

CABINET

MINUTES of a MEETING held at COUNTY HALL, TROWBRIDGE on Tuesday, 23 March 2010.

Cllr John Brady	Cabinet Member for Economic Development, Planning and Housing
Cllr Lionel Grundy OBE	Cabinet Member for Children's Services
Cllr John Noeken	Cabinet Member for Resources
Cllr Fleur de Rhe-Philippe	Cabinet Member for Finance, Performance and Risk
Cllr Jane Scott OBE	Leader of the Council
Cllr Toby Sturgis	Cabinet Member for Waste, Property and Environment
Cllr John Thomson	Deputy Leader and Cabinet Member for Community Services
Cllr Dick Tonge	Cabinet Member for Highways and Transport
Cllr Stuart Wheeler	Cabinet Member for Leisure, Sport and Culture

Also in Attendance:

Cllr Allison Bucknell	Portfolio Holder for Customer Services
Cllr Laura Mayes	Portfolio Holder for Organisational Culture
Cllr Alan Macrae	Portfolio Holder for Schools
Cllr Howard Greenman	Portfolio Holder for Housing
Cllr Jerry Kunkler	Portfolio Holder for Leisure
Cllr Jeff Osborn	Chairman – Overview and Scrutiny Resources Select Committee
Cllr Desna Allen	Chairman – Local Service Review Scrutiny Task Group (Area Board Review)
Cllr Bill Moss	
Cllr Peter Doyle	
Cllr Julian Johnson	
Cllr Francis Morland	

Key Decisions Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

42. Apologies

An apology for absence was received from Councillor Keith Humphries, Cabinet member for Health and Wellbeing.

43. Minutes of the previous meeting

The minutes of the last meeting held on 23 February 2010 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 23 February 2010 subject to the following amendment:

Minute no. 36 – Wiltshire Gypsy and Traveller Site Allocations Development Plan Document (DPD) at resolution (c) – reference to Cllr John Brady be amended to read Cllr Toby Sturgis, Cabinet member for Waste, Property and Environment.

44. **Chairman's announcements**

(a) **Blue Badges**

The Leader referred to Cabinet's agreement at its meeting on 11 February 2010 to make representations to the Government on the restrictions placed on local authorities in the way they issued Blue Badges. At that meeting, Cllr Thomson in updating Cabinet on the recently held Dementia Conference, highlighted the need to lobby the Government on this issue. Changes to the law were sought to ensure that sufferers of mental illnesses and those they relied on for transport, carers of children with disabilities and those with severe autism and Link drivers should be given the same consideration as those with physical illnesses.

The Leader explained that Cllr Thomson had sent a letter to this effect to the Minister for Transport copied to the local MP's and that Councillors would be kept informed of developments.

(b) **Graham Hogg – Service Director, Housing**

The Leader advised that Graham Hogg had been involved in an accident resulting in him coming off his motorbike. Although serious, his condition was not considered critical and he was currently receiving treatment at the Royal United Hospital, Bath. The Leader would on Cabinet's behalf be writing to Graham to wish him a speedy recovery.

(c) **George Batten, Director**

This being the last meeting of Cabinet attended by George Batten, the Leader thanked him for his services to the authority and to the people of Wiltshire and added that he would be greatly missed.

45. **Declarations of Interest**

Cllr Allison Bucknell, Portfolio Holder for Customer Care declared a personal interest in the item Commissioning of Sure Start Children's Centres by virtue of her being chairman of the North Wilts and Devizes Portage Service (minute no. 54 refers).

46. **Public participation**

The Leader explained that as usual, she would be happy to allow the public to speak at the start of each item if they wished to do so.

There was no public participation.

47. **Budget Monitoring**

(a) **Revenue Budget Monitoring April 2009 - January 2010**

Cllr de Rhe-Philipe presented a report on the latest position on the revenue budget for the period April 2009 to January 2010. She explained that overall the Council was forecast to outturn within budget and that budget action plans had been implemented by all departments to ensure their year end position would be on budget. She congratulated officers on the progress they had made so far.

There were still pressures on the budgets for the departments of Community Services and Children and Education which would continue to be monitored. If necessary, underspends elsewhere in the revenue budget would be used to ensure an overall balanced budget.

Resolved:

That the report be noted

Reason for Decision

To inform members of the Cabinet of the Council's budgetary pressures.

(b) **Capital Budget Monitoring April 2009 - January 2010**

Cllr de Rhe-Philipe presented a report which updated Cabinet on the latest position on the Capital Programme for the period April 2009 to January 2010. It was noted that there was a projected variation of £5.246m against the full year budget for 2009/10.

The report drew Cabinet's attention to changes in the capital programme and sought approval for a redirection of funds identified as not spent in the Major Highways Improvement budget to be used to purchase 4 highway vehicles.

Resolved:

That the Cabinet:

- (i) **note the current financial position of the 2009/10 capital budget;**
- (ii) **note the budget changes in section 1 of Appendix B of the report presented and**
- (iii) **approve the underspend identified in the Major Highways Improvement budget be used for a different purpose and fund the purchase of 4 highway vehicles.**

Reason for Decision

To inform Cabinet of the current financial position of the 2009/10 capital budget and to identify schemes within the programme where expenditure is not progressing as anticipated.

48. Corporate Plan

The Leader presented the Council's draft Corporate Plan for Cabinet's consideration with a view to approving the Plan for onward recommendation for its adoption by Annual Council in May 2010. The Plan covered the period 2010-2014 although it was noted that it would be reviewed and refreshed annually. The Plan incorporated comments and feedback received on the first draft following initial consideration by Cabinet in October 2009.

The Plan included the nine priorities previously agreed by Cabinet namely:

- Work in partnership to support vulnerable individuals and families
- Increase opportunities to help young people achieve their potential
- Local, open, honest decision-making
- Improve our roads and road safety
- Support the local economy
- Meet housing needs
- Reduce our environmental impact
- Achieve savings, be more efficient and ensure we deliver value for money
- Focus on our customers and improve access to our services

Under each priority, a small number of key outcomes had been identified to be achieved over the next four years. The Leader requested that the order of priorities be reviewed to ensure that services to people was given the highest priority.

The overarching vision 'create stronger and more resilient communities' and the following three key three goals would remain the same:

- *High quality, low cost, customer focused services*
- *Local, open, honest decision making and,*

- *Work together to support Wiltshire's communities*

The covering report of the Service Director, Policy, Research and Communications explained that the Council was changing and developing rapidly and faced many varied challenges ahead. The core business of the council and the relationship it has with the community would change radically over the next few years. It was therefore vital that the Council planned how it would manage these challenges and communicates its vision, goals and priorities.

The Plan would be closely linked to other documents and processes most notably, a new Business Plan for the Council, the Medium Term Financial Plan, the Local Area Agreement and Local Agreement for Wiltshire, the Comprehensive Area Assessment and would influence the Cabinet's forward work plan.

Cllr Jeff Osborn, Chairman of the Overview and Scrutiny Resources Select Committee reported that his Committee would be considering the Corporate Plan at its meeting on 25 March 2010. It was agreed that the outcome of Scrutiny's consideration be presented to Cabinet at its meeting on 20 April with the final draft of the Plan to enable Cabinet to consider any recommendations arising out Scrutiny's consideration prior to submitting the Plan to Council for adoption.

Resolved:

- (a) That the order of priorities be reviewed giving services to people the highest priority and that Cabinet consider the Corporate Plan as amended at its meeting on 20 April 2010 to include the outcome of consideration of the Plan by the Overview and Scrutiny Resources Select Committee prior to the Plan being submitted to Council on 18 May 2010 for adoption.**
- (b) That Cabinet notes the next steps necessary to disseminate the Corporate plan internally and externally and to develop departmental delivery plans.**

Reasons for Decision

All high performing organisations have a Corporate plan or equivalent to direct and focus their work. An ambitious and effective Corporate plan will focus and galvanise the organisation's resources to deliver its strategic priorities over the forthcoming four years. The new Corporate plan is now ready for approval by Cabinet and Council following consultation and engagement both internally and externally subject to receiving the views of the Overview and Scrutiny Resources Select Committee.

49. **Medium Term Financial Plan**

Cllr de Rhe Philipe presented a report which updated Cabinet on the progress towards developing the Council's Medium Term Financial Plan (MTFP) covering the five year period up until the financial year 2014-15.

Having set the budget for 2010-11, the Council was now preparing it's MTFP which would enable strategic planning on how to manage its future resources. It was noted that following the forthcoming general election, irrespective of the result, it was widely forecast that local government would face a challenging environment of spending pressures, increased demand and restrained finance settlements.

The assumptions of the financial model were outlined – notably the Council's commitment to minimise Council tax increases and that correspondingly from 2011-12 onwards the MTFP model assumed there would be zero Council tax increases. In terms of the General grant it was assumed that this would decrease at a level between 10% and 20% over the 4 year period. Pay and Inflation was modelled assuming an ongoing annual pay award of 0.5% and inflation of 2.5% per annum.

A number of spending pressures were identified within the report in three main areas – Statutory and Legislative changes, Demographics and Delivery of the objectives of the Corporate Plan. Furthermore existing and possible future efficiencies were outlined.

The Chief Executive explained the intention to produce a new Business Plan for the Council which would sit alongside the MTFP. This would show how the Council would deliver the business in the MTFP which would in turn deliver the Corporate Plan. Whilst the Corporate Plan would identify the Council's priorities, individual service plans would provide further details on departmental activities.

Resolved:

That the report be noted

Reason for Decision

That members are aware of the scale of the challenge facing the council and the plan being developed to address this challenge.

50. **Key Approved Provider Accreditation Scheme - Residential Services for People with Disabilities**

Cllr John Thomson presented a report which sought Cabinet approval to develop, undertake and implement an Accredited Provider Scheme with providers of residential care for implementation in April 2011. The scheme would replace the existing 'Residential Framework' agreements.

To facilitate this, Cabinet approval was sought to extend by way of exemption, all existing Residential Framework agreements with Wiltshire providers until 31 March 2011. Approval was also sought to continue to use the South West Fair Pricing Tool as a method for ensuring appropriate individual placement costs and value for money and would assist in tailoring more accurately the care package according to need.

Cllr Thomson explained that the proposal would increase the number of suppliers accredited to provide the quality of care required by the Council. It would also help enhance arrangements for supported living as opposed to reliance on providing residential care.

Resolved:

- (a) That Cabinet establish a Residential Care 'Accredited Provider scheme' to which existing Wiltshire-based 'residential care' providers would be encouraged to apply. This scheme to replace the existing 'Residential Framework'.**
- (b) That in order to allow for the required timeframe to undertake and establish the Accreditation Scheme, an Exemption be granted with regard to the existing Residential Framework Agreements. This exemption is to allow the extension of current agreements until 31 March 2011.**
- (c) That delegated authority be given to the Head of Commissioning (Learning disabilities) in ensuring the delivery of this proposal**

Reasons for Decision

Although the Council's focus is on developing the 'supported living' model of service provision, it is necessary to ensure that a range of high quality, good value residential care provision is available for those people who need that level of care. Through the Accredited Provider Scheme the Council will look to stabilise the local market and to draw into the county some specialist providers that we currently lack. For example for people with autism and complex needs, many of whom currently are placed in out of county placements.

The 'Accreditation Scheme' will help to maintain a diverse range of residential care Providers who offer sustainable, responsive, quality services for the identified 'core' group of individuals identified above. The Scheme will, therefore, ensure the current and future availability of residential care services in an unstable and reducing market.

The Scheme will allow the Council to manage more effectively the fluctuations within the residential care market.

51. Area Boards in Wiltshire - Leaders' Review

Cllr Thomson presented a report on the outcome of the Leader's Review on the operation of Area Boards in Wiltshire. He explained that in the eight months since Area Boards were launched in June 2009, 86 Area Board meetings had been held across Wiltshire, directly involving 5,547 citizens in local democracy, whilst a further 10,000 residents had signed up to be kept informed and involved.

As part of the introduction of Area Boards, the Leader of the Council gave a commitment to undertake a review of the initiative after 6 months. The outcomes described and proposals put forward in the report were the result of consultation with councillors, parish councillors, officers, partners and the general public. Over 1,200 responses were received in response to a survey conducted between January and March 2010 (over 500 of whom had attended Area Boards). Additionally over 120 delegates attended a workshop at the Corn Exchange in Devizes on 8 March to consider how the Area Boards may be further improved.

Details of the survey findings were presented from which it was noted that overall the findings were positive. Of the 23 areas examined by the recent survey, 17 received an overall positive endorsement from respondents.

Cllr Thomson guided Cabinet through the proposals contained within the report. An outcome of the review would be to ensure that the Council targeted support appropriately, would further embed the Area Board system throughout the organisation and give Area Boards more responsibility.

In the discussion which ensued, it was pointed out that at the outset, it had been accepted that Area Boards being a new initiative would require an ongoing process of refinement, building on experience gained and responding to community needs and aspirations. With one exception, a number of Councillors spoke very positively about Area Boards.

Cllr Thomson paid tribute to the tremendous work and effort put in by officers and Councillors to make the Area Board system work and this had provided a very good foundation on which to build on.

Cllr Thomson emphasised that Area Boards had provided a much needed forum where real issues affecting people and their local communities could be raised. They also provided the public with the opportunity to raise such issues with senior members and officers present and to hold them to account.

A Local Service Review Scrutiny Task Group had considered the report on the Leader's Review and a report summarising the views expressed by the Task Group was presented. Cllr Desna Allen, Chairman of the Task Group attended Cabinet to answer questions on the Task Group's report and Cllr Thomson responded to the points made by the Task Group.

The Leader reaffirmed her commitment to the Area Board system and referred to the additional investment in them by way of additional funding. Officers were requested to ensure that issues raised through the Area Board system were dealt with more appropriately which in some cases would be to refer them to the relevant Divisional Councillor as constituency issues. She also agreed that work be undertaken to capture the outcomes of Area Boards as a way of measuring their effectiveness.

Resolved:

People

- 1) **That Area Boards and Community Area Managers be encouraged to work with Council services, parish councils and partners such as health services, housing associations, schools, voluntary sector organisations and neighbourhood groups to engage with and document the needs, aspirations and stories of people from different walks of life and backgrounds in the area.**
- 2) **To challenge each Area Board, in order to facilitate the above, to experiment with new ways of broadening public participation during 2010/2011, and prepare a bid for LPSA funding to achieve this.**
- 3) **That the new Community Area Networks should be used for regular consultation to help inform agenda preparation and to gain feedback on the local Forward Plan.**
- 4) **Parish council forums and alliances should be encouraged in each area to discuss and agree items for consideration by the Area Boards.**
- 5) **Area Boards are encouraged to hold informal or consultative meetings around subjects or themes of particular local concern and to facilitate this new approach the number of informal meetings permitted per Area Board be increased to 4 in any year.**

Powers

- 6) **That the Area Boards are the main mechanism for consulting communities at local level and to facilitate this, services are requested to provide good notice of consultations in order to give Area Boards adequate time to programme and deliver consultation activity in the locality.**
- 7) **That the scheme of delegation to officers be amended to require the use of the decision checklist attached as Appendix 3**
- 8) **That Cabinet members be requested to encourage officers to refer matters of only local impact to the Area Boards and town and parish councils so that they can be more fully involved in the decision**

making process.

- 9) **That the Community Issue System be reviewed with a view to achieving better response times and greater clarity regarding outcomes delivered**

Partnership

- 10) **That the revised community area partnership agreement and funding arrangements (Appendix 4) be adopted for 2010/11.**
- 11). **That the Council recognises that partnership arrangements and community planning should best suit local circumstances and that work should continue with WFCAP to negotiate the best solution for that Community Area.**
- 12) **That the Council agrees to negotiate a new three year service level agreement with WfCAP to secure its funding and develop and strengthen the support it provides to partnerships in Wiltshire.**
- 13) **That the Resilient Communities Partnership be invited to develop ways of supporting and strengthening community planning in Wiltshire including commissioning further improvements to the community area profiles.**

Publicity

- 14) **That Area Boards be encouraged to develop closer relationships with the local newspapers by providing copy and news stories in order to raise awareness and encourage participation.**
- 15) **That Area Boards be encouraged to provide copy for local parish magazines and other community newsletters**
- 16) **That an Annual Report be produced each year detailing the successes of the Boards involving people who have benefited from the outcomes**
- 17) **That all Area Boards communications be written in plain language avoiding jargon and acronyms.**

Parishes

- 18) **That parishes be encouraged to form clusters, forums and alliances within (and across) community areas to share knowledge, experience and concerns and to put forward items for consideration by the Area Boards.**
- 19) **That Area Boards communications be sent by email to all parish councillors through the community area network.**

- 20) **That examples of successful collaborations between parish councils and area boards be promoted to demonstrate the successful outcomes that the new arrangements are delivering**
- 21) **That Area Boards are expected to meet at a range of urban and rural venues**
- 22) **That the Area Boards Handbook is revised to set out more clearly the role, rights and responsibilities of parish representatives upon the Area Boards and that this is circulated as a separate information sheet for parish and town councillors.**
- 23) **That Community Area Managers will offer to give presentations and host discussions about the local Area Boards for parish and town councils in the area.**

Implementation of recommendations

- 24) **That the Director Community, Libraries, Heritage & Arts in consultation with the Portfolio Holder for Communities, be authorised to:**
 - (a) **revise the Area Boards Handbook to accommodate the outcome of the Leaders' review and the decisions here adopted;**
 - (b) **ensure that all necessary arrangements are made to implement these recommendations;**
 - (c) **undertake a further review in 12 months to assess how far these recommendations have addressed the concerns raised during the review; and**
 - (d) **produce an annual report setting out the achievements of the Area Boards during 2009/10.**

Reason for Decisions

To address the Leader's desire to further strengthen Wiltshire's Community Area Governance arrangements.

52. Admissions Arrangements

Cllr Grundy presented the report of the Director for Children and Education which had been produced as part of the statutory process for the determination of admission arrangements to maintained schools. As the Council was the statutory admission authority for Voluntary Controlled and Community Schools in its area, the report also detailed the admission arrangements for those schools.

Details of the schemes proposed were presented. Cllr Alan McRae, Portfolio Holder for Schools explained that these arrangements had been considered and approved by the Schools Admissions Forum, following consultation with the schools. He also thanked Bryan Cash, Education Officer (Admissions) for his work on meeting the legislative requirements and simplifying the process. Cabinet was required to approve these documents in order for them to become the admission policy for Wiltshire for 2011/12.

Resolved:

That Cabinet approves and determines:

- (a) The proposed scheme for the co-ordination of admission to secondary schools for 2011/12;**
- (b) The proposed scheme for the co-ordination of admissions to primary schools for 2011/12;**
- (c) The proposed admission arrangements for Voluntary Controlled & Community secondary schools for 2011/12 and**
- (d) The proposed admission arrangements for Voluntary Controlled & Community schools for 2011/12.**

Reason for Decision

The Local Authority has a statutory duty to have a determined admission policy for 2011/12 in place on or before 15 April 2010.

53. Corporate Procurement Strategy 2010-2013

Cllr Noeken presented a report by the Corporate Director of Resources which sought adoption of a new Corporate Procurement Strategy for 2010-2013.

The Strategy incorporated the requirements of the National Procurement Strategy and adoption by Cabinet would ensure that the document and associated action plan were recognised and supported at an executive level. It would also demonstrate the Council's ambition to achieve procurement and commissioning excellence by managing it strategically and ensuring that procurement was clearly aligned with corporate objectives.

Resolved

That Cabinet:

- (i) note the report;**
- (ii) approve the adopt of the Procurement Strategy for 2010-2013 and**

- (iii) **request an Annual Report to review progress in meeting the Action Plan attached to the new strategy.**

Reason for Decision

High level executive approval of the Procurement Strategy for 2010-2013 is required to support the Corporate adoption of the Action Plan and to ensure that it links with the Corporate Plan and Sustainable Communities Strategy.

54. **Commissioning of Sure Start Children's Centres**

Declaration of Interest

Cllr Allison Bucknell declared a personal interest in this item by virtue of being Chairman of the North Wilts and Devizes Portage Service

Cllr Grundy presented a report by the Director for Children and Education, which sought approval to cluster the management of Sure Start Children's Centres in Wiltshire from April 2011. The report also sought approval to extend the availability of specialist provision for children under five with difficulties and disabilities in each hub of the County to provide wider choice for parents between 9am and 3pm all year round.

Wiltshire had 30 Sure Start Children's centres, developed between 2006 and 2010, managed by a range of providers. The majority were managed by voluntary sector organisations (20), whilst school governing bodies (7) and Wiltshire Council (3) accounted for the remainder.

The end of current contracts on 31 March 2011 offered an opportunity to rationalise the management of children's centres. The proposal would also seek to address the existing situation whereby the provision for children under five with difficulties or disabilities was not consistent or equitable throughout the County.

Resolved:

That through the commissioning process, contracts for Sure Start Children's Centres in Wiltshire from April 2011 be offered on the following cluster basis through the tendering process, to provide best value within the available Sure Start Grant and a more cohesive service within the hub structure of the County:

- **Cluster the three children's centres in Trowbridge under one contract**
- **Cluster the three children's centres in Salisbury under one contract**
- **Cluster the three children's centres in Chippenham under one contract**
- **Cluster the two children's centres in Melksham under one contract**

- **Cluster the two children’s centres in Devizes under one contract**
- **Cluster Marlborough with Pewsey under one contract**
- **Cluster Mere, Tisbury and Wilton under one contract**
- **Cluster Wootton Bassett with Cricklade under one contract**
- **Cluster Amesbury with Bulford under one contract**
- **Offer Tidworth, Corsham, Malmesbury, Westbury, Warminster, Downton, Bradford-on-Avon and Calne as single sites, but through the selection process, commissioners will look positively on proposals to combine individual sites and the named clusters together within a hub area of the County; Chippenham hub, Devizes hub, Salisbury hub and Trowbridge hub, in order to align services and**

- **to provide a co-ordinated specialist service for children under five with difficulties and disabilities based in the four Council hub areas of the County with outreach services delivered across the hub area, providing a range of support between 9am and 3 pm, Monday to Friday all year round.**

- **That where possible, for the purpose of stability, experienced staff be retained in the interests of the children and their families.**

Reason for Decision:

The present management of the children’s centres by a range of different providers within a geographical area is not delivering best value for money, and causing delivery partner organisations to work with a large number of different managers within an area. Clustering children’s centres together will provide economy of scale and greater cohesion with partner agencies that work on a hub or County-wide basis.

55.  **Homelessness Strategy**

Cllr Brady presented the first Wiltshire Council Homelessness Strategy for the period 2010-2015 with a view to Cabinet approving the Strategy for onward recommendation for its adoption by Council. The Strategy set out the Council’s plans for the prevention of homelessness and for securing that sufficient accommodation and support would be available for people who become homeless or who were at risk of becoming so.

All local authorities had a duty to produce a homelessness strategy and the Strategy proposed built on the achievements of the former Wiltshire district council strategies and set a framework for the continued improvement of homelessness services. The Strategy would be revised on an annual basis with an annual update to Cabinet.

Cllr Brady congratulated Angie Rawlins, Head of Housing Options and her team on producing the Strategy and for securing the Council being ranked in the top quartile of Councils for actions taken to prevent households from becoming homeless.

A discussion ensued on the extremely low figure quoted in the Strategy on the rough sleeper counts noting that the figures were more than likely not representative of the true figure. It was noted that the figures were taken from a survey conducted in accordance with Government guidelines. Cllr Brady added that the Council was not complacent and was doing all it could in conjunction with partners to identify and assist those considered vulnerable. The Strategy would be updated to include the latest information as at the time of presentation to Council.

Resolved:

That Cabinet recommends that full council approve the updated homelessness strategy 2010/15 and agrees the implementation of the homelessness strategy action plan.

Reason for Decision

The legal requirement imposed upon all local authorities by the Homelessness Act 2002. It also encourages the continued partnership working with other statutory bodies and voluntary sectors whose work helps prevent homelessness or meet the needs of people who have experienced homelessness.

56. **Housing PFI**

(c) **Housing PFI - Update**

Councillor Brady presented the report of the Service Director, Housing which updated Cabinet on the Housing PFI scheme.

It was noted that the project had been further delayed, due to land issues and ongoing commercial negotiations with Silbury Housing Limited (SHL) such that it would no longer be possible to sign the contract in March. The revised date would be dependent on how quickly the land issues could be resolved and commercial agreements reached with SHL which potentially, could take until the summer.

The report provided the latest position on the land issues, the project agreement, the financial business case, value for money aspects, Persimmon land, affordability and phase 2 of the scheme.

Resolved:

That the report be noted.

(d) **Appropriation of Rights - Broad Street, Trowbridge & Paxcroft Mead Hilperton (report to follow)**

Consideration of this item was deferred until the next meeting on 20 April 2010.

57. **Planning Enforcement Strategy**

Cllr Brady presented a report which sought approval of a Planning Enforcement Strategy, details of which were presented. The Strategy would replace those of the former Wiltshire district Councils and set out service standards and priorities. It also explained the purpose of planning enforcement and would ensure that resources were used efficiently and effectively to deal with what were regarded as the most serious breaches of planning control in a robust and proportionate manner.

Adoption of the Strategy was previously deferred by Cabinet at its meeting on 22 September 2009 in order to allow for consultation with members of this Council and town and parish councils. Accordingly, a consultation exercise took place with Councillors, town and parish councillors and a random sample of users of the enforcement service and took the form of extremely well attended seminars, questionnaires and e-consultation.

The results of the consultation exercise had been analysed and where appropriate, incorporated into the Strategy.

A comment was made that a change in Government following the General Election might have implications on the Strategy and it was considered prudent to bear this in mind in the context of circulating the leaflet proposed to explain and promote the Strategy.

Resolved:

That Cabinet adopt the Planning Enforcement Strategy as presented.

Reason for Decision

To ensure a high quality, cost effective planning enforcement function with consistent, measurable performance, is delivered across the authority.

58. **Anti-Money Laundering Policy**

Cllr de Rhe Philippe presented a report which sought approval of a new Anti-Money Laundering Policy, details of which were presented. The Policy was designed to ensure the Council had an appropriate and proportionate set of

measures to comply with legislation and regulation in this field and would protect its staff and members.

Resolved:

That Cabinet approves the Anti-Money Laundering Policy supplied at Appendix 1 of the report presented and its communication to all Council staff and members.

Reason for Decision

To ensure that the Council complies with its legal obligations and regulatory responsibilities in respect of money laundering.

59. **Places of Change Funding for Redevelopment - Damascus House and Emmaus House Hostel, Salisbury**

Cllr Brady presented a report of the Service Director, Housing regarding the redevelopment of the above mentioned premises and sought approval for the signing of an agreement between Wiltshire Council and the Homes and Communities Agency (HCA).

The Council had been successful in securing funding of £1.2million from the Places of Change programme of the Homes & Communities Agency (HCA), to assist with funding the redevelopment of a direct access hostel and care facility in Salisbury. Cllr Brady amended the recommendation to reflect that the contract sum had increased.

The redevelopment would be managed by one of the Council's partner Registered Social Landlords GreenSquare. The proposal would involve the Council signing a funding agreement with HCA, and to pass on the funding of from Places of Change to GreenSquare to enable the draw down of funds by 31 March 2010.

Resolved:

That Cabinet approves the signing of the agreement between Wiltshire Council and Homes and Communities Agency. That Cabinet approves the transfer of the Places of Change funding of £1.5m and any further sums allocated by Places of Change to the Council for the Damascus House/Emmaus House project to GreenSquare to enable funds to be drawn down, and contracts exchanged by 31/3/10.

Reason for Decision

The first tranche of the Places of Change funding must be drawn down by Wiltshire Council by 31/3/10. Failure to do so will result in funding being withdrawn and the redevelopment project will no longer be financially viable.

GreenSquare cannot enter into any contracts on the build programme until they have the grant funding secured.

60. **South West UK Brussels Office - TUPE Transfer of Staff to Wiltshire Council**

The Council has been a member of the South West UK Brussels Office (SWUKBO) Partnership since its inception in 2001. As a trusted and steadfast member of that Partnership, partners had requested that this Council takes on the Secretariat responsibilities of the Partnership involving the TUPE transfer of staff from Somerset County Council.

Cllr John Brady presented a report by the Director of Economy & Enterprise which explained how this could be achieved and sought approval of the TUPE transfer of SWUKBO staff from Somerset County Council to Wiltshire Council.

Resolved:

- (a) That Cabinet agrees to support the TUPE transfer of South West UK Brussels Office staff from Somerset County Council to Wiltshire Council for a period of three years starting 1 April 2010 subject to confirmation that a sufficient number of signatories to the Supplemental Agreement relating to the SWUKBO developed by Wiltshire Council have been secured.**
- (b) In the event that a sufficient number of partner signatories to the Supplemental Agreement have not been secured by the date of the Cabinet meeting, Cabinet authorises the Chief Executive in consultation with the Director of Economy & Enterprise to complete the process of TUPE transfer of SWUKBO staff subject to the required level of sign up by partners being achieved.**

Reason for Decision

The Partnership Agreement for the South West specifies that the SWUKBO Secretariat responsibilities should rotate around the South West partners and as a trusted and steadfast member of the SWUKBO Partnership with the appropriate level of management capacity, Wiltshire Council has been invited to take on those responsibilities.

A management fee would be payable to Wiltshire Council to take on this role. The new arrangement would also enable Wiltshire Council to develop a closer working relationship with SWUKBO and develop stronger relationships with the European institutions and networks including the European Parliament, Commission and Committee of the Regions with the benefit of early information regarding the availability of European funding opportunities to support the delivery of the strategic objectives of the Council and its partners. In the last three years, over £10 million of European funding has been secured for projects

in Wiltshire; Wiltshire Council's membership of the SWUKBO Partnership has been a contributory factor to this success

61. **🔑Municipal Waste Disposal (Landfill Diversion Contract) - PART I**

Cllr Sturgis presented the report of the Corporate Director, Economic Development, Planning and Housing on municipal waste disposal addressing the Landfill Diversion Contract.

The purpose of this report was to update Cabinet on the progress with negotiations with the preferred tenderer, recommend the awarding of a contract to the preferred tenderer subject to the completion of outstanding details to the Council's satisfaction, and to recommend authorisation of the Chief Executive to complete the certification requirements of the Local Government (Contracts) Act 1997 in respect of the contract.

Further details including information classified as exempt were received and considered in Part II of the meeting, minute no. 64 refers.

62. **Urgent Items**

There was no urgent business.

63. **Exclusion of Press and Public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the following item of business because it was likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 3 and paragraphs 3 & 5 respectively 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.

64. **🔑Municipal Waste Management (Landfill Diversion Contract) - Part II**

Cllr Sturgis presented a confidential report of the Corporate Director, Economic Development, Planning and Housing on municipal waste disposal addressing the Landfill Diversion Contract.

Resolved

That the Cabinet:

- (a) authorises the Service Director Waste Management to conclude negotiation of the proposed contract with Hills Waste Solutions Limited on terms to be approved by the Leader of the Cabinet in**

consultation with the Cabinet Member for Waste, Property and Environment and the Cabinet Member for Finance, Performance and Risk after receiving advice from the Solicitor to the Council, the Chief Finance Officer and the Director of Neighbourhood and Planning; and

- (b) authorises the Chief Executive to complete the certification requirements of the Local Government (Contracts) Act 1997 in respect of the proposed contract (including the direct agreement with the funders) subject to its award in accordance with its proposal set out in paragraph (a) above.

Reason for Proposal

The Council could incur substantial additional costs if the targets for diversion of waste from landfill are not achieved. Proposing the signing of the contract with Hills for the delivery of 60,000 tonnes each year of MSW to the proposed MBT plant at Westbury and the subsequent delivery of at least 20,000 tonnes each year of SRF to an energy recovery plant reduces this risk.

65. **Development of the ICT Transformation Programme**

Cllr Noeken presented the confidential report of the Corporate Director, Resources regarding the development of the ICT Transformation Programme.

Resolved

That Cabinet:

- (a) note that the Legal advice received indicated that a variation to the existing Steria contract is not possible and therefore the current contract and that notice of termination has been given to take effect from 13 January 2011;
- (b) agree that transformation of ICT services is required in order to deliver the Workplace Transformation Programme and improve ICT support provided to the wider organisation, partners, members and customers;
- (c) agree that in order to deliver b) above within the timeframe set by a) Option 3 In-house provision of services is taken forward within the current approved ICT budget for 2010/11 of £20.4M and
- (d) agree that appropriate project governance is formed, including the Cabinet member for Resources to monitor and direct progress of the project and report at least quarterly to Cabinet with additional briefings if required, to Cabinet Liaison.

Reason for Decisions

To advise Cabinet of the advice received, options considered and costs involved with this project. Full reason as detailed in the confidential report presented.

(Duration of meeting: 10.30am – 1.30pm)

<p>These decisions were published on the 29 March 2010 and will come into force on 8 April 2010.</p>
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