

## CABINET

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MINUTES of a MEETING held in COUNCIL CHAMBER - COUNCIL OFFICES,  
BRADLEY ROAD, TROWBRIDGE on Tuesday, 26 July 2011.

Cllr John Brady	Cabinet Member for Finance Performance and Risk, pensions and Audit
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 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 Allison Bucknell
	Cllr Trevor Carbin
	Cllr Richard Clewer
	Cllr Christopher Cochrane
	Cllr Peter Colmer
	Cllr Peter Doyle
	Cllr Richard Gamble
	Cllr Jon Hubbard
	Cllr David Jenkins
	Cllr Jerry Kunkler
	Cllr Alan Macrae
	Cllr Howard Marshall
	Cllr Jemima Milton
	Cllr Helen Osborn
	Cllr Jeff Osborn

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### 90. Apologies

An apology for absence was received from Cllr Laura Mayes, Portfolio Holder for Organisational Culture.

91. **Minutes of the previous meeting**

The minutes of the last meeting held on 14 June 2011 were presented.

**Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 14 June 2011.**

92. **Leader's announcements**

No announcements were made.

93. **Declarations of Interest**

There were no declarations of interest.

94. **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.

**Denominational Home to School Transport**

The Leader reported receipt of two questions and one statement as follows on the subject of Denominational Home to School Transport:

A question was received from Father Jean-Patrice Coulon, representing the Catholic community of Devizes as Parish Priest. Father Coulon asked if consideration of this item could be the subject of a single issue Cabinet meeting held in the evening.

A response was given by Cllr Dick Tonge, Cabinet member for Highways and Transport.

The Leader confirmed that consideration of this item by Cabinet had been postponed until 13 September 2011 in order to avoid considering it during the school holidays as it had become clear from responses to the consultation that many interested parties would not be able to attend this meeting. She also noted that the Children's Services Select Committee in considering a report on this issue had agreed to establish a Rapid Scrutiny Task Group to look at the proposals in detail with a view to making recommendations to Cabinet in September.

A question was received from Mrs Emma Kayne which asked that the item be further postponed to ensure that information from parents and schools which

would allow detailed costings to be drawn up would be made available and taken into account in determining the proposals.

A statement was made by Mrs Ann Ferries, Chair of Governors of St Patrick's Primary School, Corsham. Mrs Ferries expressed concern on aspects of consultation and the ability to obtain information from parents and schools during the school holidays.

Copies of questions and written statement are included with the online meeting documentation for this meeting available from the following link to the Council's website:

<http://cms.wiltshire.gov.uk/ieListDocuments.aspx?CId=141&MId=5649&Ver=4>

For public participation in respect of Salisbury car parking charges, please refer to minute no. 98.

#### 95. **Reducing Child Poverty Strategy**

Cllr Lionel Grundy, Cabinet member for Children's Services presented a report which sought Cabinet approval of a Reducing Child Poverty Strategy for Wiltshire and Delivery Plan.

The Child Poverty Act 2010 required central Government to produce a national strategy and reduce child poverty. It also required local areas to address child poverty through cooperation between partners, the production of a needs assessment and implementation of a child poverty strategy. Accordingly, a Wiltshire draft needs assessment and strategy was prepared by a multi-agency task group which included representations from the Council's departments for Children and Education, Economic Development, Housing, Research and Intelligence; NHS Wiltshire, Police and Job Centre Plus.

The Strategy suggested 5 key strategic objectives, namely:

- Keeping child poverty in the spotlight
- Providing support to the 0-5 year olds in the most disadvantaged families
- Narrowing the educational attainment gap
- Creating an inclusive Wiltshire with an appropriate job for everyone and economic opportunity for all
- Considering a consolidated, geographical approach to areas of concentrated child poverty.

Councillors welcomed the Strategy and the realistic and genuine approach to it. A number of Councillors commented that some areas including rural areas had more deprivation than others. Cllr Grundy added that it was important to work to

break the cycle of deprivation and the Leader commented on initiatives to concentrate on economic recovery and attract higher value jobs into the County.

The Children's Services Committee in considering the report at its meeting on 22 July noted and commended the report and recommended that Cabinet makes adequate funding available to fulfil the objectives described within the Strategy.

After a lengthy debate during which various questions were raised to which Cllr Grundy and officers responded it was

**Resolved:**

- (a) That Cabinet approve the Reducing Child Poverty Strategy for Wiltshire and Delivery Plan.**
- (b) That Extended Services Steering Groups be supported in being involved to deliver the objectives of the Strategy.**

Reason for Decision

To meet the statutory duty under the Child Poverty Act 2010 for the Local Authority to produce a needs assessment and local strategy.

**96. Nursing Home Provision for Older People including those with Mental Health Problems and People with Physical Impairments.**

Cllr John Thomson, Cabinet member for Adult Care, Communities and Housing presented a report on nursing provision for older people including those with mental health problems and people with physical impairment.

He sought Cabinet approval to commission 350 beds through block contracts and a further 133 through framework agreements for the provision of nursing home care for people over 65 years and those with physical impairments who were assessed as requiring residential care.

This work would be undertaken in partnership with the NHS who would be commissioning a further 256 beds. This would assist with making the offer to providers very attractive and would ensure continuity of care for residents in nursing homes.

Cllr Thomson guided Cabinet through the proposals and responded to questions including updating Cabinet on the position with regards to care homes in the County managed by Southerncross. Cllr Thomson also assured Cabinet that details would be provided to scrutiny in a timely manner to enable them to undertake the scrutiny process.

**Resolved:**

**That Cabinet approves the procurement of block contracts and framework agreements with the NHS for the provision of nursing home care for Wiltshire residents as outlined in the report presented.**

Reason for Decision

In taking this approach the Council will benefit from greater security of market supply and achieve efficiencies through economies of scale. This will facilitate the discharge of people from hospital and ensure availability of nursing care throughout the county.

**97. Car Park Redemption Scheme (applicable to off-street car parks only)**

Cllr Dick Tonge, Cabinet member for Highways and Transport presented a report on proposals for a car parking redemption scheme for all Wiltshire Council owned and operated car parks across the County. The Leader explained that this was raised at the Council meeting on 12 July when an undertaking was given that Cabinet would at this meeting consider a redemption scheme. However, it had since appeared that such a scheme may not be wanted by the retail trade in some areas.

The scheme was designed to assist traders where it was supported locally without imposition. The scheme acknowledged recent research which demonstrated that retail trade was being affected nationally and had been declining on an annual basis over the last three years as the result of the recession and other factors such as internet buying.

Cllr Tonge therefore amended the recommendation in order to initially consult interested parties to establish if they indeed wanted such a scheme before it was introduced. Comments from Cllr Nigel Carter who was unable to attend the meeting were circulated.

A discussion ensued on the recent increase in car parking charges to which Cllr Tonge replied.

**Resolved:**

**(a) To delegate authority to the Corporate Director, Neighbourhood and Planning in agreement and consultation with the Cabinet member for Highways and Transport and the Leader of the Council to consult with**

- **Town councils**
- **Chambers of commerce**
- **Town and City centre management committees and**

- **Those representing independent retailers and other interested parties**

**on proposals to introduce a car parking redemption scheme to establish if they wish to develop such a scheme in their town.**

- (b) To delegate authority to the Corporate Director, Neighbourhood and Planning in agreement and consultation with the Cabinet member for Highways and Transport and the Leader of the Council to develop and implement a car parking redemption scheme in areas where such a scheme is wanted following the outcome of consultation referred to in (a) above.**
- (c) That details of any car parking redemption scheme if introduced be circulated to all Councillors.**

#### Reason for Decision

To consult on a proposal to establish if a car parking redemption scheme is wanted and where it is, to implement such a scheme to offset the impacts of the recession on town centres in Wiltshire.

#### **98. Budget Monitoring**

Cllr John Brady, Cabinet member for Finance, Performance and Risk presented a report which informed Cabinet of progress in delivering savings identified in the 2011-15 Financial Plan in relation to the 2011-12 base budgets and of any significant new cost pressures.

It was noted that significant levels of savings, 87% were on target to be delivered with areas that required further examination and action being highlighted in the report.

The overall assumption was that without further action, the current monitoring of the first quarter for 2011/12, suggested an overspend / shortfall on the balanced budget of £5 million. The early identification of potential issues was part of sound and prudent financial management. The position was similar to the previous year and Cabinet was reminded that positive early action in that instance resulted in a turn around to a £700k underspend at outturn.

Action to address this year's forecast should thus be taken where officers have the delegated powers to do so and this has started. Cllr Brady responded to questions.

#### Public Participation

Mr Gould addressed Cabinet on car parking charges in Salisbury. He commented that whilst the reintroduction of a 1 hour parking scheme would

help, it would not solve all problems and that the Council should review all the bands.

Mr Stevens made similar points and commented that retailers not affiliated to any of the established organisations should also be involved.

Cllr Tonge, Cabinet member for Highways and Transport drew Cabinet's attention to a joint memorandum as tabled from the Salisbury City Centre Management Ltd, Federation of Small Businesses in Salisbury and Salisbury and District Chamber of Commerce. The memorandum included a set of proposals for a revised parking regime in Salisbury. Cllr Tonge also submitted a Briefing Note which detailed the revenue implications of adopting the suggested proposals.

The Leader explained that in reviewing car parking charges the 2 hour parking charge was introduced in good faith and in the belief that it was preferred over a 1 hour scheme. It had since transpired that in fact a 1 hour scheme was wanted by several organisations in Salisbury. The Leader suggested that a meeting be arranged as soon as possible between Cllr Tonge and appropriate representatives from Salisbury to consider options, concentrating on the 1 hour parking proposals and possible funding arrangements.

**Resolved:**

- (a) That Cabinet notes the outcome of the first quarter budget monitoring and receives updates as to how officers had taken action to address potential shortfalls in order to balance the budget or where Financial Regulations required, be in a position to take decisions on proposals for alternative savings at the next Cabinet meeting.**
- (b) That a meeting be arranged between the Leader of the Council, Cllr Jane Scott; Cllr Tonge, Cabinet member for Highways and Transport and appropriate representatives of Salisbury to consider options with a view to exploring the feasibility and funding options for reintroducing a one hour parking charge in Salisbury.**

Reason for Decision

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

To explore feasibility and funding options of reintroducing a 1 hour parking scheme for Salisbury in response to representations made.

## 99. **Annual Report on Treasury Management 2010-11**

In accordance with the CIPFA Prudential Code for Capital Finance in Local Authorities 2003 (The Prudential Code), the Council adopted a Treasury Management Strategy (TMS) for 2010-11, including a set of Prudential and Treasury Indicators (PrIs/TrIs) and an Annual Investment Strategy (AIS) at its meeting on 23 February 2010.

An interim report was submitted to Cabinet on 25 January 2011 for the period from 1 April to 30 September 2010. Cllr John Brady, Cabinet member for Finance, Performance and Risk presented a report which covered the whole financial year ended 31 March 2011.

This report reviewed:

- the actual cash position at the end of 2010-11 against the original forecast for the year;
- PrIs, TrIs and other treasury management strategies set for 2010-11 against actual positions resulting from actions within the year and
- investments during the year in the context of the Annual Investment Strategy.

**Resolved:**

**That Cabinet notes:**

- (a) the actual cash position at the end of 2010-11 against the original forecast for the year;**
- (b) PRIs, TRIs and other treasury management strategies set for 2010-11 against actual positions resulting from actions within the year as detailed in Appendix A of the report presented and**
- (c) Investments during the year in the context of the Annual Investment Strategy as detailed in Appendix B of the report presented.**

### 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 last approved Treasury Management Strategy.

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.



## 100. **Street Lighting Contract**

Cllr Dick Tonge, Cabinet member for Highways and Transport presented a report which sought Cabinet approval to extend the street lighting contract with the existing contractor Balfour Beatty.

In response to a question on the use of LED in street lighting, Cllr Tonge replied that this could be included if monies were made available through spend to save.

### **Resolved:**

- (a) The existing street lighting contract with Balfour Beatty Workplace be extended for one year until July 2012.**
- (b) Consideration should be given to including the maintenance of the Council's street lighting maintenance in any future Highways Works contract which would be likely to start in June 2013.**
- (c) The highway lighting work is moved from Southern Electricity to Balfour Beatty Workplace to realise the £4,000 saving.**

### Reason for Decisions

There are potential long-term savings to be made by including the maintenance of the county's street lighting in a future larger Highways Works Contract. Extending the existing street lighting contract would represent less risk to the Council and should offer good value for money in the circumstances.

## 101. **Urgent Items**

There were no urgent items.

## 102. **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 49 below as it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 3, 3, 3 and 3 & 4 respectively 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.**

103. **Street Lighting Contract**

Cabinet received and noted the report on street lighting which contained exempt information.

Please see minute number 1010 above for the resolution on this item.

104. **Helping People to Live at Home in Wiltshire**

Cllr John Thomson, Cabinet member for Adult Care, Communities and Housing presented a report which sought to update Cabinet on the contract evaluation process for the Help to Live at Home service. The report also sought Cabinet approval for the award of contracts following completion of the evaluation process, details of which were provided.

**Resolved:**

**To approve the recommendations detailed in the report presented and approve the award of contracts as circulated at the meeting.**

Reasons for Decisions

As detailed in the confidential report presented.

105. **Extra Care Housing - Joint Procurement**

Cllr John Thomson, Cabinet member for Adult Care, Communities and Housing presented a confidential report which updated Cabinet on the outcome of the joint procurement strategy for Extra Care Housing with Devon County Council.

Tenders received by the due date had been assessed by a joint panel of officers from Wiltshire and Devon Councils based on a quality/cost analysis.

**Resolved:**

**That Cabinet approve that the following list of tenderers being invited to join the Preferred Development Partner Framework:**

- **Aster**
- **Housing 21**
- **Leadbitter**
- **OSJ**
- **Vinci**

Reasons for Decision

As detailed in the confidential report presented.

## 106. Transformation of the Passenger Assistant Service

Clr Dick Tonge, Cabinet member for Highways and Transport presented a confidential report on transformation of the Passenger Assistant service. The report documented the work carried out to date to identify an appropriate, workable and more cost effective solutions to the delivery of this service. The report included a number of options.

The resolution of the Children's Services Select Committee which had considered the report at its meeting on 22 July was circulated in which it was noted that the Committee supported implementation of the recommended option 7.

### **Resolved:**

**That Cabinet approves implementation of Option 7 as detailed in the report presented.**

### Reason for Decision

As detailed in the confidential report presented.

(Duration of meeting: 10.30 am - 1.40 pm)

These decisions were published on the 1 August 2011 and will come into force on 9 August 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)  
Press enquiries to Communications, direct line (01225) 713114/713115

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**Wiltshire Council**

**Cabinet**

**26 July 2011**

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**Public Participation  
From Mrs Emma Kayne – Denominational Home to School Transport**

**Question**

In the Children's Services Select committee meeting on 22nd July 2011, the Chair asked the Cabinet representatives for a delay in their meeting planned for 13th September so that all parties could be consulted in order to assist the assigned Rapid Scrutiny Task Group's brief to properly cost the impact on the removal of Denominational Transport.

This request was denied. How can this Cabinet allow this meeting to proceed, given that no parents and schools can be easily contacted over the summer break to assist with information on how many children, (up to 450), may leave their current schools and have to be relocated?

Does this Cabinet agree that democratic consultation has been fairly achieved in this situation? Would the Cabinet delay its consideration of the Denominational Home to School Transport issue from its meeting in September in order to achieve the democratic and fair consultation that is purported to be taking place?

**Response**

**The extent to which parents may choose to relocate their children to other schools will depend on the nature and extent of the alternative transport arrangements that are put in place by the denominational schools. Until these are known, it would not be meaningful to ask parents about the decisions they would make. It is expected that both the schools and the parents will be keen to ensure that the impact on attendance at the denominational schools is minimized, and that the numbers transferring to other schools will be a relatively small proportion of the total numbers who currently receive transport. However, to assist the Rapid Scrutiny task group, various scenarios (in terms of % of children who relocate) will be tested to determine estimated budget costs.**

**The extent to which changes in pupil numbers will give rise to additional costs to the education budget is limited, as a result of the way in which funding is allocated to the schools;**

**Revenue funding for each individual maintained school is largely based on the pupil numbers within the school as recorded in the pupil census in the January prior to the start of the financial year. Any increase in pupil numbers is therefore reflected in the following year's budget. However should a school experience a significant increase in numbers on roll within a financial year, i.e., sufficient numbers to generate the need for an additional class, there is a**

**mechanism within the funding formula to reflect the increased cost in year. Subject to the appropriate criteria being satisfied, as laid out in the local authority's funding scheme, this cost is met from the contingency held within the delegated schools budget.**

**Should there be insufficient space at an individual pupil's designated school then the Council has a duty to provide transport to the next nearest available school as long as eligibility criteria are met. This cost would be met from the local authority transport budget. An estimate of additional costs arising from this has already been allowed for within the estimated savings.**

**If the number of pupils in a school decreases then the reduction is reflected in the school's revenue funding allocation for the following financial year. All schools are required to submit three year budget forecasts and years 2 and 3 would be based on estimated pupil numbers. If a school is forecasting a financial deficit then the Authority will work with that school to develop a financial recovery plan. If it is agreed that staffing reductions are necessary for financial recovery then redundancy costs are met from the centrally held Dedicated Schools Grant and are therefore a cost to the overall schools budget.**

**Should additional physical capacity be required at any individual school then this needs to be considered against the capital allocation for additional accommodation and would be taken in to account in the Council's prioritisation of capital expenditure.**

**Every effort has been made to consult those affected by the proposal. From the feedback received to the consultation it is evident that those affected have been given adequate opportunity to convey their views, and these views have been incorporated into the report. The period of consultation has now been extended to 8 August, and consideration of the proposals by Cabinet deferred to 13 September, to give a further opportunity for all affected parties to express their views. The Rapid Scrutiny exercise established by the Childrens' Services Select Committee will provide yet another opportunity for discussion of the proposals, and in particular for the educational impacts to be fully considered.**

**It is important that a decision is made in September so that parents who are considering sending their children to a denominational school in September 2012 know what transport assistance they can expect before the deadline for applications in October 2011. With this in mind, and given the extensive opportunities that have already been given for those affected to make their views known, Cabinet has decided that it would not be appropriate to further delay its consideration of the proposals.**

## **Wiltshire Council**

### **Cabinet**

**26 July 2011**

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### **Public Participation From Father Jean-Patrice Coulon – Denominational Home to School Transport**

#### **Question**

While our community welcomes the news that the Cabinet meeting to decide on subsidised transport for faith schools will be deferred to a time that is not in the school holidays, it nevertheless remains the fact that the meeting is going to be held on a weekday in the day time. The Council is making this proposal on the basis that we are living in difficult economic times. However, it is also saying that if parents wish to have a say in directly speaking to Councillors, they have to forego a day's pay to do so.

Furthermore, in attending the Children's Services Select Committee meeting at the Bradley Road Council Chamber on Friday 22nd July, I was struck as were several members of our community at how small this Chamber is. Parents were only informed of this meeting on Monday 18th July and yet already all the seats were taken, with even an elderly gentleman sat on a chair that had been placed in the middle of a public gangway. Our community has greater notice of the Cabinet meeting, and even though it is being held on a weekday daytime, there are likely to be over 200 people there. Furthermore, there could well be more than 70 people who would wish to make a personal statement. While respectful of the wishes of Democratic Services for us to form a group of spokespeople, it is very hard to ask someone not to speak when it is a question of education. As one councillor put it at the recent Full Council meeting, the education of our children is one of the most important things we do in our lives.

When school transport subsidy was proposed to be withdrawn in 2007, an evening meeting was held in the Sports Hall at St. Augustine's Catholic College which attracted over 500 people. Will Cabinet agree to take up the suggestion of the Leader of the Opposition Cllr Jon Hubbard to have a single issue evening Cabinet meeting? This would ideally be held centrally in Trowbridge, for which the premises of St. Augustine's would be happily donated to the Council. In the interests of local, open honest discussion, the Cabinet should explain to parents directly why they wish to make this proposal which will jeopardise children's education and reduce parental choice for the sake of less than £170,000 in a budget of close to a billion pounds. In doing so, the Cabinet would successfully refute the suggestion that Mr Michael Stevenson, the Chair of Governors of St. Augustine's put at the Full Council meeting of a "Council afraid to face up to its responsibilities".

## **Response**

Every effort has been given to consult those affected by the proposal. From the feedback received to the consultation it was evident that those affected have been given adequate opportunity to convey their views and these views have been incorporated in the report which was initially considered by the Children's Services Committee last Friday.

Nevertheless, from the comments received, it was apparent that a number would welcome the opportunity to attend the Cabinet meeting but would not be able to do so given the timing of the meeting during the school holidays. In recognising this, it has been agreed to defer consideration of the proposals until 13 September. I would expect that given the strength of feeling shown and the sense of importance attached to the proposals as reflected in the comments received, those who would wish to attend will make the necessary arrangements to enable them to attend the meeting given that sufficient notice has been given of the date of the meeting in September.

In terms of accommodation, Father Coulon will be aware that the venue for today's meeting was originally set for Salisbury but was rearranged to meet here at Bradley Road to make it more accessible for those interested in attending for the item. Similarly, the meeting in September has been rearranged from meeting in Devizes to meeting again in this Chamber. As you will see, with the doors opened, we are able to accommodate approximately 50 people. We cannot of course provide unlimited accommodation but have made every effort to provide reasonable accommodation in an accessible location.