

## CABINET


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MINUTES of a MEETING held in COUNCIL CHAMBER - COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE, BA14 0RD on Tuesday, 17 January 2012.

Cllr John Brady	Cabinet Member for Finance Performance and Risk
Cllr Lionel Grundy OBE	Cabinet Member for Children's Services
Cllr Keith Humphries	Cabinet Member for Public Health and Protection Services
Cllr John Noeken	Cabinet Member for Resources
Cllr Fleur de Rhe-Philipe	Cabinet Member for Economic Development and Strategic Planning
Cllr Jane Scott OBE	Leader of the Council
Cllr Toby Sturgis	Cabinet Member for Waste, Property Environment and Development Control Services
Cllr John Thomson	Deputy Leader and Cabinet Member for Adult Care, Communities and Housing
Cllr Dick Tonge	Cabinet Member for Highways and Transport
Cllr Stuart Wheeler	Cabinet Member for Campus Development and Culture (including Leisure, Sport and Libraries)

Also in Attendance: Cllr Allison Bucknell, Cllr Chris Caswill, Cllr Christine Crisp, Cllr Peter Doyle, Cllr Richard Gamble, Cllr Jon Hubbard, Cllr David Jenkins, Cllr Julian Johnson, Cllr Jacqui Lay, Cllr Howard Marshall, Cllr Laura Mayes, Cllr Jemima Milton, Cllr Francis Morland, Cllr Christopher Newbury, Cllr Jeffrey Ody, Cllr Jeff Osborn, Cllr Judy Rooke, Cllr Anthony Trotman and Cllr Christopher Williams, Cllr Mark Connolly

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

### 1. **Apologies**

An apology for lateness was received from Cllr Dick Tonge, Cabinet member for Highways and Transport who arrived at 10.45 am.

### 2. **Minutes of the previous meeting**

The minutes of the meeting held on 13 December 2011 were presented.

### **Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 13 December 2011.**

### **3. Declarations of Interest**

The Leader referred all Councillors present to the previously circulated letter from the Monitoring Officer which gave detailed advice on interests in so far as the item on the Wiltshire and Swindon Waste Site Allocations DPD was concerned (minute no. 7 refers).

Cllr Morland declared a personal interest in above mentioned item by virtue of him being a member of Dilton Marsh and Heywood Parish Councils and Westbury Town Council.

### **4. Leader's announcements**

With the Leader's permission, Cllr John Thomson, Cabinet member for Adult Care, Communities and Housing made an announcement concerning the Housing PFI project.

Cllr Thomson was delighted to announce that the contract for the Council's housing PFI project had been signed on 21 December 2012, which was less than a week after the Council received final Government approval of its business case. He explained that this was the only such project in the South West and was unique in using private sector land to deliver around half of the affordable homes.

In addition to providing around 350 new homes and substantial investment into Wiltshire, the PFI would also create at least 40 jobs and training places. Building work had already started on the first phase of 242 homes to be provided in Melksham, Trowbridge, Warminster and Westbury, with the first residents due to move in by the summer. A second phase of around 100 additional homes would now be progressed with the Council's partners. The Council would have 100% nomination rights for 20 years through its Homes 4 Wiltshire register, continuing at 75% once the contract ends.

Cllr Thomson thanked all those Council members and officers, past and present and the Council's partners at Sarsen Housing Association and Persimmon Homes who had been involved in delivering this innovative and necessary project. Cllr Thomson particularly thanked Chris Trowell, the Council's PFI Project Manager and Mike Swabey, the Council's Strategic Project Manager for their unstinting hard work and having done a brilliant job to bring the project to fruition. Councillors would be kept informed of progress.

### **5. Public participation**

The Leader acknowledged receipt of written representations from members of the public in respect of the Wiltshire and Swindon Waste Site Allocations DPD (minute no. 7 refers) and the proposed closure of Urchfont Manor (minute no. 9 refers) which would be dealt with on consideration of those items. She

explained that as usual, she would be happy for any members of the public present to contribute their views on any items on the agenda.

## 6. **Telecare Monitoring Service**

Cllr John Thomson, Cabinet Member for Adult Care, Communities and Housing, presented a report which sought approval to close the Careconnect operation and TUPE transfer the Careconnect staff to the new provider of telecare call monitoring, Wiltshire Medical Services (WMS). Approval was also sought to transfer the remaining out of hours services that were not related to telecare to the Council's interim telephony provider until a strategic solution could be procured in 2012.

WMS would provide Telecare (assistive technology) which included a wide range of electronic equipment that could fulfil a wide range of functions. In the event of a customer triggering an alert, WMS would be able to offer either a health or social care response. Cllr Thomson explained the many benefits of Telecare which included increasing the safety and confidence of customers enabling them to live independently in their own homes for as long as possible; delaying longterm admission to hospital or care home facility and reducing the cost of care without reducing the quality of care.

Andrew Bailey and Andrew Scott from Tunstall Telecom, manufacturers of the Telecare lifeline service gave a demonstration of the electronic equipment and what would happen in the event of an alert being triggered.

Cllr Thomson acknowledged the excellent service provided by Careconnect and emphasised that the proposal to now award the contract to WMS bore no reflection on the performance of Careconnect. However, Careconnect did not have sufficient staff or the correct equipment to support the significant expansion envisaged in telecare provision under the Help to Live at Home strategy which would integrate health and social care.

### **Resolved:**

- a) **To decommission Careconnect and transfer the telecare monitoring service to another provider.**
- b) **To transfer the non-social care out-of-hours call handling services provided by Careconnect to the Council's existing out of hours telephony provider in an interim basis.**
- c) **To commission Wiltshire Medical Services to provide telecare monitoring for current Careconnect customers and future telecare customers in Wiltshire.**
- d) **Further to a decision by Cabinet in July 2011 to commence a consultation process, which has now concluded, to transfer**

**Careconnect staff under T.U.P.E. to Wiltshire Medical Services (or implement redundancies if relevant).**

- e) To commission the Council's interim telephony provider to take over the non-social care out of hours services on an interim basis pending the completion of the Council's review of telephony services that is being undertaken currently. (This service is already being provided for the Council for various aspect of the Council's business). The Corporate Procurement Unit to seek exemption from competition for the interim.**
- f) To recognise the excellent work undertaken by Careconnect over the years in supporting people and to extend thanks to existing and past staff for their contributions.**

Reason for decisions

Careconnect does not have sufficient staff or the correct equipment to support the significant expansion envisaged in telecare provision under the Help to Live at Home strategy.

For the past 18 months the Council has been piloting a telecare response service utilising Wiltshire Medical Services, which has the expertise and experience to provide these services and to grow with demand in the future. It also will be able to link the social care and health out of hours response services for the benefit of customers. The remaining minority out of hours services that Careconnect also provide do not represent a viable business in their own right and therefore also need to be transferred elsewhere.

**7. Wiltshire & Swindon Waste Site Allocations DPD - Proposed Submission Arrangements** 

Cllr Morland declared a personal interest in this item by virtue of him being a member of Dilton Marsh and Heywood Parish Councils and Westbury Town Council.

Public Participation

Written representations were received from the following members of the public in the form of questions and statements, details of which, together with responses were circulated:

Mrs Virginia Neal, Clerk to Chitterne Parish Council  
Adele Martin, Ludgershall & Campaigner of No2Waste  
Mr Martyn Harvey, No2Waste group  
Mr and Mrs Greenwood on behalf of the NO2Waste Campaign Group

Mrs Nicky Bamford  
Mrs Anne Henshaw, North Wiltshire and Swindon CPRE

Verbal representations were also made at the meeting by:

Mrs Virginia Neal  
Mr and Mrs Greenwood  
Mrs Anne Henshaw  
Mr RJ Parnham

Cllr Fleur de Rhe-Philipe, Cabinet Member for Economic Development and Strategic Planning, presented a report on the draft Wiltshire and Swindon Waste Site Allocations Development Plan Document (DPD) which set out:-

- a summary of the plan preparation process to date.
- the key issues that had emerged through the consultation undertaken between June and August 2011.
- the arrangements for submitting the draft DPD.
- the implications of the Examination process.
- the next steps.

Cllr de Rhe Philipe presented the DPD and sought Cabinet approval of it for onward recommendation to Council at its meeting on 7 February 2012 for the purpose of formally submitting it to the Secretary of State.

Cllr de Rhe Philipe explained that the councils (Swindon and Wiltshire, as joint strategic planning authorities for waste) faced a significant challenge in managing year-on-year increases in the amount of waste being generated by our communities and businesses. In preparing the DPD, the aim had been to build a plan that provided a flexible and responsive approach to enable the management of Wiltshire and Swindon's waste in a sustainable and efficient manner. The DPD also built upon the adopted policy framework set out in the Waste Core Strategy and Development Control Policy DPDs.

Every effort had been made to address issues raised through previous rounds of consultation with the final list of proposed sites having been the subject of rigorous testing and appraisals.

The DPD presented a flexible framework of 35 sites for accommodating a range of potential waste uses all designed to derive value from waste through recycling, recovery, composting and treatment.

The 35 sites presented a real opportunity to manage waste in a modern and efficient manner, thereby aiming to break the reliance on landfill. Once the plan is adopted, these sites would be able to come forward for the waste uses proposed subject to full planning permission being granted.

Cllr de Rhe Philipe proposed a couple of minor amendments which would be incorporated into the DPD in response to the representations received as follows:

In response to Mr and Mrs Greenwood:

- For clarity, additional wording be added to the **Water Environment** section of the DPD to fully establish the scope of the assessment work required to support any subsequent planning application. The wording would therefore read (7<sup>th</sup> sentence):

**'The assessment will need to ensure that** foul water discharges from any development can be connected to the public sewer system, where available, subject to a capacity appraisal and agreement upon a point of connection'.

In response to Chitterne Parish Council's question about the Valley Farm site:

- To correct a drafting error, an amendment was required to reflect the fact that there was a need for any impact assessment on traffic to also consider traffic approaching from the west and not just the east as stated in the site profile.

A number of Councillors addressed Cabinet on the proposed DPD making general points and specific points relating to their respective electoral division areas to which Cllr de Rhe Philipe and the Service Director for Economy and Enterprise responded.

Following debate and hearing contributions from members of the public, it was

**Resolved:**

**That Cabinet:**

- a) approve the submission draft Wiltshire and Swindon Waste Site Allocations Development Plan Document to be updated to incorporate the two minor amendments mentioned above;**
- b) recommend to Council that the submission draft DPD be approved for the purpose of formally submitting it to the Secretary of State and**
- c) delegate to the Service Director for Economy and Enterprise, in consultation with the Cabinet Member for Economic Development and Strategic Planning, authorisation to make minor amendments to the draft DPD (as set out in Appendix A to the report presented) in the interests of clarity and accuracy and to make appropriate arrangements for submission of the documents to the Secretary of State and any consequential actions as directed**

**by the Inspector relating to the Examination.**

Reason for decision

The need for an up-to-date, long-term plan for future waste management facilities is a statutory priority for both Wiltshire Council and Swindon Borough Council. This draft DPD presents a schedule of proposed site allocations that are considered both environmentally suitable and capable of meeting the long-term needs of the Councils and the waste management industry.

Regulatory and constitutional procedures require that the policy framework of the authority be a shared matter for Cabinet and Council.

Cabinet's functions set out in the constitution include proposing to Full Council new policies which fall within the Policy Framework as defined in paragraph 1 of Part 3 of the Constitution. In order to secure Council approval, therefore, the draft DPD should first be endorsed by Cabinet.

The resolution of Cabinet will then be presented to Council on 7 February 2012 for final consideration and approval.

**8. Regulation of Investigatory Powers Act 2000 - Revised Policy and Procedure documents**

Cllr John Noeken, Cabinet Member for Resources, presented a report which sought adoption of revised Corporate Policy and Procedures Documents in relation to the conduct of surveillance operations by Council Officers in accordance with the requirements of the Regulation of Investigatory Powers Act 2000 (RIPA).

It was noted that the Council already had a robust procedure in place for use of RIPA powers. This proposal brought the existing policy in line with the latest statutory requirements and responded to recommendations from an audit inspection. Responsibility for oversight of the Policies was proposed to be delegated to the Cabinet Member for Resources with any significant changes being referred to Cabinet for approval as necessary.

**Resolved:**

- a) To note the contents of the report.**
- b) To adopt the revised Policy and Procedures with immediate effect.**
- c) Responsibility for oversight of the Policies be delegated to the Cabinet Member for Resources with any significant changes being referred to Cabinet for approval as necessary.**

### Reasons for decision

Wiltshire Council is statutorily required to have a RIPA policy in place. We have had a policy in place since at least 2004. The Office of Surveillance Commissioners (OSC) carry out inspections of Local Authority RIPA processes on a regular basis to ensure compliance with RIPA legislation.

This proposal will revise the Wiltshire Council RIPA Policy to bring it in line with recent amendments to that legislation and to adopt recommendations made by the OSC at the last inspection.

## 9. **Proposed Creation of Central Devizes Customer Access Point and the Closure of Browfort, Urchfont Manor and Bradley Road Buildings**

### Public Participation

Written representations were received from the following members of the public in the form of questions and statements, details of which were circulated:

Nicola Mitchell, Chairman of Urchfont Parish Council  
Celia Bell, Student Representative on the Urchfont Management Board  
Diane Kerchevall  
Dr Jennifer Johnson-Jones, Bedfordshire  
Elizabeth Ann Hunter  
Hilary M Garrett, Burnley  
Jacky Attridge, Shrivenham, Oxon  
Lyn Hamilton, Student at Urchfont, South Cadbury  
Michele Lomas, Marlborough  
Mr Arnold Lowrey, Cardiff  
Mr and Mrs Hopkins  
Mr John Blunden, Urchfont  
Mr C P Cook  
Mr Richard Hawkins  
Mr Robert Hughes FRCS  
Mr G J Skinner CBE  
Janet Crowther, Kent  
Mrs Mair Edwards  
Mrs Nina Guilfoyle  
Ms Catherine Brown  
Ms Lorna Abel, Southampton  
Ms Norah Kennedy  
Ms Penny Copland-Griffiths  
Ms Stella Hall  
Ms Valerie Oxley, Nottinghamshire  
Nicola Vesey Williams  
Mr Nigel Partridge  
Sally Boehme and Clifford Johnson



various members of Staff at Urchfont Manor:

Eleanor Young, Dianne Hayward, Margaret Simper, Catherine Brown, Dionne Surman, Christine Bozier, Audrey Laurie, Jessica Scull, Marie Smith, Sharon Davies, Christel Smart, John Young, Pete Rutt and Martin Brown

Various students and tutors at Urchfont Manor: Hazel Credland, Valerie Oxley and Arnold Lowrey

The Leader also referred to a late submission from Mr Chris Howes

Verbal representations were also made at the meeting by:

Nicola Mitchell, Chairman of Urchfont Parish Council

Mr David Motram

Mr John Blunden

Mr Peter Newell

Mr Cairns Langland

Mr Robert W Giles

Mrs Wendy Trinder

Mr Nigel Partridge

Cllr Stuart Wheeler, Cabinet Member for Campus Development and Culture (including Leisure, Sport and Libraries) presented a report which sought approval to create a customer access facility in central Devizes, provide hot desking facilities in the Devizes area and provide an alternative Ceremony Room to service the Devizes area.

The report also sought approval to undertake the work necessary to cease using and to dispose of the buildings known as the Browfort offices (to include The Cedars, The Beeches, The Yew Trees and The Lodge), the Bradley Road offices and Urchfont Manor.

The Bradley Road offices had previously been intended for phased closure as part of the council's wider transformation programme and early closure could be achieved, bringing a benefit to the council's revenue budget.

The Browfort offices would no longer be required due to a combination of reduced staffing levels and furtherance of the hot desking model of 3:2 desk ratio. In Trowbridge, the Council's office accommodation would be in the refurbished County Hall building, which would include a new Trowbridge Library and integrated customer access provision.

Urchfont Manor was currently used to deliver a significant part of the council's informal adult learning provision although it was noted that adult education was also provided at other sites and by other providers such as Wiltshire College.

In keeping with the Council's commitment to localise its service delivery and recent national guidance from the Department for Business Innovation and

Skills, the Adult Education Service would be consulting on the development of a revised service being provided at a local level.

Cllr Lionel Grundy Cabinet member for Children's Services explained that courses being run from Urchfont Manor (the provision of which were not a statutory function) were operating at a loss of approximately £120,000 per annum. Furthermore, Urchfont Manor was not accessible by public transport and was therefore not in keeping with localised service delivery. He also explained that the Council's budget for the Children and Education services was under constant pressure due to the growing number of children at risk. The priority therefore had to be the protection of vulnerable children.

Following a query by the Leader, Cllr Toby Sturgis, Cabinet member for Waste, Property, Environment and Development Control Services explained that in accordance with the Council's normal approach, a specialist agent would be engaged for the disposal of such a property if agreed by Cabinet. This would ensure that the property was extensively marketed at the widest possible range of potential purchasers.

In response to representations by the public, the Leader put forward an additional recommendation in respect of securing continued community access as far as possible of the area around Urchfont Manor.

Cllr Jeff Osborn expressed concern that the Urchfont Management Committee of which he was a member, had not met to consider these proposals. The Leader explained that the Management Committee was at liberty to convene its meetings as and when it considered it appropriate to do so.

Following a lengthy debate and having heard contributions from members of the Council and members of the public to which members of Cabinet responded, it was

**Resolved:**

- a) To delegate to Dr Carlton Brand, Corporate Director, in consultation with Cllr Stuart Wheeler, Cabinet Member for Campus Development and Culture (including Leisure, Sport and Libraries) the authority to:**
  - i. undertake all necessary actions to secure, develop and deliver a new customer access site in central Devizes as well as providing hot desk facilities and an alternative Ceremony Room in the Devizes area;**
  - ii. instruct officers within the Transformation Programme to commence the necessary consultation with key stakeholders and staff to enable the closure of Browfort offices during autumn 2012;**

- iii. **complete the early closure of Bradley Road in autumn 2012, ensuring the relocation of the current customer access facility to the refurbished County Hall ensuring these complement the new Library and other customer facilities within the refurbished building;**
  - iv. **undertake the required actions to secure the closure of Urchfont Manor by the end of September 2012. Recognising that future Adult Education Service provision including, where required, local flexible delivery in line with the Department for Business Innovation and Skills strategic proposals for Further Education and Skills, will be determined by Cabinet after consultation with service users, area boards, local communities and partners;**
  - v. **market and dispose of the Bradley Road offices and Urchfont Manor sites as part of the Transformation Programme;**
  - vi. **market and dispose of the Browfort offices site if officers cannot develop an appropriate, financially viable, alternative long term public service use for the site, such as use by another public body or Extra Care provision;**
  - vii. **ask the Chief Financial Officer to ensure that the overall savings generated by these proposals are identified and tracked within the council's budget setting process and the costs of the alternative provision is properly reflected and funded in the councils capital and revenue budgets;**
- b) That when disposing of Urchfont Manor, officers working with the community, take whatever steps are necessary to ensure continued community access and management of Oakfrith Wood, appropriate ongoing access by the school and community to the playing fields to the north of the Manor House and as far as is practicable, long term use of the existing cricket pitch by the Cricket Club. These arrangements are to be structured after negotiation with the successful purchaser in a manner that allows the council to achieve the maximum capital receipt whilst ensuring ongoing community use and access with completion of these negotiations to be delegated to the Corporate Director (Dr Carlton Brand) following consultation with the Cabinet member for Waste, Property, Environment and Development Control Services.**

#### Reasons for decision

There are four main drivers behind these decisions:-

- 1 To create a town centre customer access location within Devizes. This will complement the council's commitment to deliver services by 'taking them to the

customer' and help support foot fall into central Devizes, recognising the importance of this key Market Town and the current economic climate.

- 2 To reflect the smaller staff base across the council following the reduction in 412 staff positions during the Business Plan period 2011 to date, the reconfiguration of some services and the need for less office accommodation now that staff are able to work flexibly following the successful deployment of the council's new ICT provision. .
- 3 To respond to the current economic climate and ongoing budget pressures, whilst enabling the council to continue to invest in, and protect, front line service delivery by further rationalising and modernising its property portfolio.
- 4 To continue the delivery of the councils' policy to ensure all its property holdings are sustainable, fit for purpose, and represent value for money for Wiltshire residents, both now and in the future.

10. **Urgent Items**

There were no urgent items.

11. **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 business specified in Minute Number 12 below 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 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.**

12. **Proposed Creation of Central Devizes Customer Access Point and the Closure of Browfort, Urchfont Manor and Bradley Road Buildings** 

Cllr Wheeler, Cabinet member for Campus Development and Culture (including Leisure, Sport and Libraries) presented a confidential report which provided additional information on the financial elements of the proposals referred to under minute number 9 above.

**Resolved:**

**To note that the savings achieved would be in the general order of those indicated, but would vary depending on the exact model and extent of re-provision in Devizes and the sale price of Urchfont Manor.**

(Duration of meeting: 10.30 am - 2.05 pm)

These decisions were published on the 23 January 2012 and will come into force on 31 January 2012
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The Officer who has produced these minutes is Yamina Rhouati, of Democratic Services, direct line 01225 718024 or e-mail [yamina.rhouati@wiltshire.gov.uk](mailto:yamina.rhouati@wiltshire.gov.uk)  
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