

## CABINET

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### **DRAFT MINUTES OF THE CABINET MEETING HELD ON 20 JUNE 2017 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

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

#### **Also Present:**

Cllr Clare Cape, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Richard Gamble, Cllr Gavin Grant, Cllr Darren Henry, Cllr Alan Hill, Cllr Atiqul Hoque, Cllr Jon Hubbard, Cllr Chris Hurst, Cllr David Jenkins, Cllr Bob Jones MBE, Cllr Gordon King, Cllr Edward Kirk, Cllr Brian Mathew, Cllr Steve Oldrieve, Cllr Stewart Palmen, Cllr Horace Prickett, Cllr Jonathon Seed, Cllr John Smale, Cllr Hayley Spencer, Cllr Roy While, Cllr Graham Wright and Cllr Ian Thorn

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#### **69 Apologies**

There were no apologies received as all members of Cabinet were present.

#### **70 Minutes of the Previous Meeting**

The minutes of the meeting held on 23 May 2017 were presented.

#### **Resolved**

**To approve as a correct record and sign the minutes of the meeting held on 23 May 2017.**

#### **71 Declarations of Interest**

There were no declarations of interest.

#### **72 Leader's Announcements**

The Leader drew attention to the sad news of the death of two soldiers based in Wiltshire: Corporals Matthew Hatfield and Darren Neilson. The Leader stated that she would be writing to their families to offer condolence.

The Leader also mentioned the recent tragic events in the Finsbury and Kensington & Chelsea areas of London. She mentioned that the Council would be offering support as appropriate. At the invitation of the Leader the Cabinet Members for Public Protection and Housing, respectively, outlined the steps already taken and those to be taken in response to the events in London.

The Leader announced that, due to the significant public interest shown, the item on the Wiltshire Housing Site Allocation Plan would be brought forward on the agenda.

### **73 Public Participation and Questions from Councillors**

Public participation in relation to the Housing Sites item is recorded under than minute.

### **74 Performance Management and Risk Outturn Report: Q4 2016/17**

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

Issues highlighted in the course of the presentation and discussion included: how the links between the risk register and the nascent business plan could be made clearer; the positive employment rate for the council; how identifying risks should be seen as positive thing; how to account for risks, such as pandemic flu, that are hard to mitigate against; how best to monitor the use of libraries as their pattern of use changes and diversifies; that further investigation would be needed to establish the course of increased reporting of streetscene issues; how the use of area board grants is monitored; that question on the appropriate use of crime statistics should be directed through the Police and Crime Panel; how the risk register is reviewed and updated.

In response to issues raised, Councillor Wickham stated that he would respond in writing as to how many parishes had produced emergency plans and would consider how best to address the issues of data protection in sharing information about vulnerable people.

In response to a issues raised, Councillor Toby Sturgis stated that he would respond in writing with regard to how carbon reduction is taken into account in the risk register; and to provide further figures regarding the cost of planning appeals.

### **Resolved**

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

- 1. Against the measures and activities ascribed against the council's key Outcomes; and**

## **2. To the strategic risk register.**

*Reason for Decision:*

*The 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.*

### **75 Draft Statement of Accounts and Revenue Outturn 2016/17**

Councillor Philip Whitehead presented the report which advised Cabinet of the (unaudited) General Revenue Fund and Housing Revenue Account outturn positions for financial year 2016/2017, as well as the position for the Collection Fund and Reserves. In addition, the report provided Cabinet with oversight of the unaudited Statement of Accounts, including the narrative report.

Issues highlighted in the course of the presentation and discussion included: that a small underspend had been achieved; that the format of the accounts had changed to make them more readable; the actions that had been undertaken throughout the year to address any overspends.

In response to a question from Councillor Ian Thorn, Councillor Philip Whitehead stated that given the size and complexity of the finances and business of a large authority, an overspend of 1% of the total was within expectations.

In response to question on the Housing Revenue Account, it was stated that the changes were largely due to better than predicted income collection, and that there were plans to invest in and expand social housing for residents.

In response to a question from Councillor Gavin Grant regarding the reduction in Waste and Recycling, Councillor Bridget Wayman stated that she would investigate and provide a written response.

#### **Resolved**

#### **To note:**

- a) The report showing an outturn for the General Revenue Fund and HRA, subject to external audit, of an underspend of £0.328 million and an underspend of £1.716 million, GRF and HRA respectively. Cabinet should note appropriate transfers to the General Revenue Fund and**

**Earmarked reserves as set out in Sections 22-25 of this report, and return to HRA reserves; and**

**b) The unaudited Statement of Accounts for 2016/2017.**

*Reason for Decision:*

*As part of its role in ensuring sound financial management and financial soundness, Cabinet are required to assess and approve the final revenue outturns for 2016/2017 and assess any impact on the longer term financial standing of the Authority.*

**76 Annual Governance Statement 2016/17**

Councillor Philip Whitehead presented the report which asked Cabinet to consider a draft Annual Governance Statement for 2016/17 for comment before final approval is sought from the Audit Committee on 26 July 2016.

**Resolved**

- a. to consider the draft AGS as set out in Appendix 1 and make any comments or changes as they see fit;**
- b. To note that the draft AGS will be revised in the light of any comments by Cabinet before final approval by the Audit Committee and publication with the Statement of Accounts at the end of July 2016.**

*Reason for Decision:*

*To prepare the AGS 2016/17 for publication in accordance with the requirements of the Audit and Accounts Regulations.*

**77 Capital Monitoring Outturn 2016/2017**

Councillor Philip Whitehead presented the report which informed Cabinet on the final position of the 2016/2017 capital programme, including highlighting budget changes.

In response to a question from Councillor Ian Thorn, the s151 officer stated that he would give a written response as to the reasons behind the reprogramming of the capital budget, and would address, through the Financial Planning Task Group the issue of carbon reduction.

In response to a question from Councillor Tony Jackson, the s151 officer state that, with the exception of the CCTV scheme, all Community Asset Transfers had a cost neutral impact on the capital accounts.

**Resolved**

1. **To note the budget movements undertaken to the capital programme shown in appendices A and B and the final outturn position of the capital programme 2016/2017 shown in appendix A.**
2. **To also note the reprogramming of £5.018 million between 2016/2017 and 2017/2018.**

*Reason for Decision:*

*To inform Cabinet of the position of the 2016/2017 capital programme as at Outturn (31 March 2017), including highlighting any budget changes.*

## 78 **Annual Reports on Treasury Management 2016/2017**

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

### **Resolved**

#### **To note:**

- a) **The Prudential Indicators, Treasury Indicators and other treasury management strategies set for 2016/2017 against actual positions resulting from actions within the year as detailed in Appendix A; and**
- b) **The investments during the year in the context of the Annual Investment Strategy as detailed in Appendix B.**

*Reason for Decision:*

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

*This report is required by the Prudential Code for Capital Finance in Local Authorities and the CIPFA Code of Practice for Treasury Management in the Public Services.*

## 79 **Business Plan**

The Leader presented the report which present the council's draft Business Plan for 2017-27 which, itself, sets the council's overarching strategy for the next ten years.

Issues highlighted in the course of the presentation and discussion included: the consultation to be undertaken with Overview and Scrutiny and the Public Services Board; the continuity with previous plans, including the priorities; that the plan sets out the aspirations for the plan; how links to action orientated service plans may be made explicit; the role of partnership working, devolution, volunteering and digitalisation will play; the opportunities for the council to

charge for certain services on a commercial basis; and the opportunities to build capacity with partners and the community to enable them to deliver more.

Councillor Ian Thorn stated that whilst he applauded the aspirations of the plan, he would have liked to have seen financial information underpinning the plans sustainability. In response, the Leader stated there would be a financial plan produced in conjunction with the Business Plan. In response to an issues raised by Councillor Thorn, the Leader stated that the issue of Carbon Reduction was integral to the business and decisions of the council and did not require a separate reference in the plan.

In response to issues raised by Councillor Gavin Grant, the Leader stated that the Local Enterprise Board had identified three new stations, Corsham, Royal Wootton Bassett, and Wilton, as being of strategic importance to bid for capital money from central government; and that the issue of a purpose built University for Wiltshire was a clear aspiration for the County but one that could only be achieved through significant funding from a business partner and existing university.

### **Resolved**

**To agree to seek feedback on the draft Business Plan from Overview and Scrutiny and other key partners; and**

**To agree to review feedback at its next meeting on 3 July, in preparation for a final draft to be considered at Full Council on 11 July 2017.**

*Reason for Decision:*

*To enable views to be submitted as part of the consultation process.*

## **80 Wiltshire Housing Site Allocations Plan**

Councillor Toby Sturgis presented the report which sought: approval for the Draft Wiltshire Housing Site Allocations Plan; and delegated authority to make arrangements for its consultation and the next steps.

The Leader noted that the following people had submitted questions and statements that would be responded to in due course: Al Wright, Richard Greenwood, Nick Parker and Cllr Tony Jackson.

The following members of the public made representations to the public at the meeting: George Bunting, Cllr Roger Evans, Mr Hill, Bill Johnson, Cllr Bob Price, Janice Cadby, and Lance Allen.

Issues raised by members of the public included: concern that proposals would negatively impact on the rural character of communities outside towns; the desire to see brown field sites prioritised; frustration with the slow pace that developers progress existing sites with permission; the impact of new development on elderly residents; how developing neighbourhood planning

documents would be taken into account; the impact of proposals on wildlife; the need for sufficient infrastructure that would be required to meet the needs of new residents; and whether a planned new town would meet the needs for new development.

A question was put by Cllr Francis Morland, regarding concerns about spatial planning process, the completions of dwellings and the shortfall in the housing market area, to which the Leader stated that a written answer would be given.

In response to the issues raised, Councillor Sturgis urged the public to participate fully in the consultation process and asked that any alternatives to the proposals be presented with evidence. The Leader, outlining the steps to be taken as part of the consultation period, also stated that the Council would consider additional consultation if it was required in specific areas.

Councillor Steve Oldrieve spoke to raise his concerns about the proposals particularly as he felt that it appeared that greenfield sites appeared to be prioritised.

Councillor Horace Prickett spoke and outlined how he felt proposals that affected his communities were in conflict with the existing Local Planning policies.

In response to a question from Councillor Jon Hubbard, Councillor Sturgis clarified that the plans could be subject to changes at the Cabinet and the Council meetings, but that any major changes would require further consultation and evidence before they were sent to the Inspector appointed by the Secretary of State.

Councillor Chuck Berry, as Cabinet Member for Housing, outlined the benefits derived from further development. He also stated that if people wanted to lobby government to express their frustration with regard to delayed developments, then they should contact their MP.

The Leader closed the debate by thanking those for attending the meeting, and urging people to contribute further to the consultation.

## **Resolved**

- 1. To approve the Draft Wiltshire Housing Site Allocations Plan, as set out in Appendix 1, for consultation, subject to amendment in (ii); and**
- 2. To authorise the Associate Director for Economic Development and Planning in consultation with the Cabinet Member for Planning and Strategic Asset Management to: make any necessary minor changes to the Draft Wiltshire Housing Site Allocations Plan in the interests of clarity and accuracy before it is published; make arrangements for, and undertake statutory consultation for a 10 week period starting during the week commencing 10 July 2017.**

*Reason for Decision:*

*To ensure that progress continues to be made on maintaining an up-to-date development plan for Wiltshire, in line with the Council's Local Development Scheme and statutory requirements. In accordance with legislative requirements, following the consultation, Council will need to approve the submission of the Draft Wiltshire Housing Site Allocations Plan to the Secretary of State for examination.*

**81     **Recommissioning of the Wiltshire Substance Misuse Service****

Councillor Jerry Wickham presented the report which sought approval from Cabinet to go to market to commission a single adult Substance Misuse Service for Wiltshire and Swindon. In presenting his report, Councillor Wickham confirmed that Swindon has given their commitment to undertake the joint procurement.

The Cabinet agreed to consider the decision in part ii of the meeting to allow them to take into account the financial information contained in the report made exempt from publication.

**82     **Wiltshire Domestic Abuse Support Services Procurement****

Councillor Jerry Wickham presented the report which sought agreement from Cabinet to the procurement of an integrated Wiltshire Domestic Abuse Support service, including refuge support services. The current contracts expire 31 March 2018.

Councillor Wickham confirmed, in response to a question from Councillor Ian Thorn, that all genders would be covered by the service.

The Cabinet agreed to consider the decision in part ii of the meeting to allow them to take into account the financial information contained in the report made exempt from publication.

**83     **Proposed Alignment of Council Structure to the New Business Plan****

The Leader presented the report which sought Cabinet's approval to take steps to make changes to the senior management structure of the council at tier 1 following discussion with the current corporate directors to ensure the necessary strategic capacity is in place to deliver a proposed new business plan for 2017-2027.

The Leader stated that as there were no questions on the paper considered in part ii of the meeting, she would move directly to consider the exclusion of the press and public.

**Resolved**

**To considers the proposed alignment of council structure at tier 1, to the new business plan for 2017 - 2021.**



*Reason for Decision:*

*The continued reduction in funding from central government, and the increasing demands that we face for our key frontline services, means that a new business plan for 2017 – 2027 will continue to focus on the vision and improvements in the delivery of services to the communities and businesses across Wiltshire.*

*A key aspect in the delivery of the priorities is continuing our collaborative working with communities, partners and businesses. A number of programmes including the integration of adult social care and health, early intervention and prevention to protect those who are most vulnerable, and continue to grow the economy of Wiltshire.*

*We need to ensure that the council has a structure that is aligned to the delivery of the business plan priorities, and provides the strategic capacity and resilience to continue to meet the challenges ahead.*

*A proposed change in the senior management structure at tier 1 will provide the strategic capacity and resilience to deliver the priorities in the new business plan and the challenges ahead.*

**84 Urgent Items**

There were no urgent items.

**85 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)

Paragraph 5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

No representations have been received as to why this item should not be held in private

**86 Wiltshire Domestic Abuse Support Services Procurement (Part II)**

Councillor Jerry Wickham presented the report which sought authority to undertake a procurement process of the Wiltshire Domestic Abuse Support Services, currently commissioned jointly by the Local Authority and Office for the Police and Crime Commissioner.

Following a short debate, and an opportunity for questions, the meeting;

### **Resolved**

**To agree to undertake a procurement process to provide domestic abuse support services for a 5 year agreement (3+2).**

**To delegate authority for award of contract resulting from this tendering process the Corporate Director, in consultation with the Cabinet Member for Public Health & Public Protection, the Associate Director Legal & Governance and the Associate Director Finance.**

**To delegate authority to enter into the new domestic abuse support services contract resulting from the tendering activity to the Corporate Director**

*Reason for Decision:*

*Under the Health and Social Care Act 2012, Local Authorities have the duty to reduce health inequalities and improve the health of their local population.*

*Domestic abuse is a complex issue, recognised as a key public health priority. Rarely an isolated incident, domestic abuse is a pattern of sustained behaviours that violate human rights, significantly impacting on population's health and wellbeing.*

*This procurement proposal looks to reduce the significant burden of harm and address the economic and emotional costs caused by domestic abuse.*

## **87    Recommissioning of the Wiltshire Substance Misuse Service (Part II)**

Councillor Jerry Wickham presented the report which provided the financial context to support the Wiltshire Substance Misuse Service recommissioning paper considered in part i.

Following a short debate, and an opportunity for questions, the meeting;

### **Resolved**

- 1. To approve the commencement of a tendering process; subject to Swindon also securing necessary approvals, to commission a new pan Wiltshire adult substance misuse treatment service for a 3 year agreement (2018- 21), with the ability to extend for 2 further years.**

2. To approve the inclusion of a supported housing lot in addition to the main contract specification.
3. To delegate authority for award of contract resulting from this tendering process the Corporate Director, in consultation with the Cabinet Member for Public Health & Public Protection, the Associate Director Legal & Governance and the Associate Director Finance where the resulting contracts are within the financial envelope set out within the Financial Implications section.

*Reason for Decision:*

*Under the Health and Social Care Act 2012, Local Authorities have the duty to reduce health inequalities and improve the health of their local population by ensuring that there are public health services aimed at reducing drug and alcohol misuse. In order to meet the April 1st 2018 deadline there is now the necessity to begin the commissioning process. This will enable the council to continue to support thousands of Wiltshire residents wishing to improve their health, whilst ensuring Wiltshire is one of the safest counties in the country.*

*The proposal to collaborate with partners from Swindon Borough Council, will lead to significant savings; whilst improved joint working will offer economies of scale and in turn enable a high quality substance misuse service to continue to be available for Wiltshire residents.*

## 88 **Proposed Alignment of Council Structure to the New Business Plan (Part II)**

The Leader presented the report which sought Cabinet's approval to take steps to make changes to the senior management structure of the council at tier 1 following discussion with the current corporate directors to ensure the necessary strategic capacity is in place to deliver a proposed new business plan for 2017-2027.

Following a short debate, the meeting;

### **Resolved**

1. To approve the proposed changes to the structure of the council at the top tier (corporate director) and as outlined in appendix 1 and paragraphs 10 & 11, on the understanding that the alignment of services below that level will be determined by corporate directors following discussion and agreement with the head of paid service, and after consultation with the Leader and Cabinet.
2. To recommend that Full Council approves the proposed changes to the designation of the statutory roles outlined in paragraphs 14 – 22. 48.

**3. To note that:**

- I. Initial consultation on proposals to implement a new structure will start week immediately.**
- II. Once a new structure is confirmed following consultation, that steps to redeploy the current corporate directors into posts in the new structure will take place.**
- III. Mrs Carolyn Godfrey, corporate director, has outlined her intention to retire from the council in October 2017. As a result she be redeployed into an interim corporate director role as part of the redeployment process while steps to recruit to the corporate director roles for adult care & public health (DASS) and corporate director children & education (DCS) take place. Mrs Godfrey will remain in this interim role until October 2017 while recruitment to these roles takes place.**
- IV. Steps to advertise the vacant posts will be taken following completion of the redeployment process and, with the exception of the joint post with the CCG, the vacancies will be advertised internally only in the first instance, in line with the council's recruitment & selection policy and procedure, following which an external recruitment exercise will take place if there are no suitable internal candidates.**
- V. In the case of the joint corporate director for adult care & health this post will be advertised externally in line with NHS requirements. The appointment will be done jointly with the CCG governing body in line with the relevant policies, procedures and constitutional requirements, and an agreement will need to be developed to provide a governance framework for such a working arrangement.**
- VI. It will be the responsibility of the Head of Paid Service to work with the Leader, Cabinet and Corporate Directors on all aspects of the statutory responsibilities of the role.**
- VII. A further report to Cabinet in the autumn will provide an update on the progress of a re-structure at tier 2 to align services with the new tier 1 senior management structure and proposed new business plan for 2017 – 2027.**

*Reason for Decision:*

*The continued reduction in funding from central government, and the increasing demands that we face for our key frontline services, means that a new business plan for 2017 – 2027 will continue to focus on the vision and improvements in the delivery of services to the communities and businesses across Wiltshire.*

*A key aspect in the delivery of the priorities is continuing our collaborative working with communities, partners and businesses. A number of programmes including the integration of adult social care and health, early intervention and prevention to protect those who are most vulnerable, and continue to grow the economy of Wiltshire.*

*We need to ensure that the council has a structure that is aligned to the delivery of the business plan priorities, and provides the strategic capacity and resilience to continue to meet the challenges ahead.*

*A proposed change in the senior management structure at tier 1 will provide the strategic capacity and resilience to deliver the priorities in the new business plan and the challenges ahead.*

*Admin Notes:*

*The report, considered in part ii of the meeting, had been made exempt from publication, but following the decision this has now been published.*

*During consideration of exempt information, the only officers present were: the Monitoring Officer; the Head of Human Resources, and the Democratic Governance Manager.*

(Duration of meeting: 9.30 am - 1.55 pm)

These decisions were published, earlier, on the 23 June 2017 and will come into force on 3 July 2017

The Officer who has produced these minutes is Yamina Rhouati of Democratic Services, direct line 01225 718024, e-mail [Yamina.Rhouati@wiltshire.gov.uk](mailto:Yamina.Rhouati@wiltshire.gov.uk)

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