

## CABINET

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### **DRAFT MINUTES OF THE CABINET MEETING HELD ON 14 MARCH 2017 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

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

#### **Also Present:**

Cllr Jon Hubbard, Cllr Richard Gamble, Cllr Richard Clewer, Cllr Alan Hill, Cllr Glenis Ansell, Cllr Chris Caswill, Cllr Ian West and Cllr Bill Moss

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#### **26 Apologies**

There were no apologies made. All members of the Cabinet were present.

#### **27 Minutes of the previous meeting**

The minutes of the meeting held on 7 February 2017 were presented.

#### **Resolved**

**To approve as a correct record and sign the minutes of the meeting held on 7 February 2017**

#### **28 Declarations of Interest**

There were no declarations of interest.

#### **29 Leader's announcements**

The Leader welcomed all those present and reminded the meeting that the proceedings would be webcast for live broadcast.

#### **30 Public participation and Questions from Councillors**

The Leader drew the meeting's attention to the questions and statements received for this meeting as circulated in the Agenda Supplement together with the Cabinet members' responses.

The Leader invited Caroline Brown and Gisella Norman to address the meeting with their questions regarding the siting of a mobile phone mast in Bradford-on-

Avon. In response to the issues raised, including the implications on the conservation area, public health and insurance considerations, the Leader requested that officers arrange to meet with the parties to clarify the position of the Council. It was noted that a statement had also been received from Emma Darling on the same matter.

### 31 **Performance Management and Risk Outturn Report: Q3 2016/17**

Councillor Dick Tonge presented a report which provided an update on third quarter outturns against the measures and activities compiled and reported through the council's website via the [Citizens' Dashboard](#) and other key measures, as well as latest outturns on the council's strategic risk register.

In presenting the report, Councillor Tonge, and other Cabinet members, drew attention to areas where performance had improved such as: increasing usage of leisure centres and libraries; reductions in residual waste created; and increases in employment in the County.

In response to an issue raised by Councillor Jon Hubbard, officers agreed to consider how the wording in relation to the risks associated to safeguarding could be more sensitively worded.

#### **Resolved**

#### **To note updates and outturns:**

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

#### *Reason for Decision:*

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

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

### 32 **Wiltshire Council 2016 staff survey outcomes**

Councillor Stuart Wheeler presented a report which provided an overview of the 2016 staff survey results, highlighting key messages and priorities arising. The results had also been reported to the Staffing Policy Committee on 1 March 2017.

Issues highlighted in the course of the presentation and debate included: how the Council had responded to the areas of further development highlighted in the survey; the increased response rate, and the measures taken to reach non-office-based staff and the importance of good management in engaging staff in developing and maintaining a positive work culture.

Dr Carlton Brand, Corporate Director pointed out that Wiltshire Council was rated by Glassdoor to be the number council to work for.

### **Resolved**

**To note the content of the corporate staff survey report and priorities arising.**

*Reason for Decision:*

*Cabinet have requested to be kept updated regarding staff survey outcomes and trends, particularly regarding staff engagement, recognising that the ability to deliver business plan outcomes relies on having an engaged workforce.*

### **33 Report on Treasury Management Strategy 2016/2017 – Third Quarter ended 31 December 2016**

Councillor Dick Tonge presented a report which enabled Cabinet to consider the performance of the Council in the period to the end of the quarter against the parameters set out in the approved Treasury Management Strategy for 2016/2017.

In response to a question raised by Councillor Jon Hubbard, it was noted that whilst it was not unexpected for there to be an underspend on the capital programme; that the issues he raised would be considered by officers when projecting capital spend in future periods.


### **Resolved**

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

*Reason for Decision:*

*To give members an opportunity to consider the performance of the Council in the period to the end of the quarter against the parameters set out in the approved Treasury Management Strategy for 2016/2017.*

### **34 Adoption Chippenham Site Allocations Plan**

 Councillor Toby Sturgis presented the report which informed Cabinet of the Inspector's Report into the examination of the Chippenham Site Allocations Plan and his conclusions regarding legal compliance and soundness; sought approval that the Chippenham Site Allocations Plan, as amended by the Main

Modifications in the Inspector's Report and other Additional Modifications that have arisen during the examination or been made in the interest of accuracy and consistency, be recommended to Council for adoption; and sought approval for the Associate Director for Economic Development and Planning, in consultation with the Associate Director for Legal and Governance and the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste, to undertake the final stages associated with the formal adoption by the Council of the Chippenham Site Allocations Plan.

In presenting the report, Councillor Sturgis referred to the history of the development of the plan and the importance of having a sound plan to lead development in the area. He also praised the work of the officers in developing the plan.

The Leader drew attention to the questions and answers circulated in the agenda supplement, and invited Councillor Chris Caswill to ask any supplementary questions.

In response to a supplementary question from Councillor Caswill, Councillor Sturgis stated that the issues of traffic flows had been considered at the examination, and that the Inspector had found the plan to be sound.

In response to a supplementary question from Councillor Caswill, Councillor Sturgis stated that there was the willingness to work with local business Wavin on their concerns about the road access to the nearby development area. Additionally officers stated that Wavin was aware of the issue, as recorded in the information submitted in their recent planning application, and that a solution was possible.

In response to a supplementary question from Councillor Caswill, officers stated that the Inspector had requested the addition of the text related to alternative traffic measures if a link road was not deliverable as part of the development. It was also acknowledged that previously submitted plans accompanying the Rawlings Green planning application would likely have to be resubmitted taking the Inspector's findings into account.

## **Resolved**

- i) To note the content of the Inspector's report into the examination of the Chippenham Site Allocations Plan (Appendix 1) and his conclusions regarding legal compliance and soundness and accepts the modifications in the Appendix of the Inspector's report, which the Inspector considers are necessary to make the plan sound in accordance with legislation;**
- ii) To recommend to Council that the Chippenham Site Allocations Plan, as amended as set out in (i) above and attached at Appendix 2, including the Additional Modifications set out in Appendix 3, be adopted as part of the development plan for Wiltshire.**

- iii) **To delegate authority to the Associate Director for Economic Development and Planning in consultation with the Associate Director for Legal and Governance and the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste for the Policies Map to be amended in line with the modifications identified in (ii) and for further minor textual changes to be made to the Chippenham Site Allocations Plan prior to publication in the interests of accuracy and consistency.**
- iv) **Following approval of Council, agrees that the Associate Director for Economic, Development and Planning in consultation with the Associate Director for Legal and Governance and the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste, undertakes the final stages associated with the formal adoption and publication of the Chippenham Site Allocations Plan.**

*Reason for Decision:*

*The Chippenham Site Allocations Plan will form part of the Council's Policy Framework. In accordance with the Local Government Acts 1972 and 2000, and the Council's constitution it must first be approved by Cabinet before it is adopted by Council. As the document has been found sound by the Inspector its adoption by the Council would help ensure up to date planning policy is in place at Chippenham and provide effective policies to ensure the sustainable development of Chippenham.*

### 35 **A303 Amesbury to Berwick Down Road Scheme**

**Key** Councillor Fleur de Rhé-Philippe presented a report which informed Members of the route options appraisal methodology and outcome selected by Highways England to take to public consultation; sought to confirm the Council's response to the public consultation; and asked Cabinet to note the resource and financial implications for the Council with regard to this road improvement scheme.

The Leader invited Dr Andy Shuttleworth, Chair of Winterbourne Stoke Parish Council who had submitted a statement as circulated in the Agenda Supplement; Henry Colthurst; and Councillor Ian West, local division member, to address the meeting.

Issues discussed in the course of the meeting included: the impacts of the various proposals; the history or previous proposals and the views of various stakeholders.

In presenting her report, Councillor Fleur de Rhé-Philippe emphasised that plans were at the initial stage and it was important for the Council to express its support in principle to enable a more detailed plan to be consulted on. It was at that point, she hoped, that further improvements could be sought to mitigate the

concerns of the community. However a delay at this time could jeopardise the project which currently had central government funding attached to it.

In response to some of the matters raised in the course of the debate, Councillor Fleur de Rhé-Philippe proposed two additional resolutions to clarify the Council's position.

Following a debate, the Cabinet;

### **Resolved**

- 1. To note the contents of this report**
- 2. To agree the proposed response to Highways England for this options appraisal and route selection public consultation**
- 3. To note the additional potential financial implications arising as a result of this scheme, which will require more detailed discussion as the preferred route is established.**
- 4. To restate the Council's support in principle for the proposal from HE to bring about substantial improvements to the a303 at Stonehenge by building a dual carriageway and tunnel, subject to the comments listed in Appendix 1 of the report presented.**
- 5. To welcome the input from the local community and any technical and information support they can supply.**

*Reason for Decision:*

*The case for dualling the A303 between Amesbury and Berwick Down has long been established through promoting economic growth in the South West, increasing safety, improving connectivity with neighbouring regions and protecting and enhancing the environment Highways England have assessed approximately 60 historic routes and identified the 2.9km tunnel with a bypass either North or South of Winterbourne Stoke as the better performing and more deliverable route. Whilst there are several issues which will require resolution as the design is further developed, on the whole officers believe that both options are capable of addressing the transport, economic, heritage and community issues associated with the A303. They will also enable the timeframe dictated by the Development Consent Order (DCO) process to be met, achieving start on site by March 2020.*

## **36 Wiltshire Council's Housing Board Annual Report**

Councillor Jonathon Seed invited Councillor Richard Clewer, Chair of the Housing Board, to present the annual report to Cabinet in accordance with the terms of reference of the Board.

In presenting the report, Councillor Clewer highlighted some of the successes of the Board and the future challenges ahead. In response to a question from Councillor Laura Mayes, Councillor Clewer stated that independent members of the board were appointed following an interview as part of an open recruitment process, and that these members tended to come from a housing professional background. It was suggested that subject to meeting national requirements, the number of properties awaiting reletting be reconsidered to ensure that the figures related to those properties available for relet and not those which were not available due to refurbishments or other works taking place.

## **Resolved**

### **To note this Annual Report.**

*Reason for Decision:*

*Wiltshire Council's Housing Board's Terms of Reference require an Annual Report to be presented to Cabinet.*

## 37 **Sub Regional Independent Fostering Framework**

 Councillor Laura Mayes presented the report which sought Cabinet's agreement for the Council to continue to collaborate with other regional local authorities and join the new South West Framework Agreement for the procurement of Independent Fostering Agency (IFA) placements for looked after children and young people from 1 April 2017 to 31 March 2021, with an option to extend, subject to fee negotiations.

## **Resolved**

**To approve Wiltshire Council to continue to collaborate with other regional local authorities and join the new South West Regional Independent Fostering Agency Framework for placements for looked after children and young people from 1 April 2017 to 31 March 2021, with an option to extend, subject to fee negotiations.**

*Reason for Decision:*


*There are currently no other procurement options available once the existing framework contract term ceases. Should the Authority not join the new framework then the procurement of independent fostering placements will be off contract with the risk of uncontrolled spend and non-compliance. The Authority will be unable to hold providers to agreed fees, resulting in a risk that the cost of placements will continue to increase year on year, which will clearly impact on the placements budget.*

*Sub-regional working has proven helpful in terms of bringing consistency to some aspects of IFA provision.*

*The participating Local Authorities aspire to work with IFA providers who are*

*delivering good outcomes for children and young people.*

### 38 **Care Home Tender - Contract Awards**

 Councillor Jerry Wickham presented a report which requested that Cabinet awards contracts for block and framework care home beds as recommended in Appendix 1 of the report presented and taken under Part II of the meeting. Councillor Wickham also requested that Cabinet authorise the Council to go out to tender again for Nursing and Residential Framework beds due to the current tender process generating a reduced number of bids and a shortfall in the above provision.

In response to a question, it was noted that some smaller providers could receive additional support to access the tender process.

Following a short discussion, and after considering the information in the part II report, the meeting;

#### **Resolved**

- 1. To approve the award of the block and framework contracts as recommended in Appendix 1 as presented in the Part II paper.**
- 2. To approve the undertaking of a re-tendering exercise for further Block Nursing, Framework Nursing and Framework Residential Services in order to address the potential shortfall in the required level of service provision; and**
- 3. To delegate authority to the Corporate Director following consultation with the Cabinet Member for Adult Care, Public Health and Public Protection to approve in consultation with the Cabinet member for finance for the award of contracts within the approved budget**

*Reason for Decision:*

*Awarding block and framework contracts will secure better rates and better availability of care home beds in Wiltshire. This supports budget management and gives greater control on spend. The contracts place requirements on providers with regard to the quality of care that they provide and also with regard to the speed of assessment and admissions. This supports the health and well-being of individuals, and the health and social care system as a whole.*

### 39 **Governance arrangements for the prioritisation of Community Infrastructure Levy (CIL) spending**

Councillor Toby Sturgis presented a report which sought agreement for the process for prioritising the spending of the strategic funds raised through Community Infrastructure Levy (CIL) and reviewing the Regulation 123 List to ensure open and transparent decision making in the allocation of strategic funds.



In response to a question from the Leader, it was clarified that Cabinet would make the final decision at the end of the process.

### **Resolved**

- (i) To approve the process for the review of the Regulation 123 List and prioritising the spending of strategic funds raised through the Community Infrastructure Levy as set out in Appendix 2; and**
- (ii) Agrees that for 2017, the next step would be to prioritise projects for funding consistent with the current Regulation 123 List.**

*Reason for Decision:*

*To assist with the effective operation of CIL and ensure open and transparent decision making in the allocation of strategic CIL funds.*

### 40 **Urgent Items**

There were no urgent items.

### 41 **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 item in private:

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

No representations had been received as to why these items should not be held in private.

### 42 **Care Home Tender - Contract Awards (Part II)**


The content of the report was noted.

### 43 **Governance arrangements for the prioritisation of Community Infrastructure Levy (CIL) spending**

The content of the report was noted. It was further noted that the document presented was not in fact confidential and would be made available with the agenda papers for this meeting.

Councillor Alan Hill suggested that the governance arrangements for the prioritisation of CIL was an area that would benefit from involvement by Scrutiny. The Leader explained that whilst it was up to the Overview and Scrutiny Management Committee to set its workplan the Cabinet would be happy to suggest that the Committee include the matter of community and non-executive councillor involvement in the governance arrangements as part of its considerations of legacy issues to the new Council.

#### 44 **Porton Business Plan**

 Cllr Fleur de Rhé-Philippe presented the report which sought the Cabinet's endorsement of the proposed business plan to achieve the long term vision for growing high value activity in the defence and health/life sciences sectors at this centre of excellence; and recommended delegated authority be given to officers to finalise and enact the plan.

##### **Resolved**

**To endorse the Porton Science Park Business Plan and delegate authority to the Associate Director, Economic Development and Planning, in consultation with the Leader of the Council, and the Cabinet Member for Economic Development, Skills, Strategic Property, to finalise the plan and undertake those activities that may be required, working in partnership with the Porton stakeholders in particular Dstl and PHE, to establish a suitably constituted company which will take forward and implement the vision for the Science Park.**

*Reasons for Decision:*

*To continue Wiltshire Council's support of Porton Science Park in partnership with Dstl and PHE.*

#### 45 **Procurement of housing repairs and maintenance service**

Councillor Jonathon Seed presented the report which outlined the proposed actions and timeframes for procuring new contracts for the Repairs and Maintenance service for the upkeep and improvement of the Council's Housing Stock for the next 5-10years.

##### **Resolved**

- 1. To approve, in principle, the process that will be followed in order to deliver the required outcomes, including the various stages that will be undertaken and how suitable contractors can be selected.**

- 2. To note that all options for delivery of services considered within the report in Appendix 1, in light of the report's conclusions, agrees in principle:**
- i. To progress with the enlargement of the DLO to take on all responsive repairs and voids work, and look to recruit a new managerial structure to lead and co-ordinate this service**
  - ii. To extend the current partnership contracts with Ian Williams, British Gas and Wessex Electrical for a further two years and then look to migrate some of these services to the DLO, subject to a further review; and**
  - iii. That a further report will be presented to Cabinet in June 2017 with costings and potential savings in support of the above**

*Reason for Decision:*

*On average Wiltshire Council plans to spend some £12m from the Housing Revenue Account (HRA) each year on the repairs and maintenance of the housing stock. This includes all emergency and day to day repairs, works to void properties, gas servicing, electrical testing, lift maintenance, as well as replacement works and meeting the Decent Home Standard.*

*The majority of this work is currently out-sourced through 4 main contracts and these are either ending or up for extension, so key decisions on how these services are delivered in the future will need to be made. A Repairs and Maintenance (R&M) Steering Group including members of the Housing Board has been formed to advise on progress through a number of stages in order to advise the future of both service delivery models and the most effective route to deliver the required service outcomes.*

(Duration of meeting: 9.30 am - 12.43 pm)

These decisions were published, earlier, on the 17 March 2017 and will come into force on 27 March 2017

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