

COUNCIL
23 FEBRUARY 2010

COUNCILLORS' QUESTIONS

QUESTIONS FROM COUNCILLOR JEFF OSBORN
TROWBRIDGE GROVE DIVISION

TO COUNCILLOR SCOTT, LEADER OF THE COUNCIL

Question 1

Please may the constitutional significance and implications of Members' Briefings be explained to the Council?

Can Members' Briefings be used as an instrument of decision making?

There is a particular concern that Members' Briefings, unlike Cabinet decisions and decisions delegated to Cabinet Members, do not allow for the possibility of Call In.

By what criteria is it determined that a Members Briefing is used, as opposed to a Cabinet decision or a Cabinet Member delegated decision, to inform councillors of decision making?

In the interests of clarity and transparency please may this whole matter be considered by the Standards Committee and a report brought back to Full Council on 18th May 2010?

Response

In this response the assumption has been made that reference in the question to Members Briefing is in fact the Members Briefing notes that are circulated to all councillors on a regular basis.

These Briefing Notes have no constitutional status other than to implement the commitment within the protocol contained within the Constitution (Briefing and Information for local Councillors' Protocol). That commitment is to ensure that local councillors are equipped with the information that they need to carry out their role, including information which relates to their individual division. The majority of these issues are not formal matters and are not therefore the subject of a report to a committee or cabinet, but relate to all sorts of activity within their division. These issues need to be picked up by service officers and it is their responsibility to ensure that councillors are kept well briefed. One of the ways to do this where the matter impacts on a large area of the county, is through the Member Briefing note process.

The Briefing Note is not an instrument of decision making other than that they can be used to inform councillors of decisions taken by officers under the approved scheme of delegation.

Parts 2 and 3 of the Constitution explain the functions of the Cabinet and the detailed scheme of delegation to Cabinet Members and as councillors will know there is a separate process for informing them of decisions taken under that scheme. The criteria which the question refers to is in effect the criteria used to determine whether the matter falls to the cabinet or under the cabinet members scheme of delegation or indeed the officer scheme of delegation. Parts 2 and 3 of the Constitution deal with this matter and this will determine the subsequent manner in which councillors are informed of the matter.

As Councillors will know the Standards Committee will be leading on a review of the Constitution and if individual councillors, when consulted on the review, wish to raise this as an issue, then the matter can be given the appropriate consideration.

Question 2

I refer to Councillors' Briefing Note No. 23, which concerns a proposed reallocation of Youth Service staffing.

In the fourth paragraph on page 2 of this briefing, members are informed that these considerations will be discussed at Community Area Boards.

In the event that an Area Board rejects these proposals, what would be the constitutional implication?

When an executive decision is finally made regarding the reallocation of staffing, can this Council be assured that the said decision will be issued in an accountable and transparent manner? That is, in the form of a Cabinet decision or a delegated decision by a Cabinet member.

Consequently the decision will constitutionally be subject to the due process of Scrutiny.

Response

With regard to the proposed reallocation of youth work staffing resources, officers are working within the scheme of delegated responsibility according to the constitution of the Council. The use of the Member's briefing notes to inform and consult with Members, Area Boards and other stakeholders is one of the appropriate vehicles with which to carry this out. In the event that an Area Board objects to the proposed allocation for their area, that is a matter to be taken into account in reaching a decision on the appropriate allocation. It is not determinative of the outcome. If strong representations are made from a number of Area Boards then officers may wish to consider referring the matter for Cabinet Member or Cabinet decision.

With regard to the issue of scrutiny any member may ask for decisions taken by officers under delegated powers to be scrutinised by the appropriate Overview and Scrutiny Committee and, in fact, a report will be going about this matter to the Autumn meeting of the Children's Services Select committee after Officers attended and spoke to the previous select committee meeting earlier this month.

**TO COUNCILLOR LIONEL GRUNDY, CABINET MEMBER FOR
CHILDREN'S SERVICES**

Question 3

I refer to Members' Briefing No. 23 and the table on page 3 outlining Youth Work Staffing Allocations for Community Areas 2010/2011.

In order that members have a better understanding of the extent and location of the changes involved please can the Council be informed as to the Youth Work Staffing Allocations per Community Area for the current financial year – 2009/2010?

Response

This approach, in terms of identifying hours of delivery, to the reallocation of youth work staffing resources is, in fact, new. Previously the budget position for youth work was spent County-wide. It is therefore not possible to provide a "like for like" analysis. Planned staffing resource for 09/10 is appended to this response but in attempting to address the current inequalities then a simple comparison would not reflect the new approach. For example, it has been proposed, for one of the community areas, that a transfer of a Team Leader's post from a neighbouring community area offers a more cost effective use of the staffing resource as Team Leaders direct delivery is for 12 hours of their time whilst youth development co-ordinators delivery is of 18 hours of their time. Historically a nominal budget was provided and workers on the ground were then expected to deliver as much youth work as they could within that budget. They did this effectively but it was not linked to any assessment of need. It is difficult to compare historical allocations as they again are not reflective of need.

Officers have developed this new approach to ensure the clarity and transparency for all Members. The budget for Youth Work delivery has not decreased and what we have introduced is a fairer allocation of that resource based on a clear formula. The total county budget for 09/10 for full time youth development co-ordinators is £829,527 and for 10/11 is £880,901. The total county budget for 09/10 for assistant youth workers is £448,872 and for 10/11 is £462,287.

Youth Work Staffing per Community Area for 09/10

Youth Development Centres	Wiltshire Community Area	Local authority expected spend 09/10
Malmesbury	Malmesbury	£30,907
Purton and Cricklade Wootton Bassett	Wootton Bassett	£33,947 £31,942 £65,889
Corsham	Corsham	£25,940
Calne	Calne	£24,892
Chippenham	Chippenham	£14,150
Melksham	Melksham	£24,941
Trowbridge	Trowbridge	£42,758
Bradford -on-Avon	Bradford	£26,906
Warminster	Warminster	£31,537
Westbury	Westbury	£35,382
Mere & Tisbury split Mobile Youth Centre	Mere	£15,516 £2,036 £17,552
Mere & Tisbury split Mobile Youth Centre	Tisbury	£15,516 £2,036 £17,552
Wilton Mobile Youth Centre	Wilton	£17,645 £2,036 £19,681
Downton Mobile Youth Centre	Downton	£17,629 £2,036 £19,665
Salisbury (Grovesnor House) Salisbury	Salisbury	£38,783 £32,105 £70,888
Durrington Amesbury (sports centre)	Amesbury	£39,755 £36,113 £75,868
Pewsey	Pewsey	£41,909
Lugershall	Tidworth	£9,049

Tidworth		£31,982
		£41,031
Devizes	Devizes CA	£31,081
Marlborough	Marlborough CA	£33,626
	Total Equivalent budget 09/10	£692,153