

## CABINET


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MINUTES of a MEETING held in COUNCIL CHAMBER - COUNCIL OFFICES,  
BRADLEY ROAD, TROWBRIDGE, BA14 0RD on Tuesday, 13 September 2011.

Cllr John Brady	Cabinet Member for Finance Performance and Risk
Cllr Lionel Grundy OBE	Cabinet Member for Children's Services
Cllr John Noeken	Cabinet Member for Resources
Cllr Fleur de Rhe-Philippe	Cabinet Member for Strategic Planning, Economic Development and Tourism
Cllr Jane Scott OBE	Leader of the Council
Cllr Toby Sturgis	Cabinet Member for Waste, Property 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 Trevor Carbin
	Cllr Richard Clewer
	Cllr Peter Colmer
	Cllr Tony Deane
	Cllr Richard Gamble
	Cllr Jon Hubbard
	Cllr Julian Johnson
	Cllr John Knight
	Cllr Jerry Kunkler
	Cllr Jacqui Lay
	Cllr Alan Macrae
	Cllr Francis Morland
	Cllr Helen Osborn
	Cllr Jeff Osborn
	Cllr Carole Soden

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

### 113. Apologies

Apologies were received from Cllr Keith Humphries, Cabinet member for Health and Wellbeing and Cllr Laura Mayes, Portfolio Holder for Organisational Culture and Cllr Sheila Parker, Portfolio Holder for Vulnerable Children.

**114. Minutes of the previous meeting**

The minutes of the meetings held on 26 July and 19 August 2011 were presented. The minutes from the meeting held on 26 July which contained exempt information are dealt with at minute no. 126 of these minutes.

**Resolved:**

**To approve as correct records and sign the minutes of the meetings held on 26 July and 19 August 2011.**

**115. Leader's announcements**

The Leader made no announcements other than to welcome all those present to the meeting.

**116. Declarations of Interest**

There were no declarations of interest.

**117. Public participation**

(a) Denominational Home to School Transport

The Leader acknowledged receipt of a number of questions and statements in respect of the item on Denominational Home to School Transport (minute no. 118 refers). She 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.

(b) Petition: Waste Transfer Station Plan on the Castledown Business Park, Ludgershall

Cllr Christopher Williams presented a petition from the NO2WASTE group and students from Wellington Academy with 1036 signatories opposing plans for a Waste Transfer Station Plan on the Castledown Business Park, details of which were presented. This had been raised at a meeting of the Tidworth Area Board on 6 June 2011 when Cllr Williams agreed to raise their concerns with Cabinet. Cllr Toby Sturgis, Cabinet member for Waste, Property and Development Control Services gave an assurance that the concerns raised would be taken into account and carry proper weight as part of the feedback to the recent consultation exercise.

(c) Question from Chippenham Vision Board

The Leader reported receipt of the following question from the Chippenham Vision Board:

'If the patronage of the Town's car park is reduced, what is the Cabinet's view on the damage to retail in the Town and whether the increase in car parking charges should be reviewed?'

Cllr Tonge, Cabinet member for Highways and Transport replied that a report to Cabinet currently scheduled for 18 October and Council on 8 November 2011 would analyse the countywide economic, social and environmental impacts of the current car parking charges.

(d) Question from Mr John Bowley

The Leader reported receipt of a question from Mr John Bowley:

'In referring to reported remarks of Councillor Fleur de Rhe-Philippe "that Westbury was holding up Wiltshire with the lack of a bypass and the next inspector might have different findings" asks whether these broadcast remarks represent the view of the Wiltshire Council Cabinet?'

Cllr Fleur de Rhe-Philippe, Cabinet member for Strategic Planning, Economic Development and Tourism replied that this was an inaccurate quote of what she had said. She had actually said that in her personal opinion, Westbury did need a bypass which would also benefit the whole A350 corridor or words to that effect. She also confirmed that she had not said that 'Westbury was holding up Wiltshire'. The Leader confirmed that the Council was supportive of a bypass for Westbury.

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 **Denominational Home to School Transport**

Written Representations

The following members of the public submitted written representations either in the form of a question or a statement:

Paul Hughes, Headteacher, St Joseph's Catholic School, Salisbury  
Sharon Pearce  
Camilla Whipp  
Father Jean Patrice Coulon, Parish Priest of the Catholic Parish of Devizes  
Sarah Westhoff  
Colette and Dave Williams  
Stuart and Hazel Donaldson  
Mike Corcoran  
Kate Saunders  
William and Petrella Pope  
Anthony Leonard OBE  
Michael Stevenson MBE, Chair of Governors, St Augustine's Catholic College,  
Trowbridge  
Emma Kayne, Governor, St Patrick's Primary School, Corsham  
Francis White

Elizabeth Sian Bredif  
Jayne Keogh

Verbal representations

The following members of the public made verbal representations at the meeting:

Paul Hughes, Headteacher, St Joseph's Catholic School, Salisbury  
Emma Kayne, Governor, St Patrick's Primary School, Corsham  
Francis White  
Anthony Leonard OBE  
Father Jean Patrice Coulon, Parish Priest of the Catholic Parish of Devizes  
Mr Mortimer  
Miss R McLoughlin, Headteacher, St Patrick's Primary School, Corsham  
Governor, St John's Catholic Primary School, Trowbridge  
Willow Kayne and Lauren Wales, pupils at St Patrick's Primary School,  
Corsham  
Mary Ellis, Parent of children at St Patrick's and St Augustine's  
Sheila White  
Tony Lowe  
Alistair Erdozain  
Sarah Westhoff  
Canon Twomey  
Michael Stevenson MBE, Chair of Governors, St Augustine's Catholic College,  
Trowbridge  
Dr Mike Thompson, Clifton Diocese Co-opted Member to the Children's  
Services Select Committee  
Ian McNiff, Clifton Diocese Director of Schools & Colleges

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The Leader welcomed all those present who had particularly attended the meeting for this item.

It was noted that as a result of significant budget pressures, the Council had had to review all the services it currently provided. This had included a review of all discretionary transport provision. Cllr Dick Tonge, Cabinet member for Highways and Transport presented a report which sought approval for a change to the Council's Education Transport Policy in respect of denominational home-to-school transport, in order achieve financial savings.

The proposals had been the subject of consultation with those affected. Responses to the consultation had been summarised in the report presented with copies of representations received made available at the meeting. Additionally, two meetings had been held involving the Chairman of Governors and the Headteacher of St. Augustine's School, the Chairman of Governors and

other representatives of St. Patrick's School, Corsham, representatives of the Clifton Diocese and the Parish Priest of Devizes, the Leader of the Council, Cabinet Members, the Portfolio Holder and appropriate Council officers.

Following consideration of the representations received and of the financial, environmental, legal and equalities impacts referred to in the report presented, three options had emerged, details of which were presented. The report recommended Option 2. However, in response to the Task Group's recommendations and the further representations received, Cllr Tonge proposed option 3 and this was duly seconded.

Cllr Richard Gamble, Portfolio Holder for Transport explained the difference between the Council's statutory duty and discretionary power to provide home to school transport. He guided members through the report, the options considered and its recommendations.

The Children's Scrutiny Select Committee had considered the proposals at its meeting on 22 July and established a Rapid Scrutiny Task Group to consider the proposals in more detail and make recommendations as appropriate to this Cabinet meeting. Cllr Carole Soden, Chairman of the Scrutiny Select Committee and Lead Member of the Task Group presented the report of the Task Group held on 8 September 2011 with the following recommendations:

Withdraw discretionary denominational assistance with effect from September 2012, but:

- The current level of assistance to continue for all pupils already in receipt of transport, minus the amount saved through implementing a 10% increase to the parental contribution for each pupil;
- For this assistance to continue for the remainder of the pupils' time at their current school (but not for post-16 education);
- Transport to continue to be arranged by the Council, except where schools are willing to take over this responsibility.

She explained that whilst the Task Group acknowledged that savings needed to be made, considered that its recommendations would avoid disrupting the education of those currently attending a denominational secondary school.

Cllr Jon Hubbard paid tribute to the work of the Task Group highlighting it as an example of best practice and undertaken in a highly professional manner.

Cllr Tonge thanked the Task Group for the work it had undertaken and its report. He explained that adoption of the Task Group's recommendation for the Passenger Transport Unit to continue having responsibility for providing transport would prevent the required level of savings being achieved until the

end of the transition period. He also explained that the Council had offered to assist the schools to arrange their own transport, which would be particularly important for the smaller schools.

A debate ensued on the proposals during which a number of comments were made by members of the Council and members of the public.

The Leader and Cllr Lionel Grundy, Cabinet member for Children's Services in acknowledging the good results achieved by faith schools, emphasised that the Council was working very hard at improving standards in all schools.

Following a lengthy debate, it was

**Resolved:**

**That Cabinet approves the following change to the Council's Education Transport Policy in respect of denominational home to school transport in order to achieve financial savings:**

**Withdraw discretionary home to school transport assistance for children attending a denominational school on grounds of their religion with effect from September 2012 but with transitional provisions to assist all pupils who are already receiving transport subject to the following:**

- **except where there is a legal entitlement to free transport (i.e. for low income families in certain circumstances, as described in paragraph 3 of the report presented);**
- **during 2011/2012 Council officers would seek to support the schools to arrange their own transport, to try and ensure that, as far as possible, transport continues to be available but funded by the users or from other sources rather than by the Council and**
- **the Council would provide a fixed amount of funding direct to the schools, to assist them with the costs of providing transport for all pupils who are already attending the school, each year until they leave. The payment would be made once each year and would be for a fixed amount per pupil, for each child still attending the school who was receiving transport in the 2011/12 academic year. The overall amount paid by the Council would therefore decrease each year as successive year groups leave the school. The amount paid per pupil would be set at £409 per pupil (adjusted for any extraordinary costs), which is equivalent to the average overall cost per head of providing the existing transport in 2011/12, less the 2011/12 parental contribution. Transport would have to be arranged by the schools affected.**

### Reason for Decision:

To achieve savings that will be required to balance the budget over a number of years, whilst providing continuity of education for pupils already attending a denominational school, and to support schools in making their own arrangements for pupil transport.

## 119 **11-19 Commissioning Strategy**

Cllr Lionel Grundy, Cabinet member for Children's Services presented a report which proposed a revised 11 to 19 Commissioning Strategy. The Strategy had been developed by Wiltshire Children's Trust Partnership which brought together all agencies working with children and young people. The Strategy would also ensure the best use of overall resources available to support young people within Wiltshire, ensuring there were no gaps or overlaps in provision. The Partnership was seeking endorsement of the Strategy by this Council.

The Strategy and the report presented outlined the strategic direction for reshaping youth services in Wiltshire and for making savings (£450k in 2012/13) from current expenditure on youth work provided by the Council's Youth Development service.

The suggestions for reshaping the Youth Development service that were consulted on were namely, testing the market to assess whether there could be an alternative provider for youth services; developing local partnerships with the voluntary sector; closer alignment with campus developments and reduced reliance on use of the existing 24 dedicated youth centres.

Cllr Grundy reassured Cabinet that Wiltshire would continue to provide open access youth work in all community areas. There would be a move towards focussing more Council resource on one to one targeted work with young people where it was needed. Youth advisory groups would be implemented in each area with links to Area Boards to look at the needs of young people. There would be greater use of volunteers in running open access youth work who would always work alongside qualified staff.

The necessary financial savings would be made through a mixture of income generation, from centrally held budgets and open access youth work staff. It was noted that discussions with the Deputy Chief Constable confirmed that the Police were very supportive of the Strategy as a whole and for the proposed changes to the Youth Development service.

Cllr Richard Clewer explained the consultation undertaken and feedback received. He was clear that no youth centre buildings would close as a result of the proposals put forward for re-shaping the Youth Development Service.

The report of the Rapid Scrutiny Task Group held on 9 September 2011 to consider the Strategy in detail for recommendation to this Cabinet meeting,

which included a number of recommendations was presented. Cllr Jon Hubbard, Lead member on the Task Group and Cllr Jacqui Lay, member of the Task Group summarised the views of the Task Group.

Cllr Grundy in thanking the Task Group for its work, commented that he was disappointed with its findings given that he, Cllr Clewer and the Service Director for Commissioning and Performance had gone through the report in great detail and responded to all questions and concerns. He did, however, undertake to work with Scrutiny to deliver the outcomes of the Strategy.

**Resolved:**

**That Cabinet agrees the strategic direction and priorities outlined in the 11 to 19 Commissioning Strategy as detailed at Appendix 1 of the report presented, including agreeing the following:**

- (a) The commissioning priorities outlined in section 6 of the strategy and highlighted in section 15 of the report presented;**
- (b) The Wiltshire Youth Work Offer for young people aged 13 to 19 also outlined in section 6 of the Strategy and sections 22 and 23 of the report presented and**
- (c) The savings from youth work services budgets outlined in section 24 of the report presented.**

Reason for Decision:

The Wiltshire Children and Young People's Trust brings together all agencies working with children and young people in Wiltshire. The Trust has developed a commissioning strategy covering services for the 11 to 19 age range. The strategy sets out the strategic direction for services for this age range including services purchased and provided by Wiltshire Council. Wiltshire Council Cabinet is being asked to endorse and approve the strategy including the commissioning priorities.

The 11 to 19 strategy includes plans for reshaping youth services in Wiltshire and for making the savings from the transformation of youth work services noted in the Council's Financial Plan for 2011 to 2015.

**120. Annual Governance Statement 2010-11**

Cllr John Brady, Cabinet member for Finance, Performance and Risk presented a report which asked Cabinet to consider a draft Annual Governance Statement for 2010/11 for preliminary comment before final approval was sought from the Audit Committee at its meeting on 28 September 2011.



The Statement had been previously considered by the Audit Committee at its meeting on 29 June and by the Standards Committee at its meeting on 20 July 2011. The relevant extracts of the minutes of these meetings were presented for Cabinet's information.

Cabinet was asked to consider the draft Statement and to make any amendments or observations to its content. The Statement would be revised in light of any comments from Cabinet and the ongoing review work by the Assurance Group.

In order to ensure the Statement contained the most up to date information as possible, three amendments to the Statement were proposed as follows:

(a) Paragraph 68

At the end of the paragraph add: *'Although there were issues highlighted by KPMG in respect of IT audit work these issues have now been addressed.'*

(b) Paragraph 83:

The final sentence reads "The group will submit its application for charter status during 2011."

To be updated to read:

Wiltshire Council was externally assessed by South West Councils on 9 August 2011 and was subsequently awarded Charter Status for Councillor Development. This is recognition that the Council has achieved best practice in the way it provides learning and development opportunities for its elected councillors. The accreditation lasts for three years."

(c) New paragraph 106:

'The Leader has initiated a consultation process on a proposal to achieve financial savings through a restructuring of the senior management team, involving the removal of the post of the Chief Executive and a Corporate Director post. The Cabinet will be considering this proposal in the light of the outcome of the consultation at the end of this month. The risks and governance issues associated with this proposal will be considered as part of the decision making process.'

With regards to the senior management restructuring, the Service Director, Law and Governance clarified that this was a matter for the Executive. Any dismissal of the Chief Executive as a consequence of a restructuring would require approval of Council. The Leader explained that she intended to bring the matter before Cabinet to ensure transparency.

**Resolved:**

**That the Annual Governance Statement for 2010/11 be amended as detailed at (a), (b) and (c) above and that the Audit Committee be informed accordingly.**

Reason for Decision:

To prepare the Annual Governance Statement 2010/11 for publication in accordance with the requirements of the Audit and Accounts Regulations.

**121. Business Plan Scorecard Report**

Cllr John Brady, Cabinet member for Finance, Performance and Risk presented a report which provided a summary of progress against Wiltshire Council's Business Plan. It provided:

- Community results and Council performance Scorecards for the period April to June 2011
- The status of the Council's main programmes
- The Workforce Report from Human Resources

**Resolved:**

**That Cabinet note progress against the Business Plan.**

Reason for Decision:

To keep Cabinet informed of progress being made against the Business Plan.

**122. Budget Monitoring Period 4 - 4 July 2011**

Cllr John Brady, Cabinet member for Finance, Performance and Risk presented a report which updated members of progress in delivering savings identified in the 2011-2015 Financial Plan in relation to the 2011/2012 base budgets. The report also advised on any significant new cost pressures or changes since the last report on 26 July 2011. The report also set out the future budget monitoring reporting arrangements to members for the rest of the financial year.

The July cabinet report suggested an overspend / shortfall on the balanced budget of £4.683 million due to cost pressures. Allocation of additional unringfenced grant income reduces this by £2.00 million.

During the period additional cost pressures have been identified of £0.401 million. This is made up of an extra £0.222 million caused by demand for adult care services, an extra 0.139 million caused by the demand on the Looked After Children budget and an extra £0.040 million estimated shortfall of income from car parks.

The risk assessment of savings highlights £0.599 million of savings with red risk attached to them. Work would continue in all of these areas to review and identify required actions and this would inform the next monitoring report.

The early identification of potential issues was part of sound and prudent financial management. Action to address this year's forecast should be taken where officers have the delegated powers to do so and this is underway.

A question was raised on how the Council intended to manage expenditure on adult care services. Cllr John Thomson, Cabinet member for Adult Care, Communities and Housing explained that one of the Council's main priorities was to support vulnerable adults and children. The rising expenditure was a reflection of an ageing population and consequently an increase in those requiring more acute support.

**Resolved:**

**That Cabinet:**

- (a) Note the outcome of the Period 4 (July 2011) budget monitoring.**
- (b) Approve the virement of £2million from additional unringfenced grant income to cover cost pressures identified in adult care services.**

Reason for Decision:

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

**123. Urgent Items**

The Leader accepted the following item as urgent business as the matter could not wait until the next scheduled meeting.

**124. Wiltshire Incubation Environment Network**

Cllr Fleur de Rhe-Philipe presented a report on the Wiltshire Incubation Environment Network (WIE). The report set out the background to the WIE and its relationship to the Corporate Plan objectives. Cabinet approval was sought on the provision of capital funding that would provide the capital proportion of the match funding required to draw down European Union grant aid. This would enable the creation of four new business incubation and enterprise spaces. This would be achieved through the conversion of three existing vacant Council owned offices and the conversion of existing industrial units at Castledown Business Centre, Ludgershall to provide a single complex of individual desk/workspace units.

The WIE project was an opportunity to support new business and job creation in communities that were either dependent on military employment or have been hardest hit by job losses. Capital funding was essential to delivering the conversion of vacant space to create the required business incubation spaces.

**Resolved:**

**That Cabinet:**

- (a) approve the provision of up to £375,000 of capital funding to support the conversion of industrial space at Castledown Business Centre at Ludgershall, vacant Council owned office space at Manor House, Wootton Bassett and two other locations as yet to be confirmed and to recommend that Council approve this addition to the Capital Programme;**
- (b) delegate authority to the Service Director, Economy & Enterprise in conjunction with the Programme Director, Transformation, ICT and Information Management to work up and implement a more detailed scheme and**
- (c) delegate authority to the Service Director, Economy & Enterprise in consultation with the Cabinet member for Economy & Enterprise and the Director of Legal and Democratic Services to agree the terms of the contract with CLG when the offer of European Regional Development Fund is made for this project.**

Reason for decision

WIE will help to meet the demand for flexible business space and business support services that will enable the start-up, survival and growth of new and existing micro businesses and thereby create and safeguard jobs. It is an important element of the Action for Wiltshire programme which is concerned with supporting economic recovery and contributes to meeting Corporate Plan targets relating to job creation and safeguarding. The project will align with the Government's Growth Agenda by providing the right environment within which local enterprise can be started and developed within a nurturing and supporting network. Given the disproportionate impact of the recession on certain Wiltshire towns, the project provides the opportunity to target those areas where the impact of the recession has been greatest.

## 125. **Exclusion of the Press and Public**

**Resolved:**

**That in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in minute number 126 below as it was likely that if members of the public**

**were present there would be disclosure to them of exempt information as defined in paragraphs 3 & 4 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.**

**126. Confidential minutes of the meeting held on 26 July 2011**

The confidential minutes of the meeting held on 26 July 2011 were presented in respect of:

Helping to Live at Home and  
Transformation of the Passenger Assistant Service

**Resolved:**

**To approve as a correct record and sign the confidential minutes of the meeting held on 26 July 2011.**

(Duration of meeting: 10.30 am – 2.35 pm)

These decisions were published on the 20 September 2011 and will come into force on 28 September 2011
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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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