

Council

9 November 2011

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**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 15<sup>th</sup> 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 (19<sup>th</sup> – 21<sup>st</sup> 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 27<sup>th</sup>. 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 18<sup>th</sup>. 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 27<sup>th</sup>. 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.**