


CABINET

MINUTES of a MEETING held in COUNCIL CHAMBER - COUNCIL OFFICES,
MONKTON PARK, CHIPPENHAM, SN15 1ER on Tuesday, 24 September 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
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage & Arts, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services)

Also in Attendance: Cllr Allison Bucknell, Cllr Richard Clewer, Cllr Christine Crisp
Cllr Richard Gamble, Cllr Mike Hewitt, Cllr Jon Hubbard
Cllr David Jenkins, Cllr Simon Killane, Cllr Gordon King and
Cllr Magnus Macdonald

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

68 Apologies

No apologies received from Cabinet members.

69 Minutes of the Previous Meeting

The minutes of the last meeting of Cabinet held on 23 July 2013 were presented.

Resolved:

That the minutes of Cabinet dated 23 July 2013 be approved as a correct record and signed by the Leader.

70 Declarations of interest

No declarations of interest were made.

71 Public participation

Whilst no requests for public participation had been received, the Leader explained that as usual, she would be happy to hear from any member of the public present on any of the items on this agenda. She extended this to members of the Peer Review group who were in attendance, who were welcomed to the meeting.

72 Leader's announcements

New Cabinet Transformation Committee

The Leader explained that as mentioned at the last meeting, she had now established the Cabinet Transformation Committee.

The Committee would comprise 5 members of Cabinet, namely Cllrs John Thomson, Jonathon Seed, Stuart Wheeler, Dick Tonge and the Leader. To provide flexibility, the Leader would be able to nominate remaining Cabinet members to substitute. The meetings would be open to the public subject to the usual restrictions on the consideration of Part II items. Other Cabinet and non executive members would be able to attend but not be able to vote. All members would receive email notifications of agenda and minutes as they did for Cabinet and other meetings as well as the publication of a Forward Work Plan for the Committee.

Key strategic partners involved in the Transformation programme such as the Police and the Clinical Commissioning Group would be invited to attend in a non-voting capacity.

The main purpose of the Transformation Committee would be to discharge the executive functions of the Council with regards to the implementation of the Transformation Programme. The Cabinet Capital Assets Committee would retain responsibility for decisions concerning the use of the Council's assets in relation to the delivery of that programme. The Transformation Committee would meet every other month alternating with the Capital Assets Committee.

In accordance with the Council's constitution, the Leader would inform Council at its next meeting of the establishment of this Committee and the executive powers she had delegated to it.

73 **Wiltshire Council's Business Plan for 2013-17**

The Leader took the opportunity to present and launch the Council's Business Plan as adopted by Council on 3 September 2013.

This comprised the full version of the Business Plan, a Young People's version of the Plan and a keepsake bookmark which would be circulated with the '*Your Wiltshire*' magazine and summarised the Council's vision, priorities and actions for the next four years as well as ways residents could contact and engage with the Council. Copies of these versions were circulated at the meeting.

The Leader confirmed that the Business Plan would be available online, with hard copies available on request and drawn to the attention of various sectors of the community including town, parish and city councils.

Resolved:

To note the launch of the Business Plan in its various forms and arrangements to publicise and distribute it.

Reason for decision

To raise awareness of the communication plan developed to support the publication and distribution of the Business Plan.

74 **Proposed Senior Management Restructure**

The Leader reminded Cabinet that it had at its last meeting on 23 July 2013, received details of proposals to undertake a senior management restructuring exercise to ensure alignment with the new Business Plan. The proposals were then subjected to a period of consultation with those directly affected and the wider workforce.

Corporate Directors presented the revised structure chart and stressed that the restructure was not just about a revised structure; the role of Associate Director was new, requiring a different approach and set of behaviours aligned to the new senior team delivering the Business Plan jointly to secure the vision set by elected members and the needs of Wiltshire's communities and citizens.

The Corporate Directors explained that minor amendments had been made to the structure in light of feedback received as detailed in the report presented. It was also agreed to accept a point made by Cllr Sturgis at the meeting on including 'waste' in the relevant Director job title to reflect this was a major service provided by the Council.

A discussion ensued on the title 'Associate Director' and it was agreed to reconsider this title to reflect the way these post holders would be working

across the organisation in a more corporate way but still recognise the seniority of these positions.

Members noted the placing of Democratic Services which included the Scrutiny team within the Policy, Performance and Procurement service. Cllr Simon Killane, Chairman of the Overview and Scrutiny Management Committee sought an assurance that this would not compromise the independency of the scrutiny function in being able to hold the Executive to account. It was confirmed that this move was concerned with the management of staff delivering scrutiny rather than managing the scrutiny function itself and this was accepted by those present.

Whilst accepting that a hierarchal structure was required to show line management responsibilities, it was agreed to review how the structure was depicted to reflect the corporate and not silo based approach to the structure.

Resolved:

That Cabinet note:

- a) some revisions, outlined in paragraph 11 of the report presented had been made to the proposed senior management structure presented to Cabinet in a report dated 23 July 2013 and that a further change would be made to reflect 'waste' in the title of the relevant Director ;**
- b) taking into account (a) above, the new senior management structure outlined in appendix 1 as presented be now confirmed subject to the title 'Associate Director' being reviewed and**
- c) appointments to this structure would now take place in line with the Appointments Policy and Procedure for Chief and Senior Officers.**

Reason for decision

To advise Cabinet of the senior management structure being put in place to ensure alignment with the Council's recently adopted Business Plan.

75 Transformational Leadership

Cllr Stuart Wheeler presented a report on Transformational Leadership. It was explained that since the formation of Wiltshire Council, a strong emphasis had been placed on the importance of strengthening the leadership capacity. This together with transforming the organisational culture, were prerequisites to being able to deliver the corporate vision of building strong and resilient communities in Wiltshire.

An essential ingredient to achieving this was to deliver the right training and provide clear career paths for high performing staff with potential at all levels.

Cllr Allison Bucknell, Portfolio Holder for staffing equalities, customer care and systems thinking delivered a comprehensive power point presentation which explained how the Transformational Leadership programme would be delivered. The programme was designed to develop authentic and enthusiastic leaders, who demonstrate the right attitude, qualities and behaviours, working together to develop common focus, delivering our strategy whilst motivating and inspiring those around them.

Resolved:

That Cabinet recognise that much had been achieved in recent years in developing outstanding leadership and shifting the organisational culture in Wiltshire Council and note the transformational leadership concept proposals moving forward.

Reason for decision

To recognise that much had been achieved in recent years in developing outstanding leadership and shifting the organisational culture in Wiltshire Council and note the transformational leadership concept proposals moving forward.

76 Winterbourne View Stock-take

Cllr Keith Humphries presented a report which sought to assure Cabinet of the progress that had been made since the Department of Health (DoH) issued its report '*Transforming Care: a National Response to Winterbourne View Hospital*' in December 2012 and the associated recommendations.

Following the DoH report, a Winterbourne View Joint Improvement Programme was established, led at Ministerial level. The Programme had asked local areas to complete a stock-take of progress against the commitments made nationally that should lead all individuals receiving personalised care and support in appropriate community settings no later than 1 June 2014.

Details of the stock-take undertaken by this Council was presented. This showed that the Council had implemented or was in the process of implementing all of the DoH recommendations. It also identified key areas for improvement and areas where the Council and its partners were still at an early stage of delivery.

Resolved:

That Cabinet note the report and progress made in relation to the Department of Health report '*Transforming Care: a National Response to Winterbourne View Hospital*' and request a follow up progress report in 6 months time.

Reason for decision

To ensure Cabinet was aware of the key issues that need to be progressed with Wiltshire Clinical Commissioning Group around the Department of Health report '*Transforming Care: a National Response to Winterbourne View Hospital.*'

77 **Help to Live at Home: Appointment of Contractors**

Cllr Keith Humphries presented a report which informed Cabinet of the process and award of three Help to Live at Home contracts previously delivered by Aster Living.

Twelve bids had been received which following evaluation, had been short listed to seven providers who had been invited to the final stage to give a presentation. This resulted in the company Mears Care Ltd of Gloucestershire having been selected. Cllr Humphries gave a brief profile of the company and explained that following a meeting with the company's Chief Executive, he was very confident that the company would be able to successfully deliver on the contract.

The company also impressed with its plans to improve the terms and conditions of its staff, something that Cabinet had previously considered an extremely important issue in order to attract the right staff and make the caring industry an attractive career proposition.

Resolved:

That Cabinet notes the award of the Help to Live at Home contract to Mears Group Ltd.

Reason for decision

In July 2013, a report was presented to Cabinet to inform Cabinet of the decision by Aster Living to terminate their contracts and setting out the steps that would be taken to re-let those contracts.

78 **Public Health Annual Report 2012/13**

Cllr Keith Humphries explained that the Director of Public Health had a statutory responsibility to produce an annual report on public health.

Accordingly, Maggie Rae, Corporate Director in her capacity as Director of Public Health presented the Public Health Annual Report for 2012/13 to inform Cabinet of public health activity during this period.

Maggie Rae gave a detailed power point presentation highlighting key activities and successes which included various successful campaigns, such as the Healthy Child programme, Safe Drive Stay Alive programme, Wiltshire Stop

Smoking Service, Active Health Scheme, Health Information Support Service and Get Wiltshire Walking and successful screening programmes which identified those affected and provided treatment.

It was noted that this was in addition to managing the transition of the public health service to the Council and integrating public health within the business of the Council.

Maggie Rae responded to questions and thanked the Council for its continued support. She also thanked Laurie Bell and her team for their efforts in producing the Annual Report.

Resolved:

That the Public Health Annual Report 2012/13 be received and noted.

Reason for decision

To comply with statutory responsibility to publish the public health annual report and make Cabinet aware of progress on public health issues in the County.

79 Military Civilian Integration Programme

The Leader presented a report for Cabinet's information and sought Cabinet's continued support for the Military Civilian Integration (MCI) Partnership and its programme of work. The report explained how the programme would continue with existing initiatives to improve the integration of military personnel and their families into the communities of Wiltshire, and how it would respond to the opportunities and challenges brought by the Army Rebasing Programme.

The report also updated Cabinet on the important milestones that had been reached through partnership working and the support of the MCI Partnership since the last update report to Cabinet in May 2011. Key achievements had included Wiltshire's Armed Forces Community Covenant, the progress made on the delivery of a Defence Technical Training College at the former RAF Lyneham site and the official opening of Tedworth House Personnel and Recovery Centre in May 2013. It was noted that military personnel were being kept informed of SEN and educational places.

Since its establishment in 2007 the MCI Partnership and its programme of work had seen the success of a number of initiatives which had significantly benefited not only the military community comprising of military personnel, leavers and their families, but also of the civilian community whose lives are in many ways connected with Wiltshire's strong military heritage. This success was due to the strength of the partnership in working together to develop new initiatives and face the new challenges brought about by the Regular Army Basing Plan. By continuing to support the MCI Partnership, Wiltshire Council would benefit from the cross cutting and co-operative approach the MCI Delivery Group embodied,

so that the opportunity to unlock the economic potential of the military and provide better services to Wiltshire's communities would be enhanced.

Cllr Christine Crisp, Chairman of Council took the opportunity to remind Members that a ceremony would be held on Friday 26 September at County Hall to present the Arctic Convoy medal to 25 veterans of the Arctic Convoys and of Bomber Command.

Resolved:

That Cabinet:

- (a) confirms its support for the MCI Programme, and endorses the approach being taken to delivering the Army Rebasing Workstream and**

- (b) notes the progress of the:**
 - i. Wiltshire's Armed Forces Community Covenant (agreed in August 2011) and our success in drawing down over £585,000 of grant funding to support local integration projects**

 - ii. Personnel Recovery and Assessment Centre at Tedworth House, Tidworth, which officially opened on 20 May and**

 - iii. development of a Defence Technical Training College at the former RAF Lyneham site.**

Reason for decision

The Military has a significant presence in Wiltshire, and the nature of this presence will change dramatically over the coming years. It is important that the Council recognises the impacts that the Regular Army Basing Plan will bring to Wiltshire, both in terms of the opportunities that this will offer in terms of growth and diversity, and the preparations that the Council will need to make to ensure that the needs of everyone in Wiltshire are met. Cabinet is invited to recognise the achievements that have already been made with the support of the MCI Partnership, such as the progress on a Defence Technical Training College at the former RAF Lyneham Site, the opening of Tedworth House, and the Community Covenant, while acknowledging that there will be difficult challenges ahead, whose successful resolution will require the support of the Council working closely with 43 Wessex Brigade and partners.

80 **Report on Treasury Management**

In accordance with the Treasury Management Strategy as adopted by Council in February 2013, Cllr Dick Tonge, Cabinet member presented the treasury management report for the first quarter of 2013/14 ending 30 June 2013.

This report reviewed management actions in relation to:

- a) the PrIs, TrIs originally set for the year and the position at the 30 June 2013;
- b) other treasury management actions during the period and
- c) the approved Annual Investment Strategy.

Cllr Tonge updated Cabinet on funds recovered from the Icelandic banks. The Council had recovered just over £8.4m of the original £12m deposited in 2008. A further repayment from the Administrators of Heritable Bank of £1.510 million, was received on 23 August 2013 which takes the total recovered from Heritable Bank to nearly £8.5 million (representing approximately 94p in the £ of the £9 million invested in 2008).

Based on current information, the Council was expecting to recover up to 95% of its deposits with Heritable. The Landsbanki Winding-up Board had not yet indicated when they would be making the next distribution but it was expected to recover 100% although repayments in full were likely to be completed over several more years.

Resolved:

That Cabinet note the contents of the report presented in line with the Treasury Management Strategy.

Reason for decision

To give Cabinet an opportunity to consider the performance of the Council in the period to the end of the quarter against the parameters set out in the approved Treasury Management Strategy for 2013/14. The report is a requirement of the Council's Treasury Management Strategy.

81 **Revenue Budget Monitoring - Period 5**

Cllr Dick Tonge presented a report which advised Cabinet of the revenue budget monitoring position as at the end of Period 5 (end of August 2013) for the financial year 2013/2014 with suggested actions as appropriate.

The projected year end position for the relevant accounts was reported as set out as follows:

	Revised Budget Period 5 £ m	Profiled Budget to date £ m	Actual and committed to date £ m	Projected Position for Year £ m	Projected (Over)/ Underspend £ m
General Fund Total	340.518	201.264	179.444	342.585	2.067
Housing Revenue Account	(0.631)	(2.932)	(3.236)	(0.631)	0.000

As usual Finance officers and budget managers were monitoring budgets and taking appropriate action as necessary. It was noted that the spend on Children's Social Care was forecast to be £1.9 million above the original allocated budget. However the potential risk of this occurring had been included in the risk assessment of the General Fund Reserves presented to Council in February 2013 and £1.4 million was therefore set aside within the General Fund Reserve to meet this requirement. It was proposed that this element of the Reserve is released.

Resolved:

That Cabinet note the outcome of the period 5 (end of August) budget monitoring, and approve the transfer of £1.4 million from General Fund Reserves to Children's Social Care.

Reason for decision

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

82 Supply of Energy, Electricity and Gas

Cllr Stuart Wheeler presented a report which sought to explain the Council's current energy supply arrangements which would end 31 March 2014, the work undertaken to establish the options and identify the best value procurement solution. Cabinet's views were sought on proposals to support the award of contracts to secure supply for a period of up to three years until 31 March 2017.

The report concluded that the Council and its partners were best served by procuring energy supplies from 1 April 2014 through entering into a contract with a Public Buying Organisation by 1 October 2013, implementing a locked pricing strategy and specifying further service levels in support of best value. It was noted that details of the electricity and gas opportunity assessments were recommended to be considered in private as they included exempt information.

The report detailed the various options open to the Council.

Cllr Stuart Wheeler thanked officers in particular Greg Lewis for a thorough and detailed piece of work on what was a very complex area.

Public participation

Mr Michael Sprules suggested that it might be cheaper to keep street lights on continuously as he had been given the impression that the energy used to switch them on and off was greater and therefore more expensive than leaving them on. It was however explained that with modern technology this was no longer the case.

Resolved:

- (a) That Cabinet agree to procure its energy requirements for council operated buildings and some schools, using a locked pricing strategy, through a Public Buying Organisation pre-approved framework for a maximum of a three year period from 1 April 2014 through to 31 March 2017.**
- (b) That Cabinet give delegated authority to the Service Director, Business Services, in consultation with the relevant Cabinet Member to have executed all necessary documents required for the Council to join an appropriate energy supply framework.**
- (c) That Cabinet acknowledge the complexity of the energy market and resolve that in advance of the end of the new agreement, the council seek independent professional advice to develop an assessment of our energy requirements and associated options and recommendation for future procurement.**

Reason for decision

To secure the council's energy supplies from 1 April 2014 and deliver best value for the council and any partners that opt-in.

83 Urgent Items

There were no urgent items.

84 Exclusion of the Press and Public

Having complied with paragraphs 5 (4) and 5 (5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in respect of the intention to take the following items 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 items 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 paragraphs 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 items in private:

Exempt 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 items should not be held in private.

85 Supply of Energy, Electricity and Gas

Cllr Stuart Wheeler presented the electricity and gas opportunity assessments as referred to in minute no.82 above.

On consideration of this information, it was

Resolved:

That Cabinet confirms its decisions as detailed under minute no. 82 above.

86  Proposed Extension to Waste and Recycling Collection Contract

Cllr Toby Sturgis presented a confidential report which sought Cabinet approval to extend the contract with FCC Environment for waste and recycling collection in west Wiltshire until 31 July 2016.

The options open to the Council were to either terminate the FCC Environment Contract on 31 March 2014 or extend the contract to 31 July 2016.

Cllr Jon Hubbard mentioned that a member of his constituency had praised a member of the waste team for the exceptional way they had handled her concerns and provided her with information and advice.

Resolved:

That Cabinet agrees to extend the contract with FCC Environment for waste and recycling collection in west Wiltshire until 31 July 2016.

Reason for decision

To enable the Council to maintain service delivery for residents in west Wiltshire and to comply with its statutory duty to collect waste.

(Duration of meeting: 10.30am - 1.10 pm)

These decisions were published on the 1 October 2013 and will come into force on 9 October 2013

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
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