


CABINET

MINUTES of a MEETING held in ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU on Tuesday, 18 June 2013.

Cllr Keith Humphries	Cabinet Member for Public Health, Protection Services, Adult Care and Housing (exc strategic housing)
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economy, Skills and Transport
Cllr Jane Scott OBE	Leader of the Council
Cllr Jonathon Seed	Cabinet Member for Communities, Campuses, Area Boards, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property, Waste
Cllr John Thomson	Deputy Leader and Cabinet Member for Highways and Streetscene and Broadband
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform

Also in Attendance: Cllr Allison Bucknell, Cllr Richard Clewer, Cllr Christine Crisp
Cllr Tony Deane, Cllr Richard Gamble, Cllr Mike Hewitt
Cllr Jon Hubbard, Cllr David Jenkins, Cllr Julian Johnson,
Cllr Alan MacRae, Cllr Bill Moss, Cllr Bridget Wayman and
Cllr Philip Whitehead

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

42 Apologies

An apology for absence was received from Cllr Stuart Wheeler, Cabinet member for Hubs, Heritage and Arts, Governance and Support Services.

43 Minutes of last meeting

The minutes of the meeting held on 21 May 2013 were presented.

Resolved:

To approve as a correct record and sign the minutes of the last meeting held on 21 May 2013.

44 **Leader's Announcements**

At the Leader's invitation, Cllr Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Property and Waste made the following announcement:

Community Infrastructure Levy (CIL)

Cllr Sturgis reminded Cabinet that it had, at its meeting on 12 February 2013, approved a revised timetable for the preparation of CIL. This was to reflect the need to ensure that the evidence base and policy approaches could be developed in compliance with new guidance issued by the Government in December 2012. The revised timetable anticipated that a report would be presented to this Cabinet meeting to approve the next stage.

However, the Government has since undertaken further consultation on changes to the CIL Regulations. Revised Regulations and further guidance were due to be published shortly. Cabinet had therefore been advised that it would be prudent to take this into account before moving to the next stage. Although the timetable needed to be updated, it would need to remain under review pending further information being received to provide greater certainty.

Scrutiny had confirmed that it would continue to be involved in the development of CIL and an updated timetable would enable it to meaningfully inform that process. A briefing note explaining the position would be circulated for the benefit of new members as well as updating all Councillors on the current position.

45 **Declarations of interest**

There were no declarations of interest.

46 **Public participation**

The Leader confirmed that as usual she would be happy to allow participation on any of the items listed on the agenda by members of the public present.

The Leader reported receipt of two questions from Mr Phil Matthews, Mayor of Wilton Town Council in respect of resurfacing works at West Street, Wilton and grass cutting service at the cemetery at Wilton.

A copy of the questions and responses from Cllr Thomson, Cabinet member for Highways, Streetscene and Broadband is attached to these minutes.

Cllr Thomson undertook to keep Mr Matthews informed on progress of repairs to the resurfacing works. Mr Matthews confirmed that he was satisfied with the responses and that the grass cutting had been actioned.

47 **Business Plan Scorecard Report - year-end 2012/13**

Cllr Dick Tonge, Cabinet Member for Finance, Performance, Risk and Welfare Reform presented a report which detailed the Council's year end progress against the priorities as set out in the Business Plan 2011/15.

Of the 53 indicators, 18 were annual measures and some were new indicators that were still being defined nationally. At year end, 19 of the remaining 35 indicators were on target, another seven were within 5 per cent, and seven had no targets set. Only two indicators were not on target, compared to 10 in the previous period; neither of which were priority targets. Cllr Tonge commented that this was an improved position on the previous period and there was no cause for concern.

Cllr Jon Hubbard made a number of comments on the data presented. He expressed concern at the downward trend in respect of indicator 1005 'use of in-house foster carers (proportion nights)' and considered that as it was outside the 5% target, it should in fact be labelled as red as opposed to amber. This was accepted and an undertaking was given to amend the report.

Cllr Hubbard was extremely concerned that the following targets which he acknowledged were challenging were not deemed as Council priorities:

1011 'care leavers in suitable education, jobs or training'
1013 'safeguarding: initial assessments done in 10 days'

Cllr Tonge stressed that as cited in the report, the data presented was to report on progress in achieving the targets and actions to deliver the priorities of the Business Plan. Cllr Mayes, Cabinet member for Children's Services and the Leader confirmed that these two areas were priorities for the Council.

It was noted that the format of future reports would be amended to reflect the new Business Plan once adopted by the Council. Scrutiny's involvement in reviewing indicators would be welcomed.

Resolved:

That Cabinet note the progress of the Council's Business Plan for year 2012/13.

Reasons for Proposal

To keep Cabinet informed about progress and to provide an update on the performance related grant scheme for area boards.

Cllr Laura Mayes, Cabinet member for Children's Services presented a report updating Cabinet on the performance of the Wiltshire Adoption Service for the period 1 October 2012 to 31 March 2013. This was to ensure that Cabinet was satisfied that the service was effective and achieving good outcomes for children, young people and service users as required by statute and national minimum standards.

The Department for Education had previously issued the Council with an Improvement Notice. The Notice had addressed issues in the April 2012 Ofsted report on the inspection of Safeguarding and Looked After Children in Wiltshire and the recommendations made as a result of the Adoption Scorecard and Diagnostic Assessment.

Since then and with an Adoption Improvement Plan in place, there had been a noted improvement. Data as at 31 March 2013 indicated that the average time between Wiltshire receiving a court order to place a child and deciding on a match to an adoptive family was 122 days compared to a national average of 195 days. The average time from a child entering care and moving in with an adoptive family was 630 days compared to a national average of 636 days.

The Adoption Service was the subject of a further inspection on 5 March 2013. The resulting report commented that Wiltshire provided an *'effective, well managed and improving adoption service.'* The report also stated that outcomes for children were *'rapidly improving'* and that 85% of children were now placed within 12 months of a decision that they should be adopted. The Inspectors acknowledged the strengths of the Adoption Team commenting that they *'comprise experienced, knowledgeable and resourceful staff who engage in high quality individual work with children and adults affected by adoption.'*

Cllr Mayes and the Leader were pleased with the significant improvements made to the service in such a short period of time and paid tribute to the adoption and fostering teams who made this possible. In terms of the data presented, Cllr Mayes commented that decisions made must always be in the best interests of the child. The Leader added that the Council would always look for a permanent home solution.

Resolved:

- (a) That Cabinet notes and accepts the contents of the Adoption Agency report and**
- (b) That the Council endorses Ofsted recommendations Action Plan as set out in Appendix 3 of the report presented.**

Reason for decision

The 2011 Statutory Adoption Guidance and the 2011 Adoption Minimum Standards place a requirement on local authority adoption services to ensure that the executive of the Council receives a written report on the management, outcomes and financial state of the adoption agency to satisfy themselves that the agency is effective and is achieving good outcomes for children and/or service users. They must also satisfy themselves that the agency is complying with the conditions of registration (Minimum Standard 25.6; Statutory Adoption Guidance 3.3, and 5.39).

49 **Executive Response to the Final Report of the Safeguarding Children and Young People Task Group**

Councillor Laura Mayes, Cabinet Member for Children's Services presented the Executive's response to the Final Report of the Safeguarding Children and Young People Task Group.

A Safeguarding Improvement Board was established to formulate an improvement plan. The Task Group had been established following the outcome of a multi-agency Ofsted inspection undertaken in March 2012 which rated the overall effectiveness of safeguarding services as inadequate. The Task Group met on 16 occasions in addition to many other evidence gathering activities. Its Final Report detailed a total of 41 recommendations grouped under the following work themes:

- Communications
- Children's social care workforce
- Locality working
- Members and safeguarding

The Children's Select Committee endorsed these recommendations at its meeting on 28 March 2013.

Cllr Mayes presented an Appendix which gave the Executive's response to each of the 41 recommendations, highlighting which of those had already been actioned, those where actions were being taken and those which were being considered before a decision was made on them.

Cllr Jon Hubbard, Chairman of the Task Group cited this item as an excellent example of constructive collaboration between scrutiny and the executive. He paid tribute to the Leader who had ensured he had access to all the information he required to enable the Task Group to carry out its work. The Leader agreed and emphasised that whilst the authority was a political organisation, the priority of all members was to serve Wiltshire and especially the vulnerable members of our communities. She also stressed that all Councillors had corporate parenting responsibilities.

Cllr Hubbard thanked members of the Task Group who had worked extremely hard to consider all the issues and arrive at its recommendations. Henry Powell, Senior Scrutiny Officer was also thanked for his excellent work in supporting the Task Group.

Resolved:

That Cabinet note the action already taken and actions planned in response to the Final Report of the Safeguarding Children and Young People Task Group.

Reason for decision

This report is being presented to Cabinet at the request of the Safeguarding Children and Young People Task Group. The recommendations from the Task Group were supported by Children's Services Select Committee.

50 **Annual Report on Treasury Management 2012/13**

Cllr Dick Tonge, Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform presented a report which gave details of the treasury management performance for 2012/13.

The report reviewed the prudential and treasury indicators and other treasury management strategies for the period against the actual positions resulting from actions within the year. The report also reviewed investments during the year in the context of the Annual Investment Strategy. Cllr Tonge guided Cabinet through the key points of the report.

Cllr Jon Hubbard on behalf of the Budget Scrutiny Task Group thanked Cllr Tonge for his assistance in responding to questions from the Task Group.

Resolved:

That Cabinet note:

- a) **Prudential Indicators, Treasury Indicators and other treasury management strategies set for 2012-13 against actual positions resulting from actions within the year as detailed in Appendix A of the report presented; and**
- b) **Investments during the year in the context of the Annual Investment Strategy as detailed in Appendix B of the report presented.**

Reason for decision

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.

51 **Revenue Outturn 2012/13**

Cllr Dick Tonge, Cabinet Member for Finance, Performance, Risk and Welfare Reform presented a report which advised Cabinet of the final revenue outturn position as at 31 March 2013 for the financial year 2012/13. Cllr Tonge guided Cabinet through the report highlighting key points and responded to questions.

The year end position was that the Council had an underspend of £0.087 million. This is a £1.315 million variance from the forecast position at period 9 and reflected the projections of the Section 151 Officer to Council in February 2013 that a balanced budget would be achieved by 31 March 2013.

Resolved:

That Cabinet:

- a) **note the report showing an outturn under spend of £0.087 million;**
- b) **recognises the robust financial management to deliver this outcome; and**
- c) **approves setting up a Transformation Earmarked Reserve of £1.336 million.**

Reason for decision

That Cabinet notes the final revenue outturn for 2012/13 and approves an earmarked reserve for transformation work.

52 **Councillor Induction Programme 2013**

Cllr Allison Bucknell, Chairman of the Councillor Development Group presented a report which gave details of the activities undertaken as part of the Councillor Induction Programme 2013.

A copy of the Council Induction Programme and nominated and new councillor guide were also presented. Cllr Bucknell and the Leader commented that the Induction arrangements had surpassed expectations with excellent support from officers. It was noted that the take up of some sessions fell short of expectations and that the training of Councillors was ongoing.

A discussion ensued on the induction during which a number of comments were made as follows:

- Some Councillors had been unable to attend daytime sessions
- Evening sessions were not always appropriate
- The enforceability of Councillor training and making it mandatory
- Encouraging attendance via group leaders
- Sessions on communications and transformation should be repeated
- Attendance at sessions by all Councillors would ensure appropriate levels of understanding and avoid unnecessary questions and queries

Cllr Bucknell thanked the Communications team for the branding of nomination packs, guides and programme which ensured a professional image being portrayed.

Resolved:

That Cabinet note:

- a) the support provided to all newly elected councillors in their role as community leaders through the councillor induction programme 2013;**
- b) that this work will continue through ongoing councillor training and development, as required and**
- c) the opportunities for further engagement through networking events to allow councillors and officers to build strong working relationships.**

Reason for decisions

To update the cabinet on the councillor induction programme 2013, the success of the programme and the opportunities for the provision of future development sessions and training events.

53 Urgent Items

The Leader approved consideration of the following items as urgent business as the matters could not wait until the next scheduled meeting owing to revised timescales from the Department for Education.

Primary Schools at East Trowbridge and Tidworth NEQ - Preferred Bidders

Cllr Richard Gamble, Portfolio Holder for Schools, Skills and Youth presented a report which invited Cabinet to recommend two organisations as preferred bidders to run the following schools:

- East Trowbridge – primary school with 210 places (with scope to expand to 420 places)
- Tidworth NEQ – primary school with 315 places (with scope to expand to 420 places)

Cllr Gamble provided background on the location of the schools, the process undertaken to evaluate bidders and how the schools would be funded. The various options open to the Council were included in the report presented.

Resolved: (subject to consideration of further information under the following item):

- a) That following the evaluation process, Cabinet agrees to recommend to the Department for Education (DfE) of Wiltshire Council's preferred bidders to run the new schools at East Trowbridge and at Tidworth NEQ.**
- b) That following the agreement to recommend the two Academy providers, Cabinet also agrees to forward the paperwork from all 6 bidders (Trowbridge) and 6 bidders (Tidworth), as well as the Council's evaluation of the bids to the DfE.**
- c) That Cabinet also recognises that the DfE will make the final decision on the successful bidders to run the new school and may overturn the Cabinet decision in favour of another academy provider.**

Reason for decisions

Following guidance issued by the DfE, the LA undertook an Academy Provider competition for both schools from 2 March 2013 to 22 April 2013 to find their preferred bidder to recommend to the DfE. The LA received 6 bids for each school and after holding a short-listing exercise, two bidders were invited to formal interview for each school. After the interviews on 20 May 2013 (Trowbridge) and 24 May 2013 (Tidworth), the panels agreed to recommend to Cabinet that Provider A be invited to run the new school in Trowbridge and that the provider B be invited to run the new school in Tidworth.

Exclusion of Press and Public

Having complied with paragraphs 6(a) and 7 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in respect of the intention to take the following item in private,

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 be 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 item in private:

Paragraph 3 - information relating to the financial or business affairs of any particular person (including the authority holding that information).

No representations had been received as to why the item should not be held in private.

Primary Schools at East Trowbridge and Tidworth NEQ - Preferred Bidders – Part II

Cllr Richard Gamble presented confidential information in relation to the evaluation of the bidders.

Resolved:

That following consideration of the information presented, Cabinet confirms its decisions as follows:

- a) That following the evaluation process Cabinet agrees to recommend to the Department for Education (DfE) of Wiltshire Council's preferred bidders to run the new schools at East Trowbridge and at Tidworth NEQ as detailed in the report presented.**
- b) That following the agreement to recommend the two Academy providers, Cabinet also agrees to forward the paperwork from all 6 bidders (Trowbridge) and 6 bidders (Tidworth), as well as the Council's evaluation of the bids to the DfE.**
- c) That Cabinet also recognises that the DfE will make the final decision on the successful bidders to run the new school and may overturn the Cabinet decision in favour of another academy provider.**
- d) To approve the recommendation at paragraph (d) of the report presented.**

Reason for decisions

Following guidance issued by the DfE, the LA undertook an Academy Provider competition for both schools from 2 March 2013 to 22 April 2013 to find their

preferred bidder to recommend to the DfE. The LA received 6 bids for each school and after holding a short-listing exercise, two bidders were invited to formal interview for each school. After the interviews on 20 May 2013 (Trowbridge) and 24 May 2013 (Tidworth), the panels agreed to recommend to Cabinet that Provider A be invited to run the new school in Trowbridge and that the provider B be invited to run the new school in Tidworth.

Appendix - Questions from Mr Phil Matthews and response

(Duration of meeting: 10.30 am - 12.10 pm)

<p>These decisions were published on the 21 June 2013 and will come into force on 1 July 2013.</p>
--

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

This page is intentionally left blank

Item 5 – Public Participation

Questions from Mr Philip Matthews, Mayor of Wilton Town Council

Question 1

Four years ago the A30 section in Wilton in West Street and Shaftesbury was resurfaced .

The materials used were supposed to last for five years but after two years holes started to appear in the West Street section . This situation has now got worse. I understand that this work was under guarantee but will not be rectified until next year. Is this information correct?

Response

The resurfacing of the A30 at West Street Wilton was carried out as part of the surfacing works carried out in 2009/10, which together with adjoining sections of the A30 had been in poor condition. It would be expected that this type of material would last for many years, but this site showed signs of deterioration much sooner than would be expected. Remedial work was carried out to address those areas, but there appear to be other issues at this site.

As extensive works will be required to resurface this road, involving disruptive road closures and diversions it is proposed to prepare a scheme for implementation next year, which will include addressing drainage, kerb and footway issues at this site in one scheme. Consultations will take place with the Town Council as the proposals are developed. In the meantime the condition of the road will continue to be monitored and safety repairs made as necessary.

Question 2

Wilton Town Council has a grounds maintenance contract with Wiltshire Council which has about two more years to run. Was Balfour Beatty made aware of this when the contract between Wiltshire Council and Balfour Beatty was drawn up? During the handover for over two weeks no grass cutting has been done in the Town Cemetery!

Response

Wiltshire Council's new Highway and Streetscene Contract commenced on the 1st June 2013. The contract includes the grass cutting services for all Wiltshire Council's amenity areas.

Balfour Beatty Living Places (BBLP) are the new Wiltshire Council contractor providing the Highway and Streetscene Service. As well as providing Wiltshire Council's grass cutting services, they also provide a commercial grass cutting service for town and parish councils and other customers.

On the 1st June 2013 Wiltshire Council transferred the Wilton Town Council commercial grass cutting contract to BBLP, with all the other commercial grass cutting services. BBLP now provide the service direct to the commercial customers, including Wilton Town Council.

Prior to the commencement of the Highway and Streetscene Contract Wiltshire Council issued BBLP with a full list of all the Council's commercial grounds maintenance contracts and agreements, for BBLP to make arrangements for the continuation of the commercial services.

BBLP will continue to provide the Wilton Town Council contract for grass cutting at the level and the price agreed by Wiltshire Council.

Wiltshire Council have approached BBLP and expressed the concern of the Town Council with regard to the delay in maintenance at the Cemetery. BBLP have given assurances to Wiltshire Council that this was only a temporary issue.

Whilst Wiltshire Council officers are always pleased to give assistance, as the contract is now between the Town Council and BBLP it is recommended that the Town Council addresses these concerns direct with BBLP as this will speed communication, remove unnecessary additional work and allow the resolution to issues more quickly.