

CABINET

MINUTES of a MEETING held in COUNCIL CHAMBER - COUNCIL OFFICES, BROWFORT, BATH ROAD, DEVIZES SN10 2AT on Tuesday, 19 June 2012.

Cllr Lionel Grundy OBE	Cabinet Member for Children's Services
Cllr Keith Humphries	Cabinet Member for Public Health and Protection Services
Cllr Fleur de Rhe-Philippe	Cabinet Member for Economic Development and Strategic Planning
Cllr Jane Scott OBE	Leader of the Council
Cllr Toby Sturgis	Cabinet Member for Waste, Property, Environment 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

Also in Attendance: Cllr Trevor Carbin, Cllr Chris Caswill, Cllr Christopher Cochrane, Cllr Linda Conley, Cllr Peter Doyle, Cllr Richard Gamble, Cllr Mollie Groom, Cllr Jon Hubbard, Cllr Jacqui Lay, Cllr Alan MacRae, Cllr Jemima Milton, Cllr Francis Morland, Cllr Mark Packard, Cllr Judy Rooke and Cllr Jonathon Seed

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

64 **Apologies**

Apologies for absence were received from Councillors John Brady, John Noeken and Stuart Wheeler.

65 **Minutes of the previous meeting**

The minutes of the meeting held on 17 April 2012 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 17 April 2012.

66 **Minutes - Capital Assets Committee**

Resolved:

That the minutes of the Capital Assets Committee held on 24 May 2012 be received and noted.

67 Declarations of Interest

Cllr Judy Rooke having submitted a formal question to this meeting declared a prejudicial interest in the item on the Submission of the Wiltshire Core Strategy and Review of Local Development Scheme (minute no. 70 refers) as her property was close to the proposed country park and potential housing development at Rowden Park, Chippenham.

68 Leader's announcements

Mrs Ann Corcoran, MBE

The Leader was delighted to announce that Council employee, Mrs Ann Corcoran had been awarded the MBE in the recent Birthday Honours List. Ann, an office manager at the Coroner's Office in Salisbury was given the award in recognition of her work to coronial services and helping bereaved families including loved ones of those who had been repatriated through RAF Lyneham. On behalf of Cabinet, the Leader congratulated Ann on such a prestigious award.

69 Public participation

At this point in the meeting, the Leader received representations received on matters not included in this agenda. Other representations received would be received at the relevant item.

The Leader referred Cabinet to representations received from Michael Sprules. Chairperson of Residents Against Development Affecting Recreational Land (RADAR) as follows:

Statement and question concerning the non-mitigation of cricket facilities due to lack of a Grampian condition prior to development. Cllr Toby Sturgis, Cabinet member for Waste, Property, Environment and Development Control Services provided a response to the question. Cllr Sturgis undertook to examine the S.106 Agreement and ensure that interpretation of the Agreement was clear to interested parties, particularly those areas which gave rise to disagreements.

Statement of appreciation for the excellent way the Council had organised the Torch Relay's journey through the County. He congratulated the Council's staff for the marvellous way it had marshalled the event. The Leader thanked Mr Sprules for his appreciation of how the Council had organised the event. She paid tribute to all those involved including the over 500 marshals who helped ensure the event was successful, safe and fun. The Leader reminded those present that the Torch Relay would be returning for a journey through the South of the County over 11 and 12 July 2012.

Submission of Wiltshire Core Strategy and Review of the Local Development Scheme

Declaration of interest

Cllr Judy Rooke declared a prejudicial interest in the item on the Submission of the Wiltshire Core Strategy and Review of Local Development Scheme as her property was close to the proposed country park and potential housing development at Rowden Park, Chippenham.

Public Participation

Cabinet received written representations on this item as follows:

Question – from Cllr Judy Rooke
Statement from Osborn Clark on behalf of Chippenham 2020
Letter from Hallam Land Management

Details of the above representations can be found on the Council's website along with the agenda for this meeting.

Cabinet received verbal representations at the meeting on this item as follows:

Mr Owen Inskip
Mr Gary Mantle – from the Wiltshire Wildlife Trust

Cllr Fleur de Rhé Philipe, Cabinet member for Economic Development and Strategic Planning presented a report on the Wiltshire Core Strategy (Strategy) and Review of the Local Development Scheme. She also presented the Strategy document asking Cabinet to consider the outcome of the recent formal consultation exercise and to recommend the document to an extraordinary meeting of Council on 26 June for the purpose of submitting it to the Secretary of State.

Cllr de Rhé Philipe briefly summarised how the Strategy had evolved and the method of consultation. The consultation had resulted in representations from more than 430 different organisations and individuals. Collectively, more than 1,700 separate comments were made on different parts of the plan. A summary of the main points were documented in Chapter 4 of the consultation output report.

In response to the consultation, a number of changes were proposed in the interests of improving clarity and understanding of the document and to update it to improve consistency with the National Planning Policy Framework (NPPF). A small number of changes were proposed by officers for similar reasons. A schedule of proposed changes was presented for Cabinet's consideration. These changes were considered minor in nature and would not alter the overall substance of the Strategy, the validity of the Sustainability Appraisal or negatively affect the consistency with national policy. Their inclusion would strengthen the document without undermining its overall soundness.

Cllr Jon Hubbard, Chairman of the Environment Select Committee presented the relevant extract of the Committee's minutes dated 11 June 2012 when it considered the Strategy. The Committee in making a number of comments, offered general endorsement of the Strategy and asked Cabinet to take into account its reservations and suggestions as referred to in the minutes. Cllr Hubbard explained the primary concerns of the Committee.

Cllr de Rhé Philipe thanked the Environment Select Committee for its consideration of the Strategy and presented a schedule of responses to the points raised by the Committee.

Cllr Hubbard also considered that representations made by Councillors given that they represented their respective communities should be made available in full rather than relying on summarised accounts. The Leader agreed that they should be circulated prior to Council.

In the debate which ensued, Councillors made general comments on the Strategy and specific points in relation to their respective divisional areas. Cllr Jonathon Seed advised that he intended to submit an amendment at Council concerning restricting the proximity of wind farms to residential areas.

There was some reservation over one of the recommendations to Council on granting delegated powers to officers to make other minor modifications to the Strategy in preparation for its submission to the Secretary of State in the interests of clarity and accuracy. Councillors were advised that this was normal practice for a document of this size and complexity and that Legal would need to be satisfied with any amendments made. To reassure Councillors, it was agreed to amend the recommendation to Council to include Cllr Hubbard in his capacity as Chairman of the Environment Select Committee (as well as leader of the Opposition) as a consultee along with the Cabinet member for Economic Development and Strategic Planning in agreeing the final document for submission.

It was noted that the recommendation to Council included specific reference to approving the Equalities Impact Assessment.

Following debate and taking into account representations received, it was

Recommended to Council:

That Council:

- (i) notes the outcome of the consultation;**
- (ii) approves submission of the Wiltshire Core Strategy Pre-Submission Document, together with proposed changes (set out in Appendix 1 of the report presented) and Equalities Impact Assessment (at Appendix 4 of the report presented), to the Secretary of State for Examination;**

- (iii) delegates to the Service Director, Economy and Regeneration, in consultation with the Cabinet Member for Economic Development and Strategic Planning and the Chairman of the Environment Select Committee, authorisation: for the preparation of other minor modifications to the Core Strategy for Submission to the Secretary of State in the interests of clarity and accuracy; and to make appropriate arrangements for submission of documents to the Secretary of State and any consequential actions as directed by the Inspector relating to the Examination and
- (iv) approves the revision to the Local Development Scheme (as set out in Appendix 3).

Resolved:

(a) That the following documents be circulated to all Councillors prior to the Council meeting on 26 June 2012:

- Details of full representations made by Councillors during the consultation exercise;
- Revised copy of the plan on page 248 of the Strategy to include the amendment proposed by Natural England (as referenced in the question from Cllr Judy Rooke);
- Sustainability Appraisal, which had been updated to highlight new text and
- Details of classification of villages as referred to in Topic paper 3.

(b) To respond to Cllr Francis Morland on whether the word ‘not’ should be included in paragraph 2.7.17 of Appendix 2.

Reasons for decisions

To ensure that progress continues to be made on preparing an up-to-date development plan for Wiltshire, in line with the timetable set out in the Council’s Local Development Scheme and statutory requirements, and to update the Local Development Scheme in the light of the need to ensure work continues on maintaining an up-to-date development plan for Wiltshire.

Regulatory and constitutional procedures require that the policy framework of the authority be a shared matter for Cabinet and Council¹. Cabinet’s functions set out in the constitution include proposing to Council new policies which fall within the Policy Framework as defined in paragraph 1 of Part 3 of the Constitution. In order to secure Council approval, therefore, the draft DPD has first been endorsed by Cabinet.

Wiltshire and Swindon Aggregate Minerals Site Allocations Development Plan Document - Submission to Secretary of State

Cllr Fleur de Rhé Philipe, Cabinet member for Economic Development and Strategic Planning presented a report on the Aggregate Minerals Site Allocations Development Plan Document (DPD). She also presented the DPD itself for Cabinet's consideration and approval for onward recommendation to the extraordinary meeting of Council on 26 June 2012. If approved by Council, the DPD would then be submitted to the Secretary of State for Examination.

Cllr de Rhé Philipe explained how the DPD had evolved, the consultation undertaken and previous Cabinet consideration on it. The consultation had prompted 124 comments from 53 organisations, consultees and members of the public. These comments would be considered by a Government Inspector and form the basis of the forthcoming Examination.

A schedule of proposed modifications which arose from the consultation was presented. The modifications proposed were not considered substantial by officers and could be accommodated within the DPD in order to strengthen sections where necessary without undermining the overall soundness of the document. Cllr de Rhé Philipe advised that the recommendation to Council included specific reference to approving the Equalities Impact Assessment.

For the same reasons as referred to in minute no. 70 above on the Wiltshire Core Strategy, it was agreed to add Cllr Jon Hubbard in his capacity as Chairman of the Environment Select Committee (and leader of the Opposition) as a consultee to agreeing the final document.

Recommended to Council:

That Council:

- (i) approves the Submission draft Aggregate Minerals Site Allocations DPD and proposed modifications set out at Appendix 3 and the Equalities Impact Assessment at Appendix 4, for the purpose of submission to the Secretary of State and**
- (ii) delegates to the Director for Economy and Regeneration, in consultation with the Cabinet Member for Economic Development and Strategic Planning and the Chairman of the Environment Select Committee, authorisation to propose other minor modifications to the Sites DPD for submission to the Secretary of State in the interests of clarity and accuracy, and to make appropriate arrangements for submission of the documents to the Secretary of State and any consequential actions as directed by the Inspector relating to the Examination.**

Reason for Decision

To ensure that progress continues to be made on preparing an up-to-date minerals policy framework for Wiltshire (and Swindon) in line with the timetable set out in the Council's revised Local Development Scheme and statutory requirements. Once adopted, the Sites DPD would form part of the Council's policy framework.

Regulatory and constitutional procedures require that the policy framework of the authority be a shared matter for Cabinet and Council². Cabinet's functions set out in the constitution include proposing to Council new policies which fall within the Policy Framework as defined in paragraph 1 of Part 3 of the Constitution. In order to secure Council approval, therefore, the draft DPD has first been endorsed by Cabinet.

72 **Children in Care Commissioning Strategy**

Cllr Grundy, Cabinet member for Children's Services presented the revised Children in Care Commissioning Strategy and sought Cabinet approval of the strategic direction and priorities outlined within it.

The Strategy took account of the issues raised following the recent Ofsted Inspection on Safeguarding and Looked After Children. The report had raised some specific immediate actions which had been addressed and also identified that the Strategy set out clear priorities for on-going service development.

The purpose of the Strategy was to achieve better outcomes for children and young people by making sure there were good quality services available locally.

Cllr Jon Hubbard, Chairman of the Looked After Children Task Group explained that the Strategy had been endorsed by the Task Group having been involved in its development. He cited this as a good example of policy development with scrutiny input at the outset and thanked officers and the Cabinet member for their co-operation.

In response to a query, Carolyn Godfrey – Corporate Director advised that the Strategy was fully aligned with Government policies.

Resolved:

To agree the strategic direction and priorities outlined in the Children in Care Commissioning Strategy 2012-2015 as presented.

Reason for decision

The Wiltshire Children and young People's Trust brings together a wide range of stakeholders including young people and partner agencies. The Trust has developed a commissioning strategy covering placements and services for

children in care which sets out the strategic direction. The Council has a role as the Corporate parent for children in care and Wiltshire Council Cabinet is being asked to endorse the strategy including the commissioning priorities.

73 Falls and Bone Health Strategy

Cllr Keith Humphries, Cabinet member for Public Health and Protection Services presented an updated Falls and Bone Health Strategy for the period 2012-2014 for Cabinet's consideration.

The main aims of the Falls and Bone Health Strategy were to:

- Improve falls and fracture services used by Wiltshire residents and ensure that services responded to the needs of older people,
- Halt the rising number of falls and related injuries experienced by older people each year,
- Meet local and national targets on falls and fracture prevention
- Support older people to access a wide range of community resources.

The Wiltshire strategy action plan had been developed using national and local information on falls, fractures and osteoporosis.

In addition consultation with key stakeholders had developed the priority areas for local action. The Strategy was being launched for public consultation during falls awareness week (18-22 June). A suggestion was made that the Strategy and action plan should be considered by the Health and Wellbeing Board to ensure a joined up approach and by the Health and Adult Social Care Select Committee.

A discussion ensued on the need for medical practitioners to document the different causes of falls. This would provide data on how many falls were attributed to poor pavement quality following works by utility companies to strengthen the Council's argument in its representations to Government over funding. Cllr Tonge, Cabinet member for Highways and Transport advised that inspections after such works were carried out and utility companies required to make improvements where necessary or face the imposition of fines.

Maggie Rae, Corporate Director of Public Health and Public Protection explained the main causes of osteoporosis and the need for preventative measures being taken earlier. She also emphasised the need to align this with the leisure strategy.

Resolved:

That Cabinet :

- (i) notes this update of the strategy and**
- (ii) agrees the key areas for action**

Reason for decision

The Falls and Bone Health Strategy is crucial to enable a reduction in falls and falls related injuries. This strategy is an update of the Wiltshire Falls and Bone Health Strategy which was published in 2009. It is expected that the 2012 strategy will remain valid for two years.

74 **Business Plan Annual Update**

The Leader presented the Business Plan Annual update for 2011/12. In February 2011 the Council had published its four year Business Plan which set out what would be achieved by 2015 and the Council's approach to savings and investments to make that happen. It was noted that the latest Financial Plan for 2012/13 now formed part of the Business Plan. The report presented documented the progress made during the first year of the Business Plan.

The report provided:

- an update on progress against the priorities set out in the Plan;
- performance indicators for Community Results and Council Performance for 2011/12;
- the status of the Council's main programmes and
- an update on the Council's workforce.

It was noted that most indicators had hit their target or were very close to their targets. Ten indicators were flagged as 'red', details of which were outlined in the report together with reasons why the targets had not been achieved.

The Leader updated Cabinet on one of the Council's priorities for 85% of premises to be able to access superfast broadband by Dec 2015. BDUK was the body set up by the Department for Culture, Media and Sport to establish a national framework contract for super-fast broadband. BDUK had not yet received the necessary approval and was still working with the European Commission to finalise agreement on the remaining aspects of the scheme. The Council had been ready to proceed several weeks ago and awaiting finalisation of the agreement which included the securing of necessary funds to enable the project to proceed. The Leader reported that the Council had written to the Prime Minister and relevant Ministers on this and urged Councillors to lobby their Members of Parliament.

Resolved:

- (i) That Cabinet note the progress made against the Business Plan.**
- (ii) That a strongly worded letter be sent to the relevant Minister highlighting this Council's concerns over the delay in securing State Aid agreement and the National Framework Contract for the**

provision of super-fast broadband in the County which was now affecting all broadband projects country-wide.

Reason for Decision

To keep Cabinet informed of progress made against the Business Plan.

75 Revenue Outturn 2011/12

The Leader presented a report which advised Cabinet of the final outturn position as at 31 March 2012 for the financial year 2011/12. The year-end position was an underspend of £0.216 million which was a £0.032 million variance in the forecast position at period 11.

The Leader commented that she was pleased that the overspend projected earlier in the year had been turned around to a small underspend. She congratulated all officers on their efforts in achieving this.

Cllr Jon Hubbard referred to the loss of income in respect of on-street parking which he considered attributable to the lack of civil enforcement officers. He noted that the report made reference to making further savings from vacancies in this area and asked whether the Council was factoring in a consequential loss in revenue. He also expressed concern that the loss of civil enforcement officers would have an impact on communities.

Cllr Tonge, Cabinet member for Highways and Transport reassured Cabinet that staffing levels in this area was now up to full strength.

Resolved:

That Cabinet note the report presented showing an outturn underspend of £0.216 million.

Reason for decision

To enable Cabinet to approve the final outturn for 2011/12.

76 Urgent Items

There were no urgent items.

(Duration of meeting: 10.30am-12.30pm)

These decisions were published on the 22 June 2012 and will come into force on Monday 2 July 2012

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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