

CABINET

DRAFT MINUTES OF THE CABINET MEETING HELD ON 15 NOVEMBER 2016 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Laura Mayes	Cabinet Member for Children
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property
Cllr Jonathon Seed	Cabinet Member for Housing, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste
Cllr Dick Tonge	Cabinet Member for Finance
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage and Arts, Governance and Support Services
Cllr Philip Whitehead	Cabinet Member for Highways and Transport
Cllr Jerry Wickham	Cabinet Member for Health

Also Present:

Cllr Alan MacRae, Cllr Richard Gamble, Cllr Jerry Kunkler, Cllr Bridget Wayman, Cllr Glenis Ansell, Cllr George Jeans, Cllr David Jenkins, Cllr Bob Jones MBE, Cllr Simon Killane, Cllr Gordon King, Cllr Magnus Macdonald, Cllr Bill Moss, Cllr Stephen Oldrieve and Cllr Horace Prickett

125 Apologies

Apologies were received from Baroness Scott of Bybrook OBE who had recently suffered the bereavement of a close family member.

126 Minutes of the previous meeting

The minutes of the meeting held on 11 October 2016 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 11 October 2016.

127 Declarations of Interest

There were no declarations of interest.


128 **Leader's announcements**

The Deputy Leader announced that the meeting would be recorded in order to test a repositioning of the webcasting equipment.

129 **Public participation and Questions from Councillors**

In response to a question made by Councillor Bob Jones MBE, the Deputy Leader stated that he would ask officers to investigate the matter of the length of the period for which poppy collection can be made, as to whether it was in line with other authorities, and to give a written reply.

130 **Developing Integrated Urgent Care**

 Councillor Jerry Wickham presented the report which sought authorisation to proceed with the inclusion of Wiltshire Council's Urgent Care services within a Wiltshire Clinical Commissioning Group (CCG) led procurement for Integrated Urgent Care Services.

Issues discussed during the course of the presentation and discussion included: the desire to include Wiltshire within a procurement project that involves Wiltshire, BANES and Swindon areas; that the contract should be valued at between £13 and £16m a year over 5 years; that the project would be subject to official European procurement procedures; that Wiltshire's proportion of the project should be around £2m; how Wiltshire's interests are protected through the process; and the timetable for the process;

Councillor Gordon King, expressed concern over the issues of maintaining Wiltshire's interest, and whether the proposed integration would lead to a meaningful change resulting in more effective service for Wiltshire's residents. In response, Councillor Wickham stated that he was assured, so far, that the contract was right for Wiltshire Council and its residents, and that a further report would be discussed in January 2017.

In response to questions raised by Councillor Glennis Ansell, Councillor Wickham stated that he was also keen that the project did not expose the Council to any unnecessary additional financial risk, nor that the partnership would result in a slip in performance. In addition he expected that the project would result in a reduction in management costs overall.

Resolved

- a) **To approve the participation of Wiltshire Council in a joint commissioning exercise with Wiltshire CCG, in partnership with B&NES CCG and Swindon CCG, of urgent care services.**

- b) To approve the inclusion of a range of services currently commissioned by Wiltshire Council (as set out in paragraph 7 below) in that joint commissioning arrangement.
- c) To note that a Memorandum of Understanding is being prepared which establishes the governance of the commissioning decisions in relation to the tender exercise.
- d) To note that an update on the joint procurement will be brought back to Cabinet in January 2017, providing an opportunity to agree the timetable for the decision to award the tender.
- e) To approve the exemption to the extension of the existing Council contract with Medvivo for Urgent Care at Home for 2017-18, on the basis that it can then be included in the joint commissioning exercise.

Reason for Decision:

The Council has a number of contracts for services which may be classified as Urgent Care. These are set out in paragraph 7 below. The Council would need to recommission these services over the next year.

Wiltshire CCG, in partnership with B&NES CCG and Swindon CCG has commenced a recommissioning process for Urgent Care services as detailed in the report presented.

There is scope to improve the delivery of urgent care services, reduce duplication and identify efficiencies by commissioning services jointly.

131 Adoption of the Supplementary Planning Document 'Waste storage and collection: guidance for developers'

Councillor Toby Sturgis presented the report which: updated Cabinet on the results of the consultation on the draft Supplementary Planning Document 'Waste storage and collection: guidance for developers' (hereafter 'draft waste guidance SPD') (Appendix 1); presented the revised draft waste guidance SPD (Appendix 2) to Cabinet for their approval to recommend that full Council adopts the document; and sought a decision to delegate to the Cabinet Member for Strategic Planning, Property, Waste and Strategic Housing a future decision to update the draft waste guidance SPD to account for operational changes brought about by the new Lot 5 Contract for waste collection services.

Issues discussed during the course of the presentation and discussion included: that the guidance should ensure the efficient collection of waste is enshrined in planning guidance; that the collection of s106 monies would be strengthened; and that consultation has been undertaken.

Resolved


- (i) To recommend that full Council adopts the revised document 'Waste collection and storage: guidance for developers' (draft waste guidance SPD) (Appendix 2) as a Supplementary Planning Document
- (ii) To delegate to the Cabinet Member for Strategic Planning, Property, Waste and Strategic Housing a decision to approve future changes to the draft waste guidance SPD, limited to items which take account of the new services delivered under the Lot 5 Contract for waste collection services awarded by Cabinet in January 2016 without the recourse to a further consultation with planning professionals, as described further in paragraph 15.

Reason for Decision:

To enable the Council to:

- (i) *Improve service delivery for residents in new developments*
- (ii) *Increase the efficiency and safety of waste collection operations at new developments*
- (iii) *Demonstrate that it is taking steps to manage its statutory duty in relation to the health and safety of its employees and the public*
- (iv) *Provide clarity for property developers and agents in respect of the Council's requirements as the waste collection authority under the Environmental Protection Act 1990*
- (v) *Increase the recovery of Section 106 contributions where it is considered lawful to do so.*

132 Ultrafast Broadband

 Councillor John Thomson presented the report which provided an update on the progress towards implementing a procurement solution to deliver Ultrafast broadband; and sought Cabinet approval to delegate the authority to deal with all contract documentation in relation to the Ultrafast Broadband project, part of the Wiltshire Online programme, and to delegate the decision to enter into the Contract, sign all relevant NDA documents and enter into the BDUK Grant Agreement and SWLEP Match Funding Agreement to the Corporate Director of Children's Services, and Adults' Social Services (acting) in consultation with the Deputy Leader of the Council and Cabinet Member for Communities, Campuses, Area Boards and Broadband.

Issues discussed during the course of the presentation and discussion included: that central government and SWLEP grant monies had been secured without the need for match funding from Wiltshire Council; and that there was a focus on Wiltshire industrial estates.

Councillor Simon Killane, Chair of the Overview and Scrutiny Management Committee, highlighted the engagement of Scrutiny, and invited Councillor George Jeans as the project board member to speak on the matter. Councillor Jeans expressed his support and congratulations for securing the extra funding.

Councillor John Thomson thanked Cllr Jeans for his positive contribution towards the project.

Resolved

- i) To note the progress made towards delivering the 'Wiltshire Online Project'.**
- ii) To note the progress of the Ultrafast procurement.**
- iii) To make an in principle decision to award and enter into the Contract or contracts for the provision of Ultrafast Broadband services.**
- iv) That following the tender process, to delegate the authority to enter into the Contract or Contracts for the provision of Ultrafast Broadband services to the Corporate Director of Children's Services and Adults' Social Services (acting), in consultation with the Cabinet Member for Communities, Campuses, Area Boards and Broadband**
- v) To delegate the authority to enter into and to sign all other relevant documents including Non-Disclosure agreements, Grant agreements and Match Funding agreements to the Corporate Director of Children's Services and Adults' Social Services (acting).**
- vi) To agree that the Corporate Director of Children's Services and Adults' Social Services (acting), be nominated as Authority Representative for the purposes of the Contract.**

Reason for Decision:

Wiltshire Council has recently successfully secured £2m from Broadband Delivery UK (BDUK), Department of Culture, Media and Sport to extend our broadband footprint across Wiltshire with an additional £1m match funding from the Swindon Wiltshire Local Enterprise Partnership. The Invitation to

Tender (ITT) will total £3m and approval was given to proceed on the ITT by the Procurement Board on July 19 2016.

Other reasons as per the report.

133 Urgent Items

There were no urgent items.

134 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 item 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 paragraphs 3 and 5 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighed 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 had been received as to why this item should not be held in private

135 Update on Mobilisation of Future Waste Management and Collection Services (Part II)

 Councillor Toby Sturgis presented the report for Cabinet's consideration and determination which was exempt from publication.

The Deputy Leader emphasised, to those present, that the report was confidential and subject to legal professional privilege and should not be disclosed outside the meeting.

Resolved

That Cabinet approves the recommendations contained in the report presented.

Reason for Decision:

To enable the council to maintain service delivery for residents, to comply with its statutory duties to collect and dispose of waste and to continue to progress towards achieving statutory targets

(Duration of meeting: 9.30 - 9.56 am)

These decisions were published on the 16 November 2016 and will come into force on 24 November 2016

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