

CABINET

DRAFT MINUTES OF THE CABINET MEETING HELD ON 13 DECEMBER 2016 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Baroness Scott of Bybrook OBE, Cllr John Thomson, Cllr Fleur de Rhé-Philippe, Cllr Toby Sturgis, Cllr Dick Tonge, Cllr Jerry Wickham, Cllr Stuart Wheeler and Cllr Philip Whitehead

Also Present:

Cllr Anna Cuthbert, Cllr Jon Hubbard, Cllr Richard Gamble, Cllr Allison Bucknell, Cllr Jerry Kunkler, Cllr Glenis Ansell, Cllr Chuck Berry, Cllr Alan Hill, Cllr David Jenkins, Cllr Bob Jones MBE, Cllr Simon Killane, Cllr Gordon King, Cllr Magnus Macdonald and Cllr Horace Prickett

136 Apologies

Apologies were received from Councillor Laura Mayes and Councillor Jonathon Seed.

137 Minutes of the previous meeting

The minutes of the meeting held on 15 November 2016 were presented.

Resolved

To approve as a correct record and sign the minutes of the meeting held on 15 November 2016.

138 Minutes - Capital Assets Committee

The minutes of the meeting held on 15 November 2016 were presented.

Resolved

To note the minutes of the meeting held on 15 November 2016.

139 Declarations of Interest

There were no declarations of interest.

140 Leader's announcements

The Leader thanked those officers and councillors who had sent messages and given their support recently.

141 **Public participation and Questions from Councillors**

Councillor Fleur de Rhé-Philippe stated, in response to a question raised by Councillor Jon Hubbard, that she was also disappointed with the outcome of the Ofsted inspection into the Adult and Community Learning Service. It was acknowledged that the officers in the service had worked hard, but that given the limited resources available, consideration should be given as to how best to deliver the service in the future.

142 **Performance Management and Risk Outturn Report: Q2 2016/17**

Councillor Dick Tonge presented the report which provided an update on second quarter outturns against the measures and activities compiled and reported through the council's website via the [Citizens' Dashboard](#) and other key measures, as well as the latest outturns on the council's strategic risk register. Councillor Tonge invited other Cabinet Members to highlight areas within their respective portfolios.

Issues highlighted in the course of the presentation and discussion included: that the claimant rate is below and the employment rate is above the national average; that incubation centres have proved a success; that the ultrafast broadband tender is being published and further funding had been secured to help reach hard to reach areas, and that it is hoped to see a range of potential providers bidding for the contract; that the Council is also lobbying the Government to help provide 100% coverage for broadband.

Also that use of libraries in Wiltshire is going up, in a large part due to colocation of services; the rate of policy change nationally has made life difficult for planning officers; that the amount of waste diverted from landfill target had been met despite some disruption; that a successful prosecution had been made for a flytipper; that there had been a 50% increase in registration to use the MyWiltshire App, with a reduction in costs attributed to its use, and that it can be used for a range of other services; that GCSE results would be published soon.

With regard to Health & Social Care: that the Council were inviting people for 40 plus health checks; that with regard to homecare that the national picture was of an average cost per hour of over £16, but that Wiltshire was third highest payer with £19.10 per hour on average; the increase in the use of leisure services; that the recruitment and retention of social workers showed continued good progress and vacancy rate is reducing; and how volunteers can be used to support a range of services.

In response to a question from Councillor Simon Killane, Councillor Richard Gamble stated that whilst there was a risk regarding school infrastructure, Wiltshire had a good track record and working relationship with the academies in Wiltshire.

In response to a question from Councillor Simon Killane, Councillor Jerry Wickham stated that Wiltshire Council pays travel time for home carers in part in recognition of the rural nature of the county.

Councillor Dick Tonge went on to outline the Risk Register including: how risk is defined and the approach to measuring risk; the major changes in the register, including the number of looked after children that had increased due to the recent number unaccompanied asylum seekers presenting at the County; the increased risk on Information Governance, and the fines have increased for failures.

Councillor Glenis Ansell, Chair of the Scrutiny Task Group, stated that they had reviewed the Risk Register and were content with it. In response to a specific issue to Calne, Councillor Jerry Wickham stated that he had been aware of a maintenance issue, now addressed, with an air quality measurement device in Devizes but would investigate the issue in Calne.

In response to an issue raised by Councillor Chuck Berry, the Leader stated that no announcement had been made about any extra money for social care, and the final settlement for Wiltshire Council had not been made yet in any event.

Resolved

To note the updates and outturns:

- 1. Against the measures and activities ascribed against the council's key Outcomes; and**
- 2. The strategic risk register.**

Reason for Decision:

The performance framework compiles and monitors outturns in relation to the outcomes laid out in Wiltshire Council's Business Plan. The framework is distilled from individual services' delivery plans. In doing so, it captures the main focus of activities of the council against each outcome.

The strategic risk register captures and monitors significant risks facing the council: in relation to significant in-service risks facing individual areas, in managing its business across the authority generally and in assuring our preparedness should a national risk event occur.

143 Public Health Annual Report 2015/16

Councillor Jerry Wickham presented the report which informed the Cabinet members of Public Health activity in Wiltshire during 2015/2016.

Issues highlighted in the course of the presentation and discussion included: the impact of the proportionately older population; the focus on preventative work; that life expectancy, especially for men, had improved; the decrease in teen pregnancies; the participation in the Big Pledge; the increase in the participation in the Dementia Friendly scheme; the adoption of the Purple Flag scheme; how incidents, such as anthrax, were dealt with; the information and training made available with Parishes as part of emergency planning; and how Areas Boards may be able to provide links across community groups.

In response to an issue raised by Councillor Simon Killane, that whilst there was a role for the Adult Safeguarding Board in holding NHS partners to account over the issues raised in the CQC report into the way NHS trusts, nationally, review and investigate the deaths of patients in England, but that it was not a direct responsibility for the Council.


Resolved

To note the Public Health Annual Report 2015/2016

Reason for Decision:

To formally present the Annual Report to Cabinet and provide an opportunity to express any views.

144 **Commissioning of Carers Services**

 Councillor Jerry Wickham presented the report which set out a recommissioning plan for those services and sought approval for that plan. The report proposed a plan for the future commissioning of carers' support in Wiltshire.

Issues highlighted in the course of the presentation and discussion included: that services for carers over 18 and under were contracted separately, and that the Council wanted to be able to have one contact that can be commissioned; the joint funding provided from CCG and Wiltshire Council for services provided; and how mergers between some carers centres have reduced costs.

Resolved

To approve the recommissioning plan for carers' services set out below:

- a) Approve the exemption of the extension to the current partnership arrangement to March 2018**
- b) Approve the commencement of a competitive tender process for a new carers' support service during 2016-17, ready for implementation 1st April 2018**

- c) **Delegate authority to award a new contract commencing 1st April 2018 to the Corporate Director for Children's Services and Adults Social Services following consultation with the Cabinet Member for Health (including Public Health) and Adult Social Care, the Associate Director, Finance, the Associate Director, Legal and Governance and the Associate Director Corporate Function, Procurement and Programme Office.**


Reason for Decision:

The Partnership arrangement with Carers Support Wiltshire has existed since 2010 and has never been tendered. This paper outlines a plan to allow for the recommissioning of the service within two stages.

Stage 1: Continuing with the partnership as it currently stands will enable CSW to continue in their role as an influential partner for carers at a time when we will be embarking on a number of key commissioning initiatives that will directly impact on carer service provision. The partnership arrangement will permit the flexibility required in order to pilot new approaches and embed new service processes prior to embarking upon a full tender activity.

Stage 2: To approve the commissioning of carers support services ready for commencement on 1 April 2018.

145 **Direct Payment Support Service**

 Councillor Jerry Wickham presented the report which detailed the procurement exercise that had commenced in October 2016 to recommission the Direct Payment Support Service to allow for a seamless transition; and recommended that delegated authority be agreed by Cabinet to award the contract.

Issues highlighted in the course of the presentation and discussion included: the legislative requirements to provide direct payments; and how payments are used to support people who need care, to allow them to take ownership of their own care plans.

Resolved

To approve delegated authority to award a contract to the preferred provider/s identified as a result of the tender process to Associate Director for Adult Care Commissioning and Housing, following consultation with Councillor Jerry Wickham, Cabinet Member for Health (including Public Health) and Adult Social Care; the Associate Director, Finance; and the Associate Director, Legal and Governance.

Reason for Decision:

Direct payments give customers the ability to take control of social care services and commission the support they want to meet their identified eligible needs. The re procurement of a direct payment support service will provide a cost effective means to meet some of the Council's statutory responsibilities under the Care Act 2014. Giving delegated authority will ensure the timely procurement of this service.

146 **Council Tax Base 2017/2018**

Councillor Dick Tonge presented the report which asked Cabinet to consider and approve the Council Tax Base 2017/2018. In moving his recommendation, Councillor Tonge proposed to amend the second recommendation as outlined in the report.

Issues highlighted in the course of the presentation and discussion included: how exempt properties are classified and identified; how the MOD estate pay council tax separately; how the collection rate is calculated; and how bad debts are provided for.

In response to a question raised by Councillor Gordon King, the Leader stated that Wiltshire politicians had lobbied hard to express their concern regarding the proposed cap to Parish and Town Council's precept, and that no announcement had yet been made.

Resolved

- 1. To consider and approve the Council Tax Base 2017/2018.**
- 2. To note that the recommended collection rate adjustments are set at the same level as 2016/2017, that is 99.75% and 82.50% where local council tax support reductions (discounts) in respect to working age claimants was applied.**

Reason for Decision:

Before the Council Tax can be set by the Council in February 2017 a calculation has to be made and approved of the Council Tax Base, which is an annual requirement as laid out in the Local Government Finance Act 1992.

147 **Proposal to change the Council Tax Reduction Scheme 2017**

Councillor Dick Tonge presented the report which asked Cabinet's to recommend to the meeting of Council that it agree proposals to make changes to the Council Tax Reduction Scheme (CTR) with effect from April 2017.

Issues highlighted in the course of the presentation and discussion included: the suggestion to bring the process more in line with other regulations for other

benefits; the responses to the consultation; the number of households who receive support; that the changes would not affect pensioners, but just working age people; the principles applied for the review; that there is a scheme that can be accessed to assist people who may get into financial difficulties.

In response to concerns raised by Councillor Glenis Ansell, Councillor Tonge stated that they had considered how the changes may affect those individuals and families already in debt, and that the Council does work carefully with vulnerable families in particular.

Resolved

To recommend to Council to agree changes to the council tax reduction scheme as set out at section 18 of this report, with effect from April 2017.

Reason for Decision:

It is an annual requirement for the council to review its local Council Tax Reduction (CTR) scheme and make recommendations for change as required.

Since its introduction in April 2013 the scheme has been 'refreshed' annually to take account of minor data changes, but the core elements have been retained.

However in the last 18 months there have been some changes to the national housing benefit scheme and it was felt that without timely intervention the schemes would drift apart causing both administrative difficulties and confusion for the customer. With further reductions in funding it was felt that the scheme should also be reviewed, in comparison with other local authorities.

148 **Report on Treasury Management Strategy 2016-17 – Third Quarter ended 30 September 2016**

Councillor Dick Tonge presented the report which summarised the quarterly performance against the agreed Treasury Management Strategy. In giving his presentation, Councillor Tonge highlighted: that the Strategy had been adhered to, and that the Strategy itself would be reviewed and considered by Cabinet in the New Year.

Resolved

To note that the contents of this report are in line with the Treasury Management Strategy.

Reason for Decision:

To give members an opportunity to consider the performance of the Council in the period to the end of the quarter against the parameters set out in the approved Treasury Management Strategy for 2016-17.

149 **Revenue and Capital Budget - Budget Monitoring Reports Period 7 2016/2017**

The meeting considered the following reports:

149 Revenue Budget Report

Councillor Dick Tonge presented the report which advised members of the revenue budget monitoring position as at the end of period 7 (end of October 2016) for the financial year 2016/2017 with suggested actions as appropriate.

Issues highlighted in the course of the presentation and discussion included: the impact of the revaluation of NNDR, and how it was managed; that a briefing note would be published to make the financial position clearer; the proposals to increase some charging which will increase income; the costs for transporting children for education, and the options that seek to address this.

Councillor Glenis Ansell, Chair of the Task Group, stated that efforts to address projected overspends were being made, but that concerns remained over the use of reserves to address a proportion of this.

In response to an issue raised by Councillor Jon Hubbard, it was noted that with regard to the budget for agency costs in relation to Children's services, that the financial predictions had been realistic but that there had been an unexpected rise in numbers of looked after children.

The Leader stated, in general terms, that it was worth noting that the Council's budgets were large and complex; that it was therefore hard to predict and plan budgets; that it would be very unusual if there were no movements; and that the Council would always have to take actions to monitor them throughout the year.

Resolved

- 1. To note the outcome of the period 7 (end of October) budget monitoring and to approve all budget virements outlined in the report.**
- 2. To approve the increase in leisure fees and charges, as set out at Appendix E in the report presented, from 1 February 2017.**

Reason for Decision:

To inform effective decision making and ensure a sound financial control

environment.

149) Capital Budget Monitoring

Councillor Dick Tonge presented the report which informed Cabinet on the position of the 2016/2017 Capital Programme, as at Period 7 (31 October 2016), including highlighting budget changes. In presenting his report, Councillor Tonge highlighted: how additional budgets had been added to the programmes; and how some budgets had been reduced or reprogrammed to take place in the following year.


Resolved

- 1. To note the budget movements undertaken to the capital programme shown in appendices A and B; including reprogramming of £43.635 million between 2016/2017 and 2017/2018.**
- 2. To note the position of the capital programme in Appendix A.**

Reason for Decision:

To inform Cabinet of the position of the 2016/2017 capital programme as at Period 7 (31 October 2016), including highlighting any budget changes.

150 Procurement of a new temporary agency supplier

 Councillor Dick Tonge presented the report sought approval to award the contract to the supplier as detailed in Appendix 1 of this report.

Issues highlighted in the course of the presentation and discussion included: how the contract tender process has been run; the specialist skills available from outside providers; that three tenders had been submitted for the three year period; and the movement in agency costs and the desire to reduce costs further.

Resolved

To delegate to the Associate Director for People and Business Services following consultation with the Cabinet member for Finance and the Associate Director for Legal and Governance, the authority to approve:


- 1. The extension of the current contract with Comensura until 31 August; and**

2. **The award of contract for an initial three year period and the authority to exercise the option to extend the contract for one year subject to satisfactory performance.**

Reason for Decision:

The council has an ongoing requirement for agency staff to deliver its business and a contract to deliver temporary agency services meets this need.

151 **Castle Works, Castle Road Salisbury**

 Councillor Fleur de Rhé Phillipe presented the report sought approval to enter a joint sale agreement with Five Rivers Eco Homes Limited in respect of the Castle Works site, Castle Road, Salisbury (“Castle Works”).

Issues highlighted in the course of the presentation and discussion included: the relative complexity of the project; the benefits to the council from a capital receipts, the provision of new houses, and employment.

Resolved

To enter into a joint sale agreement with 5 Rivers Ecohomes for the disposal of Castle Works Salisbury on terms to be agreed by the Associate Director People and Business following consultation with the Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property and the Associate Directors for Legal and Governance and Finance.

Reason for Decision:

A disposal will generate a capital receipt, safeguard employment in Wiltshire, and deliver affordable housing provision in line with policy.

152 **Urgent Items**

There were no urgent items.

153 **Exclusion of the Press and Public**

Resolved

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the following items of business because it is likely that if members of the public were present there would disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

Reason for taking the item in private:

Paragraph 3 – information relating to the financial information or business affairs of any particular person (including the authority holding that information)

No representations had been received as to why this item should not be held in private

154 Procurement of a new temporary agency supplier (part ii)

The Cabinet considered the information contained in the exempt report.

Resolved

That, in addition to the resolution at minute no. 150 above, to award the contract to the supplier as detailed in Appendix 1 of the report presented.

155 Castle Works, Castle Road Salisbury (part ii)

The Cabinet considered the information contained in the exempt report.

Resolved

That the report be received and noted.

(Duration of meeting: 9.30 - 11.48 am)

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