


CABINET

DRAFT MINUTES of a MEETING held in KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 13 October 2015.

Cllr Baroness Scott of Bybook O.B.E	Leader of the Council
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills and Strategic Transport
Cllr Keith Humphries	Cabinet Member for Health (including Public Health) and Adult Social Care
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Jonathon Seed	Cabinet Member for Housing, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning (strategic and development management), Property, Waste and Strategic Housing
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Systems Thinking, Procurement and Welfare Reform
Cllr Stuart Wheeler	Cabinet Member for Hubs, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services), Heritage & Arts and Customer Care
Cllr Philip Whitehead	Cabinet Member for Highways and Transport
Also in Attendance:	Cllr Jon Hubbard, Cllr Alan MacRae, Cllr Richard Gamble, Cllr Fred Westmoreland, Cllr Simon Killane, Cllr Glenis Ansell, Cllr Magnus Macdonald and Cllr Bill Moss

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

106 **Apologies**

There were no apologies for absence received.

107 **Minutes of the previous meeting**

The minutes of the meeting held on 15 September 2015 were presented.

Resolved

To approve as a correct record and sign the minutes of the meeting held on 15 September 2015.

108 Minutes - Capital Assets Committee

The minutes of the meeting held on 15 September 2015 were presented.

Resolved

To note the minutes of the meeting of the Cabinet Capital Assets Committee held on the 15 September 2015.

109 Declarations of Interest

There were no declarations of interest.

110 Leader's announcements

There were no Leader's announcements.

111 Public participation and Questions from Councillors

The Leader reported receipt of questions from Mr Brian Warwick and Mrs Iris Thompson.

With regards Mr Warwick's first question, Councillor Keith Humphries explained that he was arranging to meet with Mr Warwick to discuss further questions submitted by him.

Cllr Jonathon Seed replied to Mr Warwick's second question in respect of the issue of the number of bedrooms at properties offered to elderly tenants. Councillor Seed explained that he considered the matter had been addressed through consultation and that there had been a good response from providers. Furthermore, he had hoped that pensioners would be exempt from the 'bedroom tax', this had not been case, but he now hoped that this matter could be dealt with through a local measures. With regard to the mixing of ages, given the priorities for housing people in preferred locations, it was unavoidable that younger and older people would be housed in some developments together; he would, however, discuss the matter further with Mr Warwick once he had consulted with officers.

The Leader stated, in response to a supplementary issue raised by Mr Warwick, that Wiltshire Council would be seeking to improve this engagement with providers.


The Leader then invited Mrs Iris Thompson to present her question.

Cllr Toby Sturgis replied reassuring Mrs Thompson that her objections had been considered as part of the determination of the scheme.

In response to Mrs Thompson view that she remained unconvinced that her concerns had been properly considered, the Leader explained that whilst she understood Mrs Thompson's concerns, she considered that the process had been dealt with properly and having regard to professional and technical expertise from officers. The Leader added that, given Mrs Thompson's continuing concerns, she might wish to refer the matter to the Local Government Ombudsman for independent adjudication. Furthermore, the Leader considered that the Council had done as much as it was able to do to address her concerns; the Leader requested the Monitoring Officer advise Mrs Thompson on referring her issue to the Ombudsman.

In an effort to further allay Mrs Thompson's concerns, at the request of the Leader, it was agreed that a Highways Safety Engineer, together with Councillor Phillip Whitehead would meet with Mrs Thompson at her property.

112 **Deferred Payments**

 Councillor Keith Humphries presented the report which set out a proposed change to the deferred payment policy, required following the implementation of the Care Act 2014.

Issues raised in the course of the presentation and discussion included: the impact of the new proposals on reducing the financial risk to the Council; that the policy would allow people to defer payment of care with the Council paying the balance of costs; the maximum rate of interest set by the Government; how a charge could be registered on the property, and how some administrative charges could be levied; what the cash flow implications of the phasing of the scheme were; that the Council has 85 people currently using the scheme, a number that had been fairly stable; that a grant would be made available to the Council to cover part of the cost of **implementation**; that the Council would direct people to independent financial advice, and so that people are aware that the Council is only able to provide care up to a certain level; that younger people rarely fall under the scope of the scheme; and that further briefings would be made available to Members so that they would, in turn, be better able to respond to queries from their respective communities.

In response to a question raised by Cllr Fleur de Rhe-Philippe, officers were asked to clarify how interest would be calculated.

In moving his recommendation, Cllr Humphries amended the wording of recommendations 4. and 6. as recorded in the resolutions below, duly passed by the meeting.

Resolved

To amend the deferred payment policy so that:

- 1. Eligibility will be extended to people in supported living;**

- 2. Only a first legal charge, registered against the persons property will be accepted as security unless an exception is agreed by a Head of Service;**
- 3. Interest and fees will be charged from the outset of the agreement;**
- 4. The Deferred payment loan can be up to 80% of the equity a person has;**
- 5. No payments will be made until a first legal charge is registered unless there is a delay in the process through no fault of the customer; and**
- 6. Where a person rents out their home, 100% of rental income will be considered in financial assessments.**

Reason for Decision:

New legislation requires the current policy to be updated. The policy has been updated to take advantage of the new powers the Council has around offering deferred payments.

The proposals reflect a tightening of arrangements to reduce the financial risks the Council is exposed to. The proposals also try to incentivise the take up of supported living accommodation, such as extra care, to encourage people to think about moving to appropriate accommodation earlier in their lives and help manage long term costs of care.

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113 **Integrated Emergency Management Plan**

Key Councillor Keith Humphries presented the draft Integrated Emergency Management Plan for Cabinet's consideration and onward recommendation to Council.

The accompanying report outlined recent improvements and proposed future work to enhance the resilience of Wiltshire Council and the wider community.

Issues raised in the course of the presentation and discussion included: that the Council is a category one responder and is required to work with partners to put plans in place to respond to emergencies; the evolution of the emergency planning function and how it had been strengthened; how the emergency planning function has been linked to Public Health; how the new plan brings together three plans including business continuity, recovery and emergency plans; how the plan links to the Local Resilience Forum co-chaired by Maggie Rae in her capacity as Director for Public Health; how national civil risks are taken into account including flu, flooding and power outages; how voluntary groups can be worked with to improve community resilience; how potential problems can be anticipated including support to festivals; and how the Council has been recognised as an exemplar.

Cllr Humphries thanked, in particular, the work of the Overview and Scrutiny Committee for its input. Furthermore, he expressed his wish to continue this relationship, and drew attention to their report and recommendations in the pack.

Cllr Simon Killane, Chair of the Overview and Scrutiny Committee, welcomed the opportunity to have had a robust and detailed discussion on the Plan; he also made reference to the recommendation and the focus on engagement of staff and volunteers with the plan. He looked forward to having the opportunity to continue to look at this as it is an evolving, living document.

Cllr Humphries, in response to issues raised by Cllr Sturgis and Cllr Fleur de Rhe-Philippe, stated that officers are going out to Area Boards and Parishes, and that they would continue to work to promote engagement with the plan in the communities, recognising the benefit of gaining assistance and knowledge from local communities.

Resolved

- 1. To recommend the Integrated Emergency Management Plan for approval by Full Council**
- 2. To note the progress made by the Emergency Planning Team in increasing the resilience of Wiltshire Council and local communities.**

Reason for Decision

This proposal seeks to formalise and reinforce Wiltshire Council's commitment to continual improvement in response during emergencies, and to support communities becoming stronger and more resilient. The Integrated Emergency Management Plan is a best-practice approach to preparing for emergencies, which will assure partners and communities that Wiltshire Council has planned and prepared for major incidents.

The new Plan replaces three previous documents, and will align the organisation to the highest national and international standards for Major Incident Response, Business Continuity and Recovery.

114 **Public Health Annual Report**

Councillor Keith Humphries and the Director of Public Health – Maggie Rae, presented the Annual Public Health Report which informed Cabinet of Public Health activity in Wiltshire during 2014/2015. During the presentation, a video of the 'Beat the Streets' initiative designed to promote walking to school was shown.

Issue highlighted in the course of the presentation and discussion included: The statutory duties of the Council in relation to Public Health; how the movement of Public Health Service to Local Government had improved engagement with other Council Services and the public in general; and the Council's good, national reputation for engaging and integrating Public Health.

Cllr Humphries, in his presentation, commended officers for embracing this change and working so positively to engage with Public Health in their work.

Maggie Rae stated, in response to issues raised by Cllr Glenis Ansell and Cllr Laura Mayes, that the Council would be investigating options for furthering the Beat-the-Street scheme, particularly with regard to possible links to Leisure services and targeted obesity programme.

Resolved

To note the Public Health Annual Report 2014/2015.

Reason for Decision:

To formally present the Annual Report to Cabinet and provide an opportunity to express any views.

115 **Children's Community Services Retender: Preferred Provider**

Councillor Laura Mayes presented a report which provided background to the Children's Community Health Services retender project.

Issues highlighted in the course of the presentation and discussion included: that five organisations were currently providing different services in this area; that officers from the Council and staff from other commissioning organisation had undertaken consultation with users to establish what needs there were, and with providers with a view to bringing these services under one contract.

Cllr Jon Hubbard, Chairman of the Children's Select Committee, stated that he was looking forward to further work with officers once the approved contractor

has been identified. Furthermore, he would be looking for involvement of the Task Group in contributing to looking at how to measure performance. He explained that such a framework would be vital in managing the £7m of public funding and ensuring it is appropriately spent to the right quality standard.

In response to a question from Cllr Philp Whitehead, Julia Cramp – Associate Director, explained that whilst the project was a jointly-commissioned exercise between NHS England, Wiltshire CCG and Wiltshire Council, that Senior Wiltshire Council officers, led by Julia Cramp, would play a significant role in managing the contract, due to level of funding invested by the Council

The Leader drew the meeting's attention to the fact that further discussion of the matter would be held in Part ii of the meeting.

Resolved

To note the progress of the Community Child Health Recommissioning Steering Group.

Reason for Decision:

To keep Cabinet abreast of developments.

116 **Urgent Items**

There were no urgent items.

117 **Exclusion of the Press and Public**

Resolved

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the following items of business because it is likely that if members of the public were present there would disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Reason for taking the item in private:

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

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

118 **Children's Community Services Retender: Preferred Provider (Part II Item)**

🔑 Councillor Laura Mayes presented the report which provided further information regarding the project, an update on the outcome of the tender evaluation process, and the background to the Steering Group's recommendation to proceed to formal award of contract stage.

The Leader requested that the provider should be asked to report back to Cabinet at the appropriate time, once they had been operating the contract for at least 6 months.

Resolved

- 1. To approve the recommendation of the Community Child Health Re-commissioning Steering Group to progress to award of contract; and**
- 2. To note that the decision to proceed to award of contract is not legally enforceable until and unless a contract is signed by all parties, and should any irresolvable issues arise during mobilisation the commissioners and/ or bidder may withdraw.**

Reason for Decision

The procurement process, following strict criteria set out in NHS procurement regulations, has been applied. A range of evaluators including representatives of the three commissioning bodies, local experts from individual areas of expertise, including the Wiltshire Parent Carer Network and young people representatives, together with external clinical experts have met to moderate agreed scores for each of the questions. An overall score has been agreed by the evaluation team. The Steering Group are satisfied that the assumptions identified have been raised and clarified during the due diligence phase and that Virgin Care Services are able to deliver the service as per their bid and have recommended progress to formal contract award.

(Duration of meeting: 12:05)

These decisions were published on the 16 October 2015 and will come into force on 26 October 2015

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