

CABINET

DRAFT MINUTES OF THE CABINET MEETING HELD ON 12 SEPTEMBER 2017 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Baroness Scott of Bybrook OBE (Chairman), Cllr John Thomson (Vice Chairman), Cllr Richard Clewer, Cllr Toby Sturgis, Cllr Bridget Wayman, Cllr Philip Whitehead and Cllr Jerry Wickham

Also Present:

Cllr Clare Cape, Cllr Pauline Church, Cllr Christine Crisp, Cllr Jane Davies, Cllr Tony Deane, Cllr Stewart Dobson, Cllr Richard Gamble, Cllr Darren Henry, Cllr Alan Hill, Cllr Ruth Hopkinson, Cllr Atiquil Hoque, Cllr David Jenkins, Cllr Bob Jones MBE, Cllr Johnny Kidney, Cllr Gordon King, Cllr Edward Kirk, Cllr Jacqui Lay, Cllr Horace Prickett, Cllr Tom Rounds, Cllr Jonathon Seed, Cllr James Sheppard, Cllr Ian Thorn, Cllr Tony Trotman, Cllr Philip Whalley, Cllr Stuart Wheeler, Cllr Roy While and Cllr Graham Wright

102 Apologies

Apologies were received from Cabinet Members Chuck Berry and Laura Mayes. Councillor Jon Hubbard, Chair of the Childrens' Select Committee also gave his apologies.

103 Minutes of the previous meeting

The minutes of the meeting held on 3 July 2017 were presented.

Resolved

To approve as a correct record and sign the minutes of the meeting held on 3 July 2017

104 Minutes - Capital Assets Committee

The minutes of the meeting held on 3 July 2017 were presented.

Resolved

To note the minutes of the meeting held on 3 July 2017

105 Declarations of Interest

There were no declarations of interest.

106 **Leader's announcements**

The Leader made the following announcements:

That the route for the £1.6 billion Stonehenge Tunnel, a key part of the 'South West expressway', had today been published by Transport Secretary Chris Grayling. It was noted that this 'expressway' would upgrade this key route and improve journey times for millions of people.

Furthermore that this major investment would support economic growth and tourism in an area where congestion and slow journeys have long had a negative impact on the economy. The tunnel at Stonehenge would remove the traffic blight on local communities such as Shrewton and reconnect the two halves of the 6,500 acre World Heritage Site which is currently split by the road.

The Leader welcomed the announcement of the Preferred Route, and stated that the council would continue to work with government and all its partners and local communities to deliver this major improvement scheme.

107 **Public participation and Questions from Councillors**

The Leader explained her approach to public participation and stated that she would take any representations under the item to which it related.

108 **Performance Management and Risk Outturn Report: Q1 2017/18**

Councillor Philip Whitehead presented the report which provided an update on the progress against the stated aims in the council's Business Plan. It also included measures and activities reported on the [Citizens' Dashboard](#) and other key measures, as well as the latest version of the council's strategic risk register. The report covered the period April to June 2017.

In presenting the report, Councillor Whitehead highlighted the areas of good performance and those that required some attention; he also explained the new approach to the classification of risk that it was hoped would enable better ownership of higher risk areas.

Councillor Whitehead expressed his significant concern as to the negative impact on the Wiltshire and Swindon arising from the unduly negative picture painted by the recent Channel 4 programme following police in the area.

Following a short debate, the meeting;

Resolved

To note updates and outturns

1. **Against the measures and activities ascribed against the council's key outcomes; and**
2. **To the strategic risk register.**

Reason for Decision:

The current performance framework compiles and monitors outturns in relation to the outcomes laid out in Wiltshire Council's Business Plan 2013-17. 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.

109 **Revenue and Capital Budget Monitoring report**

Councillor Philip Whitehead presented the report which advised members of the revenue and capital budget monitoring position as at the end of period 4 (end of July 2017) for the financial year 2017/2018 with suggested actions as appropriate; informed Cabinet on the position of the 2017/2018 capital programme, as at Period 4 (31 July 2017), including highlighting budget changes. It was noted that the report was the first combined revenue and capital report.

Issues highlighted in the course of the presentation and discussion included: that a £4.4m overspend was currently predicted, but that this was lower than the predicted overspend of £10m at the same time last year which itself was addressed by management actions; whether it was possible to do more to financially plan for unpredicted events; and that sometimes decisions are made in year, for the right reasons, that have a negative impact on the budget previously planned for.

Following a short debate, it was;

Resolved

to note the outcome of the period 4 (end of July) budget monitoring and to approve all budget amendments outlined in the report.

To note the budget movements undertaken to the capital programme shown in appendices D and E and to also note the reprogramming of the capital £23.620 million between 2017/2018 and 2018/2019.

Reasons for Decision:

To inform effective decision making and ensure a sound financial control environment.

To inform Cabinet of the position of the 2017/2018 capital programme as at Period 4 (31 July 2017), including highlighting any budget changes

110 **Treasury Management Report Quarter 1**

Councillor Philip Whitehead presented the report which summarised the annual performance against the agreed Treasury Management Strategy.

In response to a question from Councillor Ian Thorn, Councillor Whitehead stated that he would be happy for future Treasury Management reports to be considered by the Financial Planning Task Group if they so wished.

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 2017/2018.

111 **Business Rates Discretionary Relief Scheme**

Councillor Philip Whitehead presented the report which sought agreement on proposals to amend the Business Rate Discretionary Relief Policy in order to award additional funding to those ratepayers who are facing an increase in their bills following revaluation with effect from April 2017.

Issues highlighted in the course of the presentation and discussion included: that the scheme had no impact on discretionary relief for village halls; how the scheme was designed so that chain establishments did not benefit; and the number of establishments that would be positively affected.

Following a short debate, the meeting;

Resolved

To agree changes to the discretionary rate reduction scheme set out at section 6 of this report, with effect from April 2017.

Reason for Decision:

On 8 March 2017 the Chancellor announced that new schemes of relief would be made available to those ratepayers facing large increases as a result of revaluation. He set out three schemes and how they would be funded over four years from 2017/18. The Chancellor stated that local government is best placed to determine how this fund should be targeted and administered to support those businesses that are in greatest need.

This report explains the three schemes, how they will integrate with the existing discretionary rate relief schemes and how the schemes are funded. The report goes onto explain the criteria for awarding the reliefs, the process to ensure the 'best-buy' for the customer and how those funds will be directed.

The Government's intention is that every billing authority in England will identify recipients of the new reliefs and be provided with a share of the £300 million to support their local businesses and will be administered through existing discretionary relief powers under section 47 of the Local Government Finance Act 1988. The proposal sets out the criteria and process by which new relief will be awarded.

112 **Impact of Adult Care Charging Policy**

Councillor Jerry Wickham presented the report which had been prepared to provide the Cabinet with an update on the implementation and impact of the Adult Care Charging Policy (the charging policy) which came into effect in August 2016, including the Council's response to the report commissioned from Healthwatch into the impact of the implementation of the Charging Policy. The report also provided a summary of the actual and projected financial impact of this new policy based on data collected between August 2016 and the beginning of July 2017.

Councillor Wickham also introduced Sandie Lewis from Healthwatch Wiltshire to provide further information on the work undertaken on the matter.

In presenting the report, Councillor Wickham highlighted the issues that were identified with the implementation of the policy, the changes made following its review, and stated that he had apologised to the people who had been affected by the changes.

Issues highlighted in the course of the presentation and debate included: how the Health Select Committee had been involved in the matter; that the Council had been successful in helping clients maximise the benefits they were entitled to; and that the lessons learnt from the review of the implementation of the policy were being shared in other areas of the council's work.

Resolved

To note the implementation of the new Charging Policy; Healthwatch Wiltshire's review of the implementation; and the actions taken by the Council in respect of that review.

Reason for Decision:

This paper has been prepared for the Cabinet following the recommendation of the Health Select Committee.

113 **Integrated Urgent Care Procurement**

Councillor Jerry Wickham presented the report which provided an update on the joint procurement process between Wiltshire Council and Wiltshire CCG, in partnership with B&NES CCG and Swindon CCG for integrated urgent care services; and asked Cabinet to delegate the authority to award the contract.

Following a short debate, the meeting;

Resolved

- a) To note the update of the joint commissioning exercise with Wiltshire Council and Wiltshire CCG, in partnership with B&NES CCG and Swindon CCG, of urgent care services.**
- b) To delegate the authority, in relation to the services being commissioned by Wiltshire Council (as set out in paragraph 13 below):**
 - i. To approve the terms of the contract and all associated documents within the parameters set out in this report; and**
 - ii. To award and enter into the contract and all associated documents, to the Corporate Director for Adult Social Care in consultation with the Cabinet Member for or Health (including Public Health) and Adult Social Care.**

114 User Engagement with Adult Care

Councillor Jerry Wickham presented the report which informed the Cabinet of current contract and funding arrangements that the Council has with User Led Organisations and Healthwatch Wiltshire to engage with customers on adult care services; and sought the Cabinet's view of the options set out below to commission the statutory Healthwatch function and the non-statutory customer engagement functions provided by User Led Organisations (ULOs) and to agree an option.

In presenting the report, Councillor Wickham gave a summary of the position of the contracts, the views expressed by the ULOs, and stated that he wished the matter to be deferred to enable further constructive discussion with partners so that an approach could be agreed.

At the invitation of the Leader, Clare Evans MBE, Chair of the Wiltshire Centre for Independent Living, addressed the meeting and stated that: the valuable work of the ULOs had given the disabled communities the confidence to make their views known, and in doing so, worked with the council over a number of years to improve policy and practice. Furthermore, she stressed the ULOs commitment to working with the council recognising the need to address financial constraints.

Councillor Crisp, Chair of the Health Select Committee, gave an overview of the debate previously held on the matter, and stated that the Committee broadly welcomed the further opportunity given to the ULOs to discuss the matter with the council and its partners.

Resolved

- 1. To defer consideration of the item until the November 2017 meeting of Cabinet on the proviso that constructive dialogue takes place between commissioners in both Wiltshire Council and Wiltshire CCG together with the three User-Led Organisations (ULO); and**
- 2. That the current contract is extended until 1 June 2018 and the specification for the new arrangements are developed in readiness for a tender to be issued in late November 2017**

Reason for Decision

Commissioners recognise that there is scope to remove duplication and that are several activities currently funded in contracts that could be removed from future service specifications to achieve savings and provide a more focused service.

115 Freehold of asset to be sold

Councillor Toby Sturgis presented the report which asked Cabinet to declare that freehold interest of the 5 assets could be sold by the Council.

In response to representations from Councillor Stewart Dobson, Councillor Mervyn Hall – Mayor of Marlborough, and Ian Mellor – from the Marlborough Area Neighbourhood Plan Group, it was agreed that the decision to delegate authority to dispose of Site 2, St Peter's School, would be subject to officers working with the local community to develop guidance for potential developers of the site.

In response to a question from Councillor Ian Thorn, it was confirmed that none of the assets under consideration for disposal were on the Community Assets register, and that officers would circulate a briefing note to all Councillors to make them aware of the process and the list of asset already identified.

Resolved

- i) To confirm that the freehold interest of the 5 assets, as listed below, can be sold by the Council:**
 - a. Site 1 - Trowbridge – Land at The Halve**
 - b. Site 2 - Marlborough – St Peter's School**
 - c. Site 3 - Westbury – Part of Coulston Allotments**
 - d. Site 4 - Macklin Road, Salisbury – Land used as garden extension**

e. Site 5 - Devizes – Land at John Rennie Close

- ii) **To confirm the approach set out in paragraph 8 of the report.**
- iii) **To authorise the Associate Director for People and Business to dispose of freehold interest of the assets.**
- iv) **That the delegation to the Associate Director, as stated in iii), in relation to Site 2 - Malborough – St Peter’s School, is subject to the involvement of the community in the development of planning information for potential developers of the site.**

Reason for Decision:

To confirm the freehold interests of the assets can be sold in order to generate capital receipts in support of the Council’s capital programme.

116 Amendments to the Wiltshire Local Transport Plan (LTP) 2011-2026 – Car Parking Strategy

Councillor Bridget Wayman presented the report which asked Cabinet to consider and agree possible car parking charging options for inclusion in a subsequent public consultation exercise.

In presenting the report, Councillor Wayman highlighted: the history of parking charging in the area; how the revenue generated is used to support subsidies for rural bus routes; the opportunities to pilot technology to support staff and car park users; the plans for consultation, and how some the decision had already been made not to pursue some options such as charging for blue badges and levying charges in the evening.

Issues highlighted in the course of the presentation and discussion included: the concerns expressed by some councillors that the need for charging be balanced against the need to encourage visitors to towns to promote economic regeneration; whether schools would be willing to pay for some static cameras; how best to engage with the various communities and interest groups; and that the Cabinet had not taken a position on preferred options.

Following a short debate, the meeting;

Resolved

- (i) To note the technology and operational improvement proposals outlined in this report.**
- (ii) To confirm that all seven proposals for car parking charging options be included in a public consultation exercise.**

- (iii) **To approve the suggested format for the public consultation exercise as set out in paragraphs 49 to 54.**
- (iv) **To agree that, subject to any responses received during the public consultation, Option 1 is implemented as soon as possible through a variation notice to the Traffic Regulation Orders and delegates authority to the Associate Director for Highways and Transport in consultation with the Cabinet Member for Highways, Transport and Waste to consider any suggestions from respondents for alternative ways in which the estimated income increase from the option could be met by other means, and, with the advice of legal and parking services, to negotiate and agree any resulting legal agreements.**

Reason for Decision:

To seek comments and approval from cabinet to undertake consultation on proposed parking charging options to address the identified financial, technology and operational pressures faced by Parking Services.

117 **Wiltshire Local Development Scheme update**

Councillor Toby Sturgis presented the report which sought Cabinet's approval for a revised Local Development Scheme (LDS) for Wiltshire to ensure it is up to date and sets out the Council's priorities for development plan document preparation in Wiltshire over the period 2017 to 2020.

In presenting the report, Councillor Sturgis highlighted the changes that were being made, and the work that would be undertaken in line with the timetable. In moving the recommendation stated that he would like an additional resolution that reflected the requirement for Swindon to have established a five-year land supply as a prerequisite for any joint agreement.

Councillor Gamble in referring to the list of Neighbourhood Plans in the Local Development Scheme, expressed concern about the weight to be given to emerging neighbourhood plans in the preparation of the Local Plan that had not reached the Regulation 16 stage and the need for engagement with all neighbourhood plan groups, whatever stage they had reached. Councillor Sturgis stated that he did not support an extension of the list of Neighbourhood Plan Schemes to include those that were not further developed but that neighbourhood planning groups would be consulted on the preparation of the plans and their views taken into account.

In response to a question from Francis Morland, Councillor Sturgis stated that the issue of the publication of the SHMAA and FEMAA documents, considered in draft in part ii of the meeting, will be considered at the joint meeting of the two authorities on the 18 September at which time a publication date will be decided.

Resolved

- (i) To approve the Local Development Scheme as set out at Appendix 1.**
- (ii) To authorise the Associate Director for Economic Development and Planning, in consultation with the Cabinet Member for Spatial Planning, Development Management and Property, to make minor amendments to the Local Development Scheme in the interests of clarity and accuracy before publishing it on the Council's website.**
- (iii) To delegate authority to the Associate Director for Economic Development and Planning, in consultation with the Associate Director for Finance and Cabinet Members for 'Spatial Planning, Development Management and Property' and 'Finance' to undertake subsequent reviews and updates to the LDS with any significant modifications being referred to Cabinet as appropriate.**
- (iv) To agree that a strategy for emergency stopping places for Gypsies and Travellers should be undertaken as part of delivering the approved Wiltshire Traveller Strategy.**
- (v) To reaffirm its commitment to joint working with Swindon Borough Council, however given the Council's responsibilities to support the interests of Wiltshire's communities, that Cabinet will need to be satisfied that plans are in place to maintain a deliverable 5 year housing land supply in both authority areas before approving the plans.**

118 Chippenham Station Hub update

The Leader presented the report which provided an update on project progress and the main considerations concerning the next phase of project development: The development of a Full Business Case (FBC) and submission of a planning application.

In presenting the report, the Leader highlighted the history of the project, the next steps including the risks and benefits of the project.

In response to representations made by Councillor Clare Cape, the Leader stated that whilst the project would be beneficial for Chippenham overall, she agreed that some issues arising from the works, such as parking and traffic, would need to be considered.

In response to a question from Councillor Ian Thorn, Alistair Cunningham – Corporate Director, confirmed that in accordance with normal guidance to developers, those responsible for delivering the project were in pre-application discussions with the planning authority.

Following a short debate, the meeting;

Resolved

- 1. To note the progress of the Chippenham Station Hub project.**
- 2. To note the identified risks involved with progressing the project.**
- 3. To approve the development and delivery of the Full Business Case and Planning Application using Department for Transport retained funding.**

Reason for Decision:

To ensure that Wiltshire Council maximizes the benefits and opportunities associated with the Growth Deal programme in terms of delivering key infrastructure projects and building Wiltshire's economy whilst managing the financial implications and associated risks to the organisation.

119 Urgent Items

There were no urgent items.

120 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 outweighs the public interest in disclosing the information to the public.

Reason for taking the items in private:

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

A representation was received as to why the item, Swindon and Wiltshire Strategic Housing Market Assessment (SHMAA) and Functional Economic Market Area Assessment (FEMAA), should not be held in private. The response is given in the minute of the relevant item below.

121 Chippenham Station Hub update (Part ii)

The information contained in the additional paper was noted.

122 Swindon and Wiltshire Strategic Housing Market Assessment (SHMAA) and Functional Economic Market Area Assessment (FEMAA)

Councillor Toby Sturgis presented the report which asked Cabinet: to consider the draft Strategic Housing Market Assessment and Functional Economic Market Area Assessment; and to agree to their publication as part of the evidence base to inform the review of the Wiltshire Core Strategy.

Prior to consideration of the item, and in a response to a representation from a member of the public, the council's Monitoring Officer confirmed: that the paper had been made exempt from publication due to the documents being in draft form; that this was done in the public interest and in the interest of Wiltshire Council and Swindon Borough Council; and that the full documentation should be published in October once it had been agreed with Swindon Borough Council.

Following a short debate, the meeting;

Resolved

- i) To approve the draft Swindon and Wiltshire Strategic Housing Market Assessment and Functional Economic Market Area Assessment for the purposes of evidence for the review of the Wiltshire Core Strategy.**
- ii) To publish the Swindon and Wiltshire Strategic Housing Market Assessment and Functional Economic Area Assessment on an agreed date with Swindon Borough Council, with a clear explanation of their status in the plan making process and planning system.**
- iii) To delegate authority to the Associate Director for Economic Development and Planning in consultation with the Cabinet Member for Spatial Planning, Development Management and Property and Swindon Borough Council to determine the agreed date for publication.**

Reason for Decision:

To ensure that the Council can make timely progress on the proposed review of the Wiltshire Core Strategy.

123 Housing Repairs Contract Extensions

Councillor Richard Clewer presented the report which sought to gain approval to extend four contracts for planned and responsive repairs services to council housing stock up to March 2020. This would enable sufficient time to fully review current services, agree a new model for service provision and implement the new proposals.

Following a short debate, the meeting;

Resolved

That approval be delegated to the Associate Director responsible for housing in consultation with the Cabinet Member for Economic Development and Housing to agree contract extensions up to March 2020 for the four contracts delivering the following services;

- Planned and cyclical maintenance**
- Planned and responsive gas works**
- Planned and responsive electrical works**
- Responsive repairs and voids works**

Reason for Decision:

The responsive repairs and planned maintenance services for council housing stock are currently under review. A proposal to reshape services was approved in principle by Cabinet in March 2017 subject to a further report to Cabinet to confirm the business case for the revised proposal.

The current contracts are due to end in March 2018. All four contracts were awarded with the option to extend. As more time is required to conclude the business case to reshape services and report back to Cabinet, it is proposed that the current contracts are all extended to enable sufficient time to fully consider the implications of the service change proposals.

(Duration of meeting: 9.30 am - 12.23 pm)

These decisions were published, earlier, on the 14 September 2017 and will come into force on 22 September 2017

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