

## CABINET


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MINUTES of a MEETING held in ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU on Tuesday, 23 October 2012.

|                           |  |
|---------------------------|--|
| Cllr John Brady           | Cabinet Member for Finance Performance and Risk                                  |
| Cllr Lionel Grundy OBE    | Cabinet Member for Children's Services   |
| Cllr Keith Humphries      | Cabinet Member for Public Health and Protection Services                         |
| Cllr John Noeken          | Cabinet Member for Resources   |
| Cllr Fleur de Rhé-Philipe | Cabinet Member for Economic Development and Strategic Planning                   |
| 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  |
| Cllr Stuart Wheeler       | Cabinet Member for Transformation, Culture, Leisure and Libraries                |

|                     |                           |
|---------------------|---------------------------|
| Also in Attendance: | Cllr Trevor Carbin        |
|                     | Cllr Christopher Cochrane |
|                     | Cllr Peter Colmer         |
|                     | Cllr Christine Crisp      |
|                     | Cllr Tony Deane           |
|                     | Cllr Peter Doyle          |
|                     | Cllr Richard Gamble       |
|                     | Cllr Alan Hill            |
|                     | Cllr David Jenkins        |
|                     | Cllr Jerry Kunkler        |
|                     | Cllr Bill Moss            |
|                     | Cllr Jonathon Seed        |
|                     | Cllr Bridget Wayman       |
|                     | Cllr Fred Westmoreland    |

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

### 104 Apologies

An apology for absence was received from Cllr Jane Scott, Leader of the Council.

In the absence of the Leader, this meeting was chaired by Cllr John Thomson, Deputy Leader and Cabinet member for Adult Care, Communities and Housing

105 **Minutes of the previous meeting**

The minutes of the meeting held on 10 September 2012 were presented.

**Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 10 September 2012.**

106 **Minutes - Capital Assets Committee**

The Minutes of the meeting of the Capital Assets Committee, held on 10 September 2012 were presented.

**Resolved:**

**To receive and note the minutes of the last meeting of the Capital Assets Committee held on 10 September 2012.**

107 **Declarations of Interest**

There were no declarations of interest.

108 **Deputy Leader's announcements**

(a) Provision of Superfast Broadband

The Deputy Leader updated Cabinet on the progress towards appointing a Preferred Bidder for the GWB Superfast Broadband Project and that a bidder had been selected subject to final discussions and agreement with partners.

(b) Science Park, Porton Down

At the Deputy Leader's request, Cllr Fleur de Rhe Philipe, Cabinet member for Economic Development and Strategic Planning was delighted to announce that the Government had agreed a £10m bid for a new state of the art science park to be built at Porton. This would create thousands of jobs, create opportunities for inward investment and would put Wiltshire at the forefront of the science and technology industries.

109 **Public participation**

The Deputy Leader referred to written statements received and circulated on the item 'Second Tranche Campus Proposals' minute no. refers which would be considered at that item. He explained that anyone else wishing to comment on items on the agenda were welcome to do so under each item.

110 **Wiltshire's Annual Public Health Report 2011/12**

Councillor Keith Humphries, Cabinet member for Public Health and Public Protection presented the Annual Report for Public Health for the financial year 2011 – 2012.

The report was in two parts. As part of the formal transfer of Public Health responsibilities to the Council in April 2013, the report included a history of Public Health. The second part of the report detailed a number of key Public Health projects which were delivered in 2011-12.

Maggie Rae, Corporate Director of Public Health and Public Protection gave an overview of the Report and emphasised that public health duties would revert to local authority control. She thanked the Council and the NHS for all their support. She explained that notwithstanding there being only 35 full time equivalent staff, all targets had been delivered and outcomes improved. The emphasis would continue to be achieving healthy resilient communities.

**Resolved:**

**That Cabinet noted the Annual Public Health Report 2011-12.**

**Reason for decision**

To draw Cabinet's attention to the Annual Report and invite it to make any comments.

111 **Local Healthwatch and NHS Complaints Service**

**Public Participation**

Mr Phil Matthews, Chairman of Healthwatch addressed Cabinet on this item, supported the proposals and thanked officers particularly Julie Martin and Dot Krona for all their help.

The Health and Social Care Act 2012 required Wiltshire to arrange for Local Healthwatch to start from 1 April 2013. The Council was also required to commission an NHS complaints advocacy service to also start from 1 April 2013.

The Deputy Leader, presented a report which outlined proposals for Healthwatch Wiltshire, building on the work undertaken so far. The report also sought agreement for the next steps in commissioning both Local Healthwatch and an NHS complaints advocacy service. The report set out the proposed governance and funding for Healthwatch and the advocacy service to make sure they were ready to start on 1 April 2013.

Healthwatch was a new organisation concerned with strengthening the collective voice of local people and their influence on both health and social care. Local Healthwatch would inform the Joint Strategic Needs Assessment and joint health and wellbeing strategies on which local commissioning decisions would be based through its seat on the Health and Wellbeing Board.

Local Healthwatch will have more statutory responsibilities than the Local Involvement Networks (LINK's). In Wiltshire the current Local Involvement Network was known as WIN (Wiltshire Involvement Network) Healthwatch in Wiltshire (to be known as Healthwatch Wiltshire) would assume responsibility for existing Local Involvement Network (WIN) functions and assume new responsibilities. It would be independent from the Council and would be a social enterprise. The Council could decide what form of Healthwatch would best suit Wiltshire, based on local requirements. It would be accountable to the people of Wiltshire, Healthwatch England and also to the Council.

The Deputy Leader moved the proposals with a minor amendment to the first and fifth bullet point of the report as reflected in the resolutions below.

**Resolved:**

**That Cabinet approve the following:**

- 1. That approval is granted for officers to proceed with the preferred approach to procurement of securing an exemption from competitive tender for the outlined model for Healthwatch Wiltshire (paragraph 41 of the report refers).**
- 2. The interim NHS complaints advocacy service be commissioned separately from Healthwatch for one year from April 2013 (paragraph 62).**
- 3. The proposed funding levels as detailed in the report be agreed (paragraph 54, 55 and 62).**
- 4. A Wiltshire specific Healthwatch be developed using a consortium approach with community and voluntary stakeholders (paragraph 16).**
- 5. An independent shadow Chairman and four executive members of the Board are appointed by the Leader of the Council acting under**

**her delegated powers working with the shadow Health & Wellbeing Board to set up the Healthwatch Wiltshire organisation (paragraph 28).**

**6. A shadow Healthwatch Wiltshire is set up using the start up funding (paragraph 52).**

**7. An agreement is put in place with Wiltshire Involvement Network (WIN) about the transfer of any reserves to Healthwatch Wiltshire (paragraph 58).**

#### Reason for Decision

There is a statutory requirement under the Health and Social Care Act (2012) for the Council to commission Healthwatch Wiltshire by April 2013

Public Consultation has supported the proposed approach of the Council, working with key stakeholder organisations to design a form of Healthwatch that meets the statutory requirements and which builds on the existing local infrastructure in Wiltshire.

## 112 **School Funding Reform: Arrangements for 2013-14**

#### Public Participation

Mrs Carol Grant, Headteacher of Pewsey Vale School addressed Cabinet on this item expressing concern at the huge implications the proposals would have on schools and on what would happen at the end of the 2 year minimum funding guarantee protection.

Councillor Lionel Grundy, Cabinet member for Children's Services presented a report which outlined the main elements of the Department for Education (DfE) proposals in respect of a new school funding formula. The report explained how they would impact on Wiltshire schools and focussed more specifically on the requirement to simplify local funding arrangements for schools. Cabinet's approval was therefore sought on a new funding formula for Wiltshire schools.

The stated aims of the DfE proposals were to:

- Move towards a national funding formula (from April 2015)
- Simplify local funding arrangements
- Change the way in which local authorities are funded
- Improve funding arrangements for pupils with high needs
- Improve funding arrangements for Early Years provision

The DfE proposals also required a review of the Early Years Single Funding Formula and of the Schools Forum membership and constitution. It was noted in particular that Wiltshire's current formula factor which allocates additional funding to schools with high proportions of pupils from service families would not be allowed under the new funding arrangements. In response to a question on this, Cllr Grundy explained that the Leader of the Council had made strong written representations to the Secretary of State for Education against this particular aspect of the funding proposals. The letter explained the detrimental impact this would have on rural communities and areas with a high ratio of service personnel. At the Leader's invitation, Cllr Jon Hubbard as Leader of the Opposition had co-signed the letter. A number of other authorities had also made similar representation and it was hoped this would be given some reconsideration.

To mitigate the immediate impact on schools, the Minimum Funding Guarantee would be set at -1.5% per pupil in 2013/14 and 2014/15. This would be funded by the capping of gains to schools who would otherwise receive increases in funding through the new formula.

The Head of Finance explained that simplifying the formula would result in a reduced ability to reflect particular circumstances of different types of schools. The formula being proposed to Cabinet as recommended by the Schools Forum would provide the best fit.

Cabinet received revised details of the recommended formula factors for 2013/14 and the recommended approach to delegation or de-delegation of central budgets.

In terms of options considered, the proposed formula was the result of considerable work with schools in Wiltshire. Throughout that process different options in relation to the formula had been considered and the final proposed formula takes in to account that work and the outcomes of consultation with schools.

**Resolved:**

**That Cabinet approve:**

- (a) The new funding formula for Wiltshire schools, as recommended by Schools Forum, in order to comply with the government's school funding reform requirements. This will reflect the new requirements and the outcome of the consultation with Wiltshire schools.**
- (b) Protection for schools that would lose funding through the new formula would be included at -1.5% per pupil as required by the DfE. The recommendation from the Schools Forum that the minimum funding guarantee be funded through the limiting of gains to other schools be approved.**

### Reasons for Decision

The Council has had to review its local funding formula for schools, in order to be compliant with the DfE requirements on school funding reform.

The proposed formula is compliant with the new requirements and reflects the views of Wiltshire schools on those issues where local flexibility is allowed.

## 113 **Review of Wiltshire Council Recovery Plan**

Councillor Keith Humphries, Cabinet member for Public Health and Public Protection presented a report on the revision of the Council's Recovery Plan. Cabinet was asked to approve the Plan as presented for onward recommendation for adoption by Council.

Under the Civil Contingencies Act 2004 Wiltshire Council was designated as a Category 1 responder. As such it was required to develop and maintain plans that were appropriate, up to date and kept in readiness for responding to incidents.

The Recovery Plan sat alongside the Major Incident Plan which was approved by Cabinet at its meeting on 24 July 2012. It provided a framework for council services to assist communities to return to a state of normality.

The Recovery Plan was designed around a set of principles which recognised that recovery was an enabling and supportive process which was best approached on a community development perspective.

In order to assist any community in the recovery following an incident it is important for that community to fully engage with the process and to some extent manage its own recovery. To this end training was being arranged for parish and town councils through Area Boards to assist them in emergency planning and community resilience. Both the Recovery Plan if approved and Major Incident Plan as already approved would be presented to Council on 13 November for adoption.

The Recovery Plan complies with the legal requirements, Government guidance and with the Wiltshire and Swindon LRF procedures and as such adoption of the revised Plan was the best option.

### **Resolved:**

**That Cabinet:**

- a) note the report;**

- b) approves the Recovery Plan and recommends its adoption by Council, and**
- c) agrees that any minor amendments to the Plan are delegated to the Corporate Director for Public Health and Public Protection in consultation with the appropriate Cabinet member.**

Reason for Decision

Approval of the Recovery Plan would ensure compliance with the Civil Contingencies Act 2004, and allow subsequent training and exercising on the plan to improve the council's state of readiness and resilience in assisting communities to recover from major incidents and other significant events.

114 **Second Tranche Campus proposals**

Public Participation

The Deputy Leader referred to written statements as circulated from the following:

**Calne Campus**

Cllr Alan Hill (and others)

**Cricklade Campus**

Mrs Ruth Szybiak, Chairman of Cricklade Shadow COB

Mr Nick Dye, Chairman of Cricklade and District Community Association

Mr John Coole

Mrs Mary Coole

Mr Clive Wilce

Ms Yvonne Keeble

**Pewsey Campus**

Mr Bob Woodward, Chairman of Pewsey COB

Mrs Carol Grant, Headteacher, Pewsey Vale School

Mr Bob Woodward, Mrs Carol Grant, Cllr Christine Crisp, Kevin Wells, Mrs Ruth Szybiak, Cllr Doyle, Cllr Jerry Kunkler, Cllr Tony Deane Cllr Bridget Wayman and representatives from Calne Leisure as well as other local members also addressed Cabinet on the campus proposals for their respective areas.

Cllr Stuart Wheeler, Cabinet member for Transformation, Leisure and Culture, reminded the meeting of the Leader's commitment to bring services closer to the people and ensure that communities had the assets they needed to plan for a sustainable and resilient future. The campus programme when introduced, was a pilot; now it was the way the council worked and the way in which other councils were hoping to work.



Cllr Wheeler presented a report detailing the second tranche of campus proposals. The report set out four business cases associated with campus proposals for the communities of Calne, Cricklade, Pewsey and Tisbury, along with the request for funds to deliver an enhanced youth provision in Malmesbury as an initial building block for a future Malmesbury campus.

The specifications and locations of the campus proposals set out in the report had been developed locally and were supported by the Area Boards for Cabinet consideration.

The purpose of the report was therefore the consideration of options that had primarily been developed at a local level. The campus proposals as presented asked Cabinet to consider two key areas. Namely, Cabinet was asked to approve the funds to deliver the baseline proposals that were deliverable within the existing business plan and meet 'essential' needs as identified by the community. Secondly Cabinet was asked to consider whether they wished to approve any, or all, of the enhanced proposals that would require additional investment, but would deliver the aspirational needs identified by the community.

In moving the proposals, Cllr Wheeler supported the provision of enhanced facilities in order to deliver for the benefit of the entire communities.

The Deputy Leader referred to the notes as previously circulated, of the Campus and Operational Delivery Task Group meeting held on 11 October which had considered the campus reports. Cllr Jonathon Seed who had chaired the Task Group was invited to present the Task Group's findings. Cllr Seed explained that the Task Group had received an open appraisal by the Cabinet member and relevant officers, was satisfied with the process that had been followed, including the make-up and method of calculating the financial figures for the proposed campus projects. Cllr Seed added that the Cabinet member and officers were to be congratulated for a job well done.

Details of the various options considered in formulating the proposals were detailed in the report presented.

Cllr Wheeler paid tribute to the hard work, dedication and enthusiasm of the Campus Operational Boards (COBs) and the Shadow COBS, thanking all those who had been involved to date. Cllr Wheeler also paid tribute to the hard work, dedication and commitment of officers, in particular Mark Stone, Andy Brown, Lucy Murray-Brown, Ros Griffiths and Rachel Goff.

The Deputy Leader explained that the second part of the report would be considered in private session as it contained commercially sensitive information. He thanked the members of the public for their attendance and participation on this item.

## **Resolved:**

**The Cabinet was minded to approve the following, subject to being satisfied with the business cases which would be considered in Part II of the meeting:**

- 1. approve the financial resources required to develop the baseline proposals detailed in appendices A, B, C, D and E (namely campus proposals for the communities of Calne, Cricklade, Pewsey and Tisbury, along with the request for funds to deliver an enhanced youth provision in Malmesbury;**
- 2. approve the award of additional investment to enable the delivery of the enhanced option for that location, as outlined in tables 1, 2, 3, and 4 and appendices A to D;**
- 3. approve and recognise that the rationalisation of assets in scope for the campus programme be used to promote growth initiatives where this is supported by the community and deliverable within the councils capital programme;**
- 4. request that the direction of future local development would be communicated via developing a 'picture' for each community area, which would be created in a way that complements and supports emerging neighbourhood planning approaches;**
- 5. continued to support the concept of delivering for the community of Royal Wootton Bassett and continue negotiations with the MOD regarding this;**
- 6. Confirm its support for the masterplanning exercise for Calne (which would be jointly led by Wiltshire Council and Calne Town Council) which makes available the existing Library building and other central area sites owned by the council to develop asset backed options for delivering a central campus in Calne as part of a wider regeneration package and**
- 7. note and welcome the progress made so far across the county recognising the approach taken in tranche one, and ask that this is continued for future tranches.**

## **Reason for Decision**

In December 2009 Cabinet gave its approval to provide new or improved accommodation for services in each Community Area and in February 2011 Cabinet support was given to developing an innovative approach to local people having the opportunity to directly influence the services available in their community. In December 2011 the first tranche of campus proposals was given

approval and Cabinet asked for further tranches to be brought forward in due course.

The majority of area boards have established Shadow Community Operations Boards (COBs), with a view to enabling local people to develop campus proposals and be part of the development and appraisal of future alternative delivery models. There are now thirteen active COBs and three more are in the process of selecting representation. The proposals in this paper follow on from previous cabinet papers and decisions and outline the business cases for specific campus proposals for the communities of Calne, Cricklade, Pewsey and Tisbury.

#### 115 **Urgent Items**

There were no urgent items.

#### 116 **Exclusion of the Press and Public**

Further notice was given in accordance with paragraph 5 (4) and 5 (5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 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 business specified in minute number 117 below 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 on the question of taking the item in private.

## 117 **Second Tranche Campus proposals**

Cllr Stuart Wheeler, Cabinet member for Transformation, Leisure and Culture, presented a confidential report which focused on the detailed financial implications of the second tranche of the campus proposals. The report included the business cases for the campus proposals for the community areas of Calne, Cricklade, Pewsey and Tisbury.

The Service Director, Transformation and Head of Finance guided Cabinet through the financial information in particular and answered questions.

It was noted that Andy Brown, Head of Finance would be leaving the authority to take up a position with Cornwall Council. Councillors thanked Andy for all his hard work, said that he would be greatly missed and wished him well for the future.

### **Resolved:**

**That Cabinet, having, satisfied itself with the validity of the business cases as presented therefore approved the recommended actions outlined under minute no. 114 above and specifically approved the delivery of the enhanced option for Calne, Cricklade, Tisbury and Pewsey and the funding for the initial stages of a Malmesbury Campus.**

(Duration of meeting: 10.30 am - 12.30 pm)

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| These decisions were published on the 29 October 2012 and will come into force on 6 November 2012 |
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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](mailto:yamina.rhouati@wiltshire.gov.uk)  
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