

CABINET

MINUTES of a MEETING held at COUNTY HALL, TROWBRIDGE, on Thursday, 11 February 2010.

Cllr John Brady	Cabinet Member for Economic Development, Planning and Housing
Cllr Lionel Grundy OBE	Cabinet Member for Children's Services
Cllr Keith Humphries	Cabinet Member for Health and Wellbeing
Cllr John Noeken	Cabinet Member for Resources
Cllr Fleur de Rhe-Philipe	Cabinet Member for Finance, Performance and Risk
Cllr Jane Scott OBE	Leader of the Council
Cllr T 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:

Councillor Beattie – Portfolio holder for Economic Development
Councillor Alison Bucknell - Portfolio holder for Customer Care
Councillor Chris Cochrane - Portfolio holder for ICT
Councillor Linda Conley - Portfolio holder for Waste
Councillor Gamble – Portfolio holder for Transport
Councillor Kunkler - Portfolio holder for Leisure
Councillor G Macrae – Portfolio holder for Schools and Vulnerable Childre
Councillor Laura Mayes – Portfolio holder for Organisational Culture
Councillor Trevor Carbin
Councillor Peggy Dow
Councillor David Jenkins
Councillor Julian Johnson
Mrs Isabel McCord – Chairman of the Standards Committee
Councillor Francis Morland
Councillor Sheila Parker

15. **Apologies**

All Cabinet members present.

16. **Minutes of the previous meeting**

The minutes of the last meeting held on 26 January 2010 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 26 January 2010.

17. **Chairman's announcements**

(a) Incident at County Hall

The Leader referred to an unfortunate incident that had occurred at County Hall on the previous day. The body of a 42 year old man from Trowbridge was discovered in the front car park of the County Hall.

According to Police there were no suspicious circumstances and the coroner had been informed.

She added that once the man was formally identified she would on behalf of the Council, send a letter of condolence to the man's family.

(b) Health Concordat

The Leader announced that the Council would be signing an informal health concordat with the Strategic Health Authority. The document would provide a statement on how well the Council would work together with its health partners.. Other authorities involved were: BANES, NHS Wiltshire Acute Hospital Trust, Wiltshire Ambulance Service and Wiltshire PCT.

(c) Dementia Conference

At the Leader's request Councillor Thomson, Cabinet Member for Community Services, updated Cabinet on the Dementia conference held on 9 February.

Councillor Thomson said that it had been an excellent conference and extremely well attended by both health professionals and those suffering from dementia and their carers.

The conference provided in depth detail on measures which could be taken to help sufferers. Councillor Thomson sought Cabinet support to lobby the Government on the issue of blue badges. He considered that sufferers of mental illnesses and the people they relied on for transport should be afforded the same rights when it came to blue badges as those with physical illnesses. He also considered that the law should also enable the provision of blue badges for carers of children with disabilities and those with severe autism and Link drivers. In an effort to assist, this Council had provided temporary blue badges to patients recovering from operations but had been told to stop this practice.

Cabinet agreed that an open letter be written to the Government highlighting this as a national issue and to seek a change in the law. The letter would be copied to local MP's, David Cameron, Nick Clegg and front benchers

(d) New Chief Executive – Andrew Kerr

The Leader welcomed Andrew Kerr, the recently appointed new Chief Executive, to this his first official meeting of Cabinet.

18. **Declarations of Interest**

The Leader referred to the letter recently circulated to all Councillors which drew their attention to the provisions of Section 106 of the Local Government Finance Act 1992. This provision placed restrictions on elected Councillors voting on certain financial matters associated with the budget and council tax precept where they were two months or more in arrears in the payment of their council tax.

The Housing Revenue Account Budget and Rent Setting 2010/11 report included a proposal to set garage rents. The Leader advised that if Councillors held a garage tenancy with the Council they must declare this as a prejudicial interest when considering this report.

No interests were declared.

19. **Public participation**

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

There were no requests to speak.

20. **Key Final Proposals for the Revenue Budget and Capital Programme for 2010/11**

Cabinet considered the following budget reports and was asked to make recommendations to Council where appropriate.

Noting that the budget would also be considered in detail by the Joint Overview and Scrutiny Select committee on 16 February and Council on 23 February, the Leader gave an overview of the budget proposals.

The key themes on the budget were:

- To protect services
- To return £4m to reserves.
- To give an average increase in Council Tax of 2.3% which is below the rate of inflation.

- To provide an extra £650,000 for road maintenance; which had been identified as the top priority by the community in recent surveys.
- To allow 0.5% to fund the pay award for 2010-11 and 0.75% in terms of general inflation
- Investing to save (highway maintenance investments and ICT investments)

(a) **Revenue Budget Proposals 2010/11**

The Leader presented a report on the revenue budget proposals for 2010/11 along with the proposed Council Tax increase for the 2010/11 financial year. Cabinet was requested to make appropriate recommendations to Council.

The Leader added that there was £200,000 headroom in the budget and that an announcement on how this would be spent would be made at the Council meeting on 23 February.

At Cabinet's request, the Chief Finance Officer undertook to provide Cabinet members with details of the Council's Rate Support Grant settlement ranked with the settlements for other local authorities together with comparisons on council tax increases.

During discussion, Councillor Thomson, Cabinet Member for Community Services sought Cabinet approval to allow Area Boards to roll over monies they had not spent during 2009/10 into the 2010/11 budget. This was in recognition that Area Boards had only started in June 2009 and had not had a full year of meetings to be able to spend their allocation.

Recommended:

That Council:

- Approves the budget detailed in Appendix 2, including the growth items in Appendix 4 and unavoidable commitments in Appendix 5, efficiency measures in Appendix 6 and Fees and Charges Income in Appendix 7 of the report presented.**
- approves proposals for the use of the £212,000 headroom (proposals on how to use this headroom would be presented to Council).**
- Approves the proposed Council Tax increase of 2.3% (average) with a Band D equivalent of £1,222.43.**

Resolved:

- That all Area Boards be permitted to roll-over any monies they**

had not spent during the available time from the 2009/10 budget into the 2010/11 budget. This would apply in respect of 2010/11 only and would be reviewed in subsequent years.

Reasons for Decision

To enable the Council to set the Revenue Budget for 2010/11, to provide flexibility to consider the use of the headroom during 2010/11 and to enable the Council to set the Council Tax on 23 February 2010.

(b) **Capital Programme Proposals 2010/11 to 2012/13**

The Leader presented a report which proposed that Cabinet approve the proposed capital programme for 2010-11 to 2012-13 as shown in appendix B of the report presented and to approve the use of additional borrowing of £20.617 million in 2010-11 and £53.164 million over the three years.

Recommended to Council:

That Council:

- d) Approve the proposals for the Wiltshire Council Capital Programme for 2010/11 to 2012/13 as shown in Appendix B of the report presented.**
- e) Approve the use of additional borrowing of £20.617 million in 2010/11 and £53.164 million over the three years.**

Reasons for Decision

To enable the Council to set the Capital Programme for 2010/11 to 2012/13 and to enable Council to ratify the level of additional borrowing.

(c) **Fees and Charges**

Cabinet considered a report on the range of fees and charges as included with the revenue budget proposals for 2010/11.

The proposed level of fees and charges income for 2010/11 stood at £60.479 million compared to £55.341 million in 2009/10. This represented a 0.9% increase in total budget terms. The report drew attention to the fact that although fees and charges may have been increased, other factors e.g. economic and demographic have impacted on the proposed budgeted income.

Recommended:

To approve the fees and charges as included in the revenue budget proposals for 2010/11.

Reasons for Decision

To ensure that Cabinet are aware of the fees and charges and they have been incorporated into the revenue budget proposals for 2010/11.

(d) **Treasury Management Strategy**

The Leader presented the proposed Treasury Management Strategy for 2010/11 for Cabinet's consideration which included the Prudential and Treasury Indicators (PrIs and TrIs) for the next three years; other debt management decisions required for 2010-11 that did not feature within PrIs or TrIs; and the Annual Investment Strategy for 2010-11.

Recommended:

That Council:

- a) **adopt the revised CIPFA Code of Practice on Treasury Management in the Public Services;**
- b) **adopt the Prudential and Treasury Indicators (Appendix A);**
- c) **adopt the Annual Investment Strategy (Appendix B);**
- d) **delegate to the Chief Finance Officer the authority to vary the amount of borrowing and other long term liabilities within both the Treasury Indicators for the Authorised Limit and the Operational Boundary;**
- e) **authorise the Chief Finance Officer to agree the restructuring of existing long-term loans where savings are achievable or to enhance the long term portfolio;**
- f) **agree that short term cash surpluses and deficits continue to be managed through temporary loans and deposits; and**
- g) **agree that any long term surplus cash balances not required to cover borrowing are placed in authorised money-market funds, particularly where this is more cost effective than short term deposits and delegate to the Chief Finance Officer the authority to select such funds.**

Reason for Decision

To enable the Council to comply with statutory guidance and reflect best practice.

(e) **Housing Revenue Account Budget and Rent Setting 2010/11**

The Leader presented a report which outlined the main points concerning the Housing Revenue Account including changes resulting from the Government's rent restructuring policy.

The report proposed that rents increase in line with rent restructuring requirements of a maximum of -1.4% plus £2 per week. Applying this guideline gives an actual average rent increase for April 2010 of £1.39 per week (50 week basis) or 1.83%

Following two years of £2 per week rises to bring garage rents up to more comparable levels with others locally, it was proposed this year not to increase these rents to address the decline in demand for these garages.

Service charges are increased by a maximum of RPI. Utility recharges are increased by a maximum of £1 per week. The report also set out the budget for 2010/2011 and the revised budget for 2009/2010.

Recommended:

That Council:

- h) approve the Housing Revenue Account Budget for 2009/10 (revised) and 2010/11 (original).**
- i) approve the increase for dwelling rents in accordance with rent restructuring.**
- j) approve the level of increase for garage rents at zero percent.**
- k) approve the level of increase for service charges at a maximum of RPI and utility recharges as a maximum £1 per week.**

Reason for Decision

The Housing Revenue Account (HRA) is a separate account that all local authorities with housing stock are required to maintain by law. An annual rent increase is required each year to comply with Government guidelines on rent restructuring.

(f) **Dedicated Schools Budget 2010/11**

The Leader presented the recommendations from the Wiltshire Schools Forum in respect of the Dedicated Schools Budget for 2010/11.

The estimated Dedicated Schools Grant for 2010/11 stood at £252.392 million after adjustments for Academies. This estimate was based on September 2009 pupil projections with the final grant reflecting January 2010 pupil numbers and will be notified to the Council in June. Budget monitoring for 2009/10 indicated a small underspend of £0.088 for the current year which may be carried forward to 2010/11.

Resolved:

That Cabinet agree the overall schools budget of £252.392 million.

Reason for Decision

To approve the Dedicated Schools Budget for 2010/11.

21. ** Wiltshire Statement of Community Involvement**

Councillor Brady, Cabinet Member for Economic Development, Planning and Housing presented the proposed Statement of Community Involvement (SCI) for Cabinet's consideration and approval for the purposes of recommending the document to Council.

The SCI was a statutory document which set out how the Council would involve the community when preparing planning policy and determining planning applications in Wiltshire. The SCI had been prepared in accordance with Regulations and national planning policy and had been informed by a pre-draft consultation with statutory consultees.

Councillor Brady drew attention to the following amendments which were tabled:

- Paragraph 2.15 – Community area Boards - had been reworded in the interests of clarity and accuracy.
- A new paragraph on Vision Boards was to be inserted after paragraph 2.17 to clarify the role of the Chippenham, Trowbridge and Salisbury Vision Boards.
- Additional text on public speaking at planning meetings was inserted after paragraph 5.24 and reference to the Killian Pretty Review to cross-reference to the Council's Planning Code of Good Practice for Councillors and Site Visit Protocol.

During debate on this item, the following amendments were also made to the document:

- Paragraph 2.4 of the draft SCI – to add the Fire and Rescue Service in the list of consultees.
- Paragraph 2.16 of the draft SCI to be reworded in respect of community area partnerships to clarify that they would have a role in planning policy issues but not individual planning applications.
- Paragraph 2.18 to delete the following text in the penultimate paragraph:

‘alongside the community area boards and community area partnerships.’
- That definitions of ‘loss of outlook’ and ‘loss of private view’ in the table following paragraph 5.11 of the draft SCI be included.
- The wording ‘in most cases’ in bullet point 6 under the second heading in the table following paragraph 5.11 of the draft SCI be changed to ‘other than in exceptional cases’.
- That the second heading in the table following paragraph 5.11 be reworded for clarity.
- The time period for re-consultation mentioned in paragraph 5.13 of the draft SCI be changed from ‘usually for 14 days’ to usually 21 days’.

That Officers be asked to explore the following:

- In respect of the advertising of planning applications on site a request was made that, in addition to the statutory notifications, an estate agents type sign be placed on the application site making it clearly visible to those affected by development proposed.

Officers undertook to look into this possibility, bearing in mind expected Government guidelines.

- That consultations exclude critical holiday periods such as school summer holidays and if possible, school Christmas holiday periods.

At the request of Cabinet, Councillor Brady agreed to circulate the SCI as amended to Cabinet members before presentation to Council.

Resolved:

That Cabinet:

- l) Approves the content of the Wiltshire Council Statement of Community Involvement subject to the above amendments;**
- m) Authorises the Service Director for Economy and Enterprise, in consultation with the Cabinet Member for Economic Development, Planning and Housing, to make amendments to the document as agreed by Cabinet and any incidental changes; and**
- n) That following adoption by Council, a seminar on the Statement of Community Involvement be arranged for all Councillors at the end of May/beginning of June.**

Recommended to Council:

That Council:

Formally adopt the Statement of Community Involvement as amended.

Reason for Decision

To ensure that Wiltshire Council has a Statement of Community Involvement in place in order to provide a clear set of consultation procedures for Local Development documents and planning applications across the County.

22. Urgent Items

There was no urgent business.

(Duration of meeting: 10.30 – 11.30)

These decisions were published on the 15.2.10 and will come into force on 22.2.10

The Officer who has produced these minutes is Yamina Rhouati, of Democratic & Members' Services, direct line 01225 718024 or e-mail

yaminarhouati@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115