Housing**

**Question 3**

What is the likely cost to Wiltshire Council for a) the tenure reforms required by the government and b) the cost to close the housing waiting list to accept only people that WC define to be in housing need?

**Response**

The costs associated with the tenure reform and the potential changes to the housing waiting list are not yet known because Wiltshire has not yet decided how it would like to take advantage of these new flexibilities. Our current position is that any cost associated with this reform will be absorbed within existing budgets as we have no provision within existing budgets to incur extra expenditure for this work.

**Wiltshire Council**

**Council**

**22 February 2011**

---

### **Councillors' Questions**

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

**To Councillor John Brady, Cabinet Member For Economic Development,  
Planning And Housing**

#### **Question 1**

Following the restructuring and downsizing of the Planning Enforcement team, can the Cabinet Member assure me that we will have the capability to enforce the ever increasing digressions of the developers? Particularly in the North where we are left with one full time officer and one part time officer to do the work formerly done by a team of four plus one part time officer. Also can the cabinet member tell me the extent of the backlog of work currently not completed.

#### **Response**

Following the Management Review, the service is undergoing a number of changes as it moves from four independently managed teams, one in each each hub, to a single county wide team with one manager who took up post on the 14th Feb. The Enforcement Team is currently reviewing the way it operates, its structure, the job descriptions of officers and how it applies staff to ensure effectiveness is improved and the allocation of resources reflects demand.

The number of open enforcement cases varies across the county and is as follows: -

North Hub (Monkton Park)	280
Central Hub(The former Devizes and Bradley Rd hubs)	167
South Hub (Bourne Hill)	152

The number of open cases does not mean there is a 'backlog', all cases are being investigated but enforcement is often a slow process. Having said this, capacity to deal with cases in the north has been affected because of the absence of the former manager due to illness, but this is now in the process of being addressed as part of the service review process and a vacant post in the north hub is currently being advertised.

**Wiltshire Council**

**Council**

**22 February 2011**

---

**Councillors' Questions**

**Question From Councillor Jon Hubbard  
Melksham South Division**

**To Councillor John Thomson, Cabinet Member For Adult Care, Communities  
And Libraries**

**Question 1**

At the recent Area Board meeting in Melksham, attended by the Cabinet Member, the proposed new Community Campus was on the agenda. A presentation of the council's single proposed site was given but there was no opportunity for questions or discussion. Instead a very limited number of points of clarification were permitted. From these it became clear that no economic impact assessments, transport studies or feasibility studies have taken place, and they will not take place until after the final consultation for the public has completed.

In addition, the public are being invited to participate in a consultation on the issue before the issue is debated and before councillors (and the public) have the opportunity to ask questions of officers in a public forum such as the Area Board (the consultation is due to close on the 15<sup>th</sup> March and the Area Board scheduled for the issue to be discussed is on the 29<sup>th</sup> March).

Could the cabinet member please tell me:

- 1) In his opinion does this "putting the cart before the horse" demonstrate best practice or will he confirm that, in this instance, the council have got it wrong?
- 2) If he does believe that the practice that has been followed is acceptable could he please explain how this demonstrates how the Council's by-line "where everybody matters" can be justifiably used?
- 3) Does he intend to make it standard practice for the facts about proposals only to be disclosed only once any consultations have been completed?

**Response**

- 1) The Council has undertaken an assessment of the options for developing a community campus to serve the Melksham Community Area and following an appraisal of the audit and research work done to date a preferred option has been put forward for public consultation. The audit and research work has not included an economic impact assessment or a transport plan as this would form part of a potential future planning application. This was made very clear at the Area Board on the Wednesday 2 February 2011. An initial baseline feasibility study on the preferred site has been undertaken to determine broad deliverability

and initial cost estimates. This information was made available at the Area Board and on the Council's website.

The proposed preferred option has been presented to the community and the Council is asking that local people make their views known at a specially convened Area Board on the 29 March 2011. Detailed questions were not recommended for the Area Board on the 2 February as the intention was to give a detailed presentation and supporting information that would most likely give local people the answers to the majority of questions. Local people have been asked to consider the proposal and are invited to participate in a detailed debate, held in a public forum, on the 29 March.

In the interim period local people have an opportunity to participate in the consultation by direct contact up to the 29<sup>th</sup> March with the Council through either a dedicated email address or by writing into the Council. In addition the Melksham Community Area Partnership are holding a series of consultation events and will be collating information to present to the specially convened Area Board on the 29<sup>th</sup> March. The consultation is being led by the Area Board, rightly in my view.

The concept of a community campus is essentially tailoring service provision to the local community to ensure local needs are met. An extensive consultation exercise is taking place, led by the Area Board, this I understand will include opportunities for open debate, but as the only locally elected body representing the entire community area, it is only right that the elected members of Area Board shape the consultation process as I believe they have in this case.

The Council has been open and transparent about the process to date through a detailed presentation at the Area Board on the 2 February 2011. This included the rationale behind the preferred option and it is intended that any questions local people have about both the proposed option and the rationale behind it can be openly discussed at the specially convened Area Board on the 29 March 2011, I understand that is the specific purpose of the special area board meeting. Once these discussions have taken place locally elected Members will be asked to come to a view on whether they wish to support the current proposal. This ensures locally elected Members will have an opportunity to take part in, and observe the detailed debate before making a decision on how they would wish to project to proceed.

## To Councillor John Noeken, Cabinet Member For Resources

### Question 2

At the recent Area Board meeting in Melksham the proposed new Community Campus was on the agenda. A presentation of the council's single proposed site was given but there was no opportunity for questions or discussion. Instead a very limited number of points of clarification were permitted. From these it became clear that no economic impact assessments, transport studies or feasibility studies have taken place, and they will not take place until after the final consultation for the public has completed.

In addition, the public are being invited to participate in a consultation on the issue before the issue is debated and before councillors (and the public) have the opportunity to ask questions of officers at the Area Board (the consultation is due to close on the 15<sup>th</sup> March and the Area Board scheduled for the issue to be discussed is on the 29<sup>th</sup> March).

It has therefore not been possible for members or the public to ask questions in a public forum on this issue. Therefore I am asking today, and in order that they are a matter of public record, the questions that I believe I, and others, should have been permitted to ask at the meeting where the proposal was presented.

1. The library is currently used by a number of organisations that are based, or meet, in the Town Centre (such as the majority of the Town's primary schools and voluntary groups such as the Cubs). Can the cabinet member tell me what impact assessment has been made on how these groups will be affected by the closure of the town centre library?
2. Wiltshire recently spent £288,727 refurbishing Melksham's Town Centre Library. How does it represent best value for money to spend it and then scrap it?
3. Wiltshire Council, and its predecessor West Wiltshire District Council, fought the new Asda Development in Melksham on the basis that it was an 'out-of-town' development and this was against their policy. Could the Cabinet Member please inform me when they performed a about turn on this?
4. I, along with many others, have been asking for a copy of the proposals for the Campus for several months. Indeed in November when I presented to this council a petition signed by 2,184 local residents objecting to the proposed closure of the Town Centre Library and its relocation to the Melksham Oak site I was informed that there were, as yet, no such plans and that such documents were not yet produced. Yet now that we finally have the council's proposals I see that the Sustainability Appraisal Report, the main document released to the public, is dated October 2010. Can the Cabinet Member please explain why this document was withheld from members, despite their requesting it, and could he say, categorically for the record, what other reports are being, will be or have been produced in relation to the Melksham Campus and provide a timeline for when they will be available to the public.
5. In the council's own sustainability report when looking at the preferred option the report itself identifies the potential impact on the Town Centre of removing the library and says (Page 54, item 13 Community Facilities) "If a campus were built in this location, retention of some services in the town centre eg the library,

should be considered” and then (Page 55, item 14 Education and Skills) “Provision of a new library may be better located within the town centre where there would be greater accessibility to a wider number of people.”

Most damaging however is the statement (Page 55, Item 16 Economy) “Directing services and facilities to town centre locations would draw people into the centre, helping to improve vitality and viability of retail and other businesses. Development of an edge-of-town campus would have the opposite effect and would be unlikely to aid regeneration – a priority for the town and stated in the Wiltshire LDF.”

Why is the council not following its own advice and policy?

6. Why has the council dismissed the option of a split site campus, with the Library and Youth Centre being retained at their current locations and the new development at Melksham Oak housing the remaining facilities as being hypothetical and therefore impossible to cost? These facilities are in place at their current locations and surely the cost of these buildings is known to the council?

## Response

1. The current proposal for a community campus in Melksham looks at the re-provision of attractive, up to date, accessible and improved library facilities within a campus facility on the Woolmore Farm site. This facility would be designed to cater for the needs of the Melksham community area and as such a potential planning process would include the production of a sustainable transport assessment and a plan to encourage continued use of library facilities for existing users.
2. The potential savings of delivering a community campus far outweigh the historical investment made into the existing library facility, details of which were presented at the Melksham Area Board on 2 March 2011. From a value for money perspective, it is important that future costs are analysed rather than historic ones.
3. In spatial planning terms there are a variety of policies that could be seen to either support central development or edge of town development, this would be dependent on the application concerned. An example of such a policy would be the adopted Leisure & Recreation Development Plan Document that advises the replacement of indoor leisure facilities in Melksham be firstly considered on the Woolmore Farm site.
4. The proposal for the Melksham Community Campus was presented to the area board in February 2011. As the question indicates, you have been asking for a copy of the Campus proposal, which was not available until the Sustainability Assessment was completed. It must be understood the Sustainability Appraisal is not the campus proposal but part of the process of developing one. All background information and audit and research work is available. The Sustainability Appraisal, a non-statutory spatial planning tool that is one part of the background audit work, was completed firstly in October 2010. However as a first draft it needed to be reviewed before being made available. Even now for



example, the Sustainability Appraisal does not include any weighting for the travel plan which will need to accommodate any planning application. Any planning application will include consideration of the development of sustainable transport arrangements that will be to the benefit of the wider Melksham Community Area. The final draft of the sustainability appraisal was made available in early 2011 and the Council has made it clear that it is a public document and available to all. Additional work that will need to be completed assuming the current proposal proceeds include an economic impact assessment and the transport plan forming part of a planning process. The timeline for this is clear within appendix b of the campus development and management proposal Cabinet paper considered on 15 February 2011 and was specifically covered in the presentation at the area board.

5. The Sustainability Appraisal is not Council policy; it is a spatial planning tool which is considered one part of the audit and research work associated with the community campus proposal. The findings of the appraisal have been assessed against the remainder of the audit work and the current proposal best meets the wider objectives of what the Council is looking to achieve from the co-location of services and consideration of the report will both shape the nature of items such as transport arrangements to any Campus.
6. The proposed option for community campus delivery in Melksham is a single site option. The benefits to the library and youth services if they remain in their present position are likely to be outweighed by the wider benefits co-location presents. This includes the potential for better quality modern services, extended opening hours, cross-service use, vastly improved fit for purpose and efficient buildings that reduce running costs, significant ongoing financial and environmental savings and the reduction of risk to the Council. It is important to emphasise that the final recommendation to Cabinet on the Melksham Campus will be made by the Area Board, which is leading the consultation process.

**Wiltshire Council**

**Council**

**22 February 2011**

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### **Councillors' Questions**

#### **Question From Councillor Jeff Osborn Trowbridge Grove Division**

**To Councillor Lionel Grundy OBE, Cabinet Member For Children's Services  
And Councillor John Brady, Cabinet Member For Economic Development,  
Planning And Housing**

#### **Question 1**

Given that the Conservative led Government has terminated the Future Jobs Fund Scheme, what is this Council doing to tackle the scandal of rising youth unemployment in Wiltshire?

#### **Response**

The Wiltshire Potential Future Jobs Fund (FJF) contract with Department of Work and Pensions (DWP) is to create 495 new/additional jobs for unemployed young people aged 18-24 between October 2009 and March 2011. The contract runs until September 2011.

By 15 February 2011, all 495 jobs had been advertised with Job Centre Plus. 416 of these have been filled; another 15 are waiting on start dates. Thanks to our 21 employer partners we are confident we will fill all the vacancies giving 495 unemployed young people the chance of real work in a real job.

Our Jobcentre Plus (JCP) colleagues have indicated that as at 25 January the destinations for 209 Wiltshire Potential FJF leavers were:

- 46% found work,
- 1% University
- 1% travelling
- 2% maternity leave
- 12% unknown
- 38% went back on benefit,

Given the opportunity Wiltshire Council would certainly have sought to expand its FJF programme beyond September 2011.

The FJF experience in Wiltshire has been an unqualified success for both its employees and its employers. It has also been a very positive and far reaching example of successful partnership working which has helped the development of

even stronger working relationships to tackle worklessness in Wiltshire especially with Jobcentre Plus and with Wiltshire College.

The issue of young people's lack of preparedness for the world of work is of key importance for Wiltshire Works - the Worklessness sub-group of the Employment & Skills Board (ESB). At its meeting on 11<sup>th</sup> February the Action for Wiltshire Board agreed to convene a special meeting of Wiltshire Works to look at support for 16-24 year olds.

Young People are amongst the people priorities in the Wiltshire Work & Skills Plan which outlines relevant activity aimed at increasing opportunities to help young people achieve their potential such as:

- Wiltshire Works Grant

We are working with JCP locally on a national pilot to provide 40 jobs for existing long term unemployed (2 year+). The jobs will be for at least 30 hours a week and last for 13 weeks. We are recruiting local employers as part of the Action for Wiltshire programme with 20 vacancies at the start of February 2011 and another 20 vacancies at the start of March 2011.

- Work Experience for unemployed young people

We are working with JCP on a work experience initiative for up to 300 unemployed 18-24 year olds who have been claiming JSA for 13 weeks or more to offer them work experience placements of up to 8 weeks and pay their travel costs if they live independently of family or with family in receipt of income based benefits.

The aims of the initiative are to:

- Maximise the number of young people moving into employment or training through providing young unemployed people with quality work experience. If successful this will minimise the number of young people flowing onto the DWP Work Programme.
- Working with Wiltshire College, neighbouring universities, employers and sector skills councils to develop the Higher Education offer and increase access to Higher Education
- Addressing attitude/cultural barriers of employers regarding their perception of young people
- A Basic Skills project to assist those who left compulsory education without the minimum skills level required for employability
- The WSEP Basic Skills Performance Reward Grant project being delivered by Wiltshire College commenced in August 2010. The project seeks to assist those who left compulsory education without the minimum skills level required for employability. Specifically it aims to:

- Increase the number of adults obtaining a Skills for Life qualification at Entry Level 3
  - Increase the number of adults passing a Level 1 National Test in Adult Literacy (and/or Numeracy) from any of the accredited examining bodies
  - Increase number of adults who gain a Level 2 qualification in Adult Literacy (and/or Numeracy) from any of the accredited examining bodies or any other Level 2 Qualification
- Through its own Skills for Life contract with the Skills Funding Agency, Wiltshire Council has been actively raising the Basic Skills levels of its workforce to increase employability. In 2008/09 139 staff were enrolled on programme with an achievement rate of 94.2%. In 2009/10 74 staff were enrolled on programme with an achievement rate of 97.3%. The lower number of learners is due to funding changes which excluded stand alone Skills for Life provision in 2009/10 so that the numbers are only for those enrolled on NVQ courses. Through the Family Learning Skills for Life contract with the Skills Funding Agency, the Council has been actively raising the Basic Skills levels of its communities. In 2008/09 there were 138 on programme with an achievement rate of 93.5%. In 2009/10 there were 64 on programme with an achievement rate of 94%. Enrolment numbers were fewer in 2009/10 as a result of national policy changes which now embed Family Learning Skills for Life courses within longer Family Learning courses rather than deliver as additional 'bolt-on' courses. In the past learners on very short Family Learning programmes were able to join 6 hour 'move on' courses but the short delivery times only suited higher level learners who needed to brush up on their existing skills. This new, longer, integrated approach has worked well as learners working at lower levels have more time to prepare and feel less anxious about taking the test.
  - Wiltshire 100 in 100 Apprentices Campaign  
We are working with Wiltshire College to achieve 100 new apprentices starting an apprenticeship in 100 days. This was launched on 10<sup>th</sup> January and an event is being held on 1<sup>st</sup> March to get as many employers as possible to pledge to take on an apprentice.
  - Economy & Enterprise service is also working with HR & Organisational Development on a developing an Apprenticeship Action Plan in regard to Wiltshire Council employing apprentices and maximising the opportunities arising from apprenticeships to up skill its existing workforce.
  - A recent decision has been taken by the Wiltshire Strategic Economic Partnership (WSEP) Employment & Skills Board for the Apprenticeships MoU Group between relevant Wiltshire Council services and National Apprenticeship Service (NAS) to formally become a sub-group of the ESB.

Assisting young people with the transition from education to employment is featuring as a priority in the emerging Employment & Skills Strategy for Wiltshire as well as the Wiltshire Assembly's Action for Wiltshire Programme – Support for Recovery (phase 2) , which has areas of focus on:

- A programme of employability and informal skills development for young people and new labour market entrants
- Establishing a network of local entrepreneurs/business owners to be engaged as role models and provide placements or projects for young people to gain a practical context for skills application and practice
- Young Entrepreneur Society pilot to provide the right environment that will help prepare young people to start their own businesses. We ran this course for FJF employees in during the autumn and it was very well received.
- ESF Response to Redundancy

This is a programme of training and skills development for those at risk of redundancy or recently made redundant across Wiltshire & Swindon which only has until March 2011 to run. The Accountable Body is New College Swindon but both Wiltshire Council and Wiltshire College are partners. Overall the project is doing really well and the partnership is on target. So much so that we were asked by the SFA if we wanted to increase our allocation and extend the project to end March 2011 (otherwise would have ended in December 2010). We secured a further £100K approximately. With the project ending at the end of March we are focusing our efforts on building further links with employers.

Keeping NEET levels below the national average is another important priority and is being achieved by:

- The 'Get Prepared Programme' an Action for Wiltshire Initiative to support 16 to 18 year old young people move into employment, training or further education.
- Ensuring that vulnerable groups have access to additional support and guidance, for example an intensive personal adviser is co-located with the Looked After Children team.

**Wiltshire Council  
Council**

**22 February 2011**

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**Councillors' Questions**

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

**To Councillor John Thomson, Cabinet Member For Adult Care, Communities  
And Libraries**

**Question 1**

- a. Have any representations being made to the government on the Council's behalf in respect of the deeply regrettable proposals to cut the mobility component of the Disability Living Allowance?
- b. Will he take this opportunity to make clear this Council's concern about the effects of this proposed reduction of the living standards and working opportunities of Wiltshire citizens?
- c. What would be the cost to this Council of restoring this cut for the citizens of Wiltshire were going to be otherwise affected?
- d. If this policy is implemented, would he consider proposing to the Cabinet that the restoration of this allowance be included in the 2012 – 2013 budget?

**Response**

- a. The council has written to our local MPs.
- b. We have written to MPs. We have also suggested that if this were to be implemented then a ringfenced grant could be made available to Local councils to help provide some alternative support.
- c. we estimate that there are approx 400 people in residential homes in Wiltshire who we fund that may claim DLA, and the total loss to them would be estimated at approx £1m.a year. In addition there will be some people under 65 in residential care who fund themselves, whom we are unaware of.
- d. As part of our regular reviews of people's services in our care we would always discuss all their care and support needs and together with them, their families and the providers try to find ways of helping their needs be met. This will continue.

## Question 2

Will he take this opportunity to give a public assurance that it is the intention to reverse the cuts in public library opening hours and the services which have been removed from other libraries as soon as the Council's financial circumstances permit?

## Response

There is no provision in the 4 year plan to reverse the cuts in public library opening hours. Wiltshire Council is facing a budget reduction of 28.4% over the coming years. To help the council meet this target, the library service will need to reduce its budget.

Following comprehensive consultation, including with area boards and customer focus groups, proposals for how the library service will be managed were approved by Wiltshire Council's Cabinet on 25 January 2011. This will be made in part by introducing rationalised core library opening hours and by working with volunteers to operate our smallest libraries and to extend opening hours at other locations. We are pleased that the proposals for the library service in Wiltshire unlike those of neighbouring authorities will avoid the need for any library to close.

- All 31 of Wiltshire's libraries will be retained
- All five of Wiltshire's mobile libraries will be retained
- All libraries will still receive funding from Wiltshire council for premises costs, power, cleaning and computer systems
- Library stock would continue to be provided to all library branches
- Self service technology will be introduced to all libraries to improve efficiency and help communities extend library opening hours through support from volunteers who will be trained and supported by Wiltshire library staff

The proposals come into effect September 2011 allowing time for volunteers to be recruited and trained. Officers are currently attending Area Boards and Parish Councils to outline the proposals and discuss ways of working with communities to extend the library opening beyond the new core opening hours and how communities can make better use of their library buildings.

The response from communities has so far been positive. To date 156 volunteers have come forward, before we have started a recruitment campaign. We are optimistic that ultimately that the new ways of working with communities and volunteers could result in longer opening times for smaller rural libraries.

**To Councillor Dick Tonge, Cabinet Member For Highways And Transport****Question 3**

- a. What is the full cost of installing pedestrian refuges on the A 4 on either side of the Beckhampton roundabout?
- b. How many accidents involving death or serious injury have occurred within the close vicinity of this roundabout in the last five years?

**Response**

- a. £21,541.41
- b. Fatal Accidents           0  
Serious Injury            0  
Slight Collisions         9

Works have been undertaken following a meeting between George Batten and the then MP Mr Michael Ancram in 2009 after concerns had been raised by local residents about speed of vehicles, difficulty of crossing the road, difficulty of access from side roads, and the dangers caused by motorcyclists using the area as a drag strip.



**To Councillor Jane Scott OBE, Leader Of The Council**

**Question 4**

How many charitable, voluntary and arts organisations have already had their grants from Wiltshire Council reduced in the financial year 2010 – 2011?

How many more of these organisations will have their grants reduced in FY 2011 – 2012 and FY 2012 – 2013?

Will she arrange for a list of the affected organisations, and the size of the reductions, to be sent round to all members?

**Response**

**In the financial year 2010/11**

The total grants allocation to the Voluntary sector from the VCS Unit is £2.4m. In this year 12 organisations have had their grants reduced although the overall spend in the voluntary sector did not reduce. The total amount of this movement was £470,000. Some of this reduction came from projects ending, some from merging 4 ex-district funded VCS support services into one countywide service, some from moving services to another provider, or from bringing projects in house . The savings have provided new services, including a volunteering data base which matches potential volunteers with current volunteering opportunities - which has helped over 1,000 volunteers this year, and the Wiltshire Good Neighbours .

**In the financial year 2011/12**

8 organisations will have their funding reduced (2 of these are also counted in 2010/11 above). Four of them are merging into one organisation (for carers) making efficiency savings to cover the reduced funding.

A further 5 organisations who provide support services to the VCS will have reduced funding. This is a very slight reduction since savings have been identified elsewhere, including grant aid from external funders. Efficiency savings here are expected to come from groups collaborating and sharing back office functions to reduce core costs.

**In the financial year 2012/13**

The total is unknown since discussions on this will take place in 2011. However we have negotiated other support and funding for 17 lunch clubs to continue the services they provide .

A report detailing all the organisations affected, with details of the financial reductions, will be circulated to Members .

**To Councillor Fleur De Rhe-Philipe, Cabinet Member For Finance, Performance  
And Risk**

**Question 5**

- a. In cash terms, what is the effect on this Council's 2012 – 13 budget of the decision by the Government to frontload reductions in the local authority grant for the coming year?
- b. What representations did this Authority make to the government in respect of the scheduling of the budget reductions?

**Response**

- a. In cash terms formula grant will reduce by £11.477 million.
- b. None, as we did not feel it would be of any added benefit.

**Question 6**

With respect to the Government funding allocations to Wiltshire Council for FY 2011-12, how much was attributable to additional money Intended (but not ring fenced) for adult social care from the Department of Health?

**Response**

At this time we are finalising negotiations with the PCT around this money and how it will be used. To that end we have assumed 88% of the monies within our base budget.

**Wiltshire Council**

**Council**

**22 February 2011**

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**Councillors' Questions**

**Question From Councillor Russell Hawker  
Westbury West Division**

**To Councillor Jane Scott OBE, Leader Of The Council And Councillor John Thomson, Cabinet Member For Adult Care, Communities And Libraries**

**Question 1**

I refer to the Confidential "Complaint Investigation Report" dated 31st August 2010 which was circulated to members by email on 11 February this year and which purports to exercise power to judge whether an alleged racist comment is actually racist.

Exactly what Law (specifying, please, the precise legislation and/or regulations and/or statutory guidance, including clause numbers and quoting the parts that apply in this matter, or common law, including citation and basic decision summaries and principles that apply) applied or applies to the council in relation to racial equality in public meetings of the council and / or partners?

Where exactly in any of the Law does it say that a comment is racist just because someone asserts that it is - or any basis looking anything like this? What does it say?

Where exactly in any of the Law does it say that the usual common law test of "reasonableness" cannot be used at the discretion of any tribunal or judge in assessing the meaning of words in Law and whether a comment reasonably means what the complainant thinks and alleges?

What powers and authority did the "Investigator" have to carry out an investigation and also judge what is relevant and choose what is fact or not and then also decide and state a determination of the allegations in the report (ie. one person acting as in-house investigator, jury and judge), stating exactly who gave the investigator these powers and why?

What tribunal or judicial decisions exist that show that the phrase "jungle drums" is racist?

Why does the Investigation report not bother to explain any relevant law (ie. no reference to legislation or caselaw)?

Why does the report not bother to explain how the comment is believed to breach the law.

Why does the report not bother to explain the powers of the investigator or where any powers come from.

Why would anyone receiving such a report be expected to think it actually has any status in law or be legitimate or be part of any competent activity of the council or deserves to be treated with anything but concern for its obvious and astonishing shortcomings?

Which members of the cabinet were involved in this matter? At what stage did they know the contents of the report and were they required by the constitution of the council or Law to decide on how to proceed with the matter (please specify who, dates and what was decided)? Did any cabinet member approve the report (who and when)? Which staff were involved in approving the report and actions that followed?

What legal advice was given by any properly qualified legal staff in this matter at any stage (why and to who and when, by whom, stating the qualifications of the staff)?

Do you accept that there should be a better way of handling trivial complaints and have you identified what legal possibilities exist? When will a lawful but common sense approach to trivial complaints be implemented, and how?

### **Response**

The Chief Executive has instigated a review of the process followed in connection with the investigation of the complaint to which you refer. The outcome of the review will be reported to Cabinet at the earliest opportunity.