

ANNUAL COUNCIL
18 MAY 2010

COUNCILLORS' QUESTIONS

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

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

Question 1

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

Response

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

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

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

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

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

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

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

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

WILTSHIRE COUNCIL

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COUNCILLORS' QUESTIONS

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

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

Question 1

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

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

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

Response

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

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

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

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COUNCILLORS' QUESTIONS

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

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

Question 1

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

Response

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

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

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

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

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

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

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

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

To note -

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

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COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR ERNIE CLARK HILPERTON
DIVISION**

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

Question 1

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

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

Response

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

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

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COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR ERNIE CLARK
HILPERTON DIVISION**

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

Question 1

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

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

Response

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

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

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

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QUESTION FROM COUNCILLOR ERNIE CLARK **HILPERTON DIVISION**

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

Question 1

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

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

Response

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

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

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

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

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**QUESTION FROM COUNCILLOR ERNIE CLARK
HILPERTON DIVISION**

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

Question 1

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

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

Response

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

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

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**COUNCIL
18 MAY 2010**

COUNCILLORS' QUESTIONS

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

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

Question 1

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

Response

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

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

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

Question 1

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

Response

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

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

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QUESTION FROM COUNCILLOR JEFF OSBORN
TROWBRIDGE GROVE DIVISION

TO COUNCILLOR LIONEL GRUNDY CABINET MEMBER FOR
CHILDREN'S SERVICES

Question 1

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

Response

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

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

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

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

