

CABINET

MINUTES of a MEETING held at CITY HALL, SALISBURY on 15 JULY 2009

Present:

Mrs JA Scott	Leader of the Council
Mr J Thomson	Deputy Leader and Cabinet Member for Community Services
Mr J Brady	Cabinet Member for Economic Development, Planning and Housing
Miss F de Rhé-Philippe	Cabinet Member for Finance, Performance and Risk
Mr L Grundy	Cabinet Member for Children's Services
Mr K Humphries	Cabinet Member for Health and Wellbeing
Mr J Noeken	Cabinet Member for BMP, ICT, HR, Procurement and Customer Services
Mr T Sturgis	Cabinet Member for Waste, Property and Environment
Mr D Tonge	Cabinet Member for Highways and Transport
Mr S Wheeler	Cabinet Member for Leisure, Sport and Culture

Also in attendance:

Mrs L Conley	Portfolio Holder for Waste
Mr Osborn	Chairman, Overview and Scrutiny Management and Resources Select Committee
Mr Moss	
Mr Britton	

15. **Apologies**

All Cabinet members were present. An apology for absence was received from Mrs Bucknell, Portfolio Holder for Customer Care.

16. **Minutes of Previous Meeting**

Resolved:

To confirm and sign the minutes of the meeting held on 23 June 2009.

17. **Announcement from the Leader**

Location of meetings of the Cabinet

The Leader welcomed those present to the meeting and explained that Cabinet had agreed to hold its meetings in different parts of the County according to agenda content in order to bring decision making closer to the people affected.

Icelandic Banks

The Leader explained that the Council, including the former district councils, had £12m deposited in Icelandic banks. It was now expected that £10.2m of this would be recovered between now and 2013. The remaining £1.8m had already been shown in the accounts. She added that she was pleased to see that charities were also beginning to recover some of their deposited monies.

18. **Members' Interests**

Although not in attendance, a statement from Mr Connolly in support of the proposals in respect of Wellington Academy (minute no. 21 refers) was circulated to Members. Within the statement, Mr Connolly declared a personal interest in the item as he was a prospective Governor of the Academy, a former Chair of Governors and Governor of Castledown School. Furthermore, his son attended Castledown School and would attend the Academy. Mr Connolly was also a Town Councillor for Tidworth Town Council in which Parish the Academy almost entirely resides.

19. **Public Participation**

Public participation was dealt with at each relevant item and recorded accordingly.

20. **Swine Influenza - Update**

Cabinet considered the report of the Joint Director of Public Health and the Director of Transport Environment and Leisure which sought to update Cabinet on the Swine Influenza pandemic. The Head of Emergency Planning Services briefed Members on arrangements that were in hand to deal with the situation. Mr. Humphries, Cabinet member for Health and Wellbeing, tabled a further report which provided the latest position for Wiltshire.

The Leader emphasised the importance of keeping Parish Councils informed as it was hoped that their valuable resources could be used to support the response.

Resolved

That Cabinet endorse the overall pandemic response and future planning proposals and that a further update be presented to Cabinet in September as part of the Business Continuity Plan.

Reason for the proposal

To provide an essential briefing on the current impact and future planning implications of the Swine Influenza pandemic.

21. Wiltshire's Academy Proposals to Replace Five secondary schools

Public Participation:

- Question from Mrs McKinley, Parent Governor, St Edmunds Girls School
- Mrs Goodall, Headteacher, St Edmunds Girls School
- Statement from Mr Hooper, Chair of Governors – St Joseph's Catholic School, Salisbury

The Cabinet considered the report of the Director of Schools and Learning.

The report was in three parts:

Part one detailed progress on the formation of the Wellington Academy in Salisbury, presented the final business case, sought approval for the finances required to continue with its formation and requested authorisation for the award of the building contract. The Leader referred Members to a statement from Mr Connolly, (local Member – Tidworth Division) as circulated in support of the proposals.

Part two provided details of the proposal to build an Academy to replace Salisbury High School in Bemerton Heath and sought approval to submit an Expression of Interest (EoI) to the Department for Children Schools and Families (DCSF). An updated EoI was presented.

Part three provided details of the proposal to build an Academy to replace Wyvern College, St Edmunds Girls School and St Joseph's Catholic School at Laverstock in Salisbury and sought approval to submit an EoI, an updated version of which was circulated.

The Leader referred Members to a statement circulated from Mr Hooper, Chair of Governors of St Joseph's School. The Governors had voted not to support the proposals and commented that the overall view from a survey of parents was that there was a strong desire to maintain a distinct Catholic secondary school in Salisbury.

Sharon McKinley, a Parent Governor of St Edmunds Girls School, considered that there was little in the EoI to demonstrate transformation and that it appeared that a federated approach had not been explored which might have gained increased acceptance of the proposals. She also felt that the EoI had drawn on more negative aspects overall rather than recognising the hard work undertaken to bring St Edmunds in particular to its high performing standard. She suggested that the proposals should be reconsidered, taking a more innovative approach.

The Headteacher of St Edmunds School expressed concern at the limited timescale to complete the feasibility study and sought reassurance that all issues would be developed fully despite the short amount of time.

The Director of Schools and Learning assured the Headteacher that this would be the case and emphasised the need for the feasibility stage to be completed by Christmas. In response to Mrs McKinley, the Director gave recognition that St Edmunds was a high performing school and that the proposals would build on that fact.

The Leader acknowledged the concerns of St Edmunds School and St Joseph's School and requested that officers look at innovative ways of working with the schools to develop the proposals.

Resolved

- (a) That Cabinet approve the Final Business Case (FBC) for The Wellington Academy and its submission to the Department for Children, Schools and Families (DCSF).**
- (b) That Cabinet authorise the Director for Children and Education to sign the Development Agreement (as outlined in paragraph 18(i) of The Wellington Academy section of the report presented).**
- (c) That Subject to (a) and (b) above, to authorise the Director for Transport, Environment and Leisure to award the Design and Build Contract (as outlined in paragraph 18(ii) of the report presented).**
- (d) To acknowledge the risk to the authority of a Judicial Review in relation to the planning application, and the financial risks thereof.**
- (e) That Cabinet approve the EoI to be submitted to the (DCSF) for exploring Salisbury High School becoming an Academy and approve the Local Authority becoming a co-sponsor.**
- (f) That Cabinet approve the EoI to be submitted to the (DCSF) for exploring the three schools at Laverstock becoming one Academy and approve the Local Authority becoming a co-sponsor. To acknowledge the concerns of St Edmund Girls**

School as a high-performing school and also the concerns of St Joseph's School and ask that officers look at further creative ways of working with the schools to develop the proposals to include consideration of working on the basis of schools within schools and a federated approach.

- (g) To agree that the final points of detail in the Eols for the above Salisbury Academies to be delegated to the Director for Children and Education in consultation with the Cabinet Member for Schools, Children and Families and Youth**

Reason for Proposal

To rebuild five Wiltshire secondary schools as three Academies:

- Castledown Secondary School, Ludgershall, as The Wellington Academy.
- Salisbury High School.
- Wyvern (boys) Church of England Aided College.
- St. Edmund's (girls) Church of England Voluntary Controlled School.
- St. Joseph's (co-educational) Catholic Aided School

The names of the two Salisbury Academies had not yet been chosen.

22. South Wiltshire Core Strategy – Submission Draft

Cabinet considered the report of the Director of Economy and Enterprise. Which sought approval for the 'South Wiltshire Core Strategy - Proposed Submission Draft' to be published for a final statutory consultation period. The report also requested Cabinet to set out the arrangements for the final submission and examination stages and endorse the Strategy and recommend that Full Council approve the document for the purpose of Submission to the Secretary of State.

The Leader acknowledged that it might be difficult for some parish councils to respond within the timescale proposed bearing in mind the summer holiday period. She suggested that consultation be carried out up to the end of September and that a special Council meeting be arranged to consider the matter during October. She asked officers to contact the Government Office for the South West and inform them that the Council would be delaying submission until end of October. Cabinet was pleased that the relevant Area Boards would be considering the document as part of the consultation arrangements prior to the matter being referred to full Council.

The Leader requested officers to write to all parish councils updating them on progress, consultation arrangements and key dates and providing details of how they could access the document on the Council's website, making it available at public libraries and offering to provide hard copies on request. It was also agreed to issue a press release to publicise the consultation.

Resolved

That Cabinet

- (a) approve the South Wiltshire Core Strategy Proposed Submission Draft for publication for a final statutory consultation period, commencing as soon as possible, meeting the minimum statutory consultation period until the end of September.**
- (b) endorse the South Wiltshire Core Strategy Proposed Submission Draft and recommend that Full Council approve the document for the purpose of Submission to the Secretary of State, at a special meeting to be held during October 2009, subject to there being no representations which, in the opinion of the Director for Economy and Enterprise in consultation with the Cabinet Member, raise fundamental issues on the soundness of the Strategy.**
- (c) authorise the Director for Economy and Enterprise, in consultation with the Cabinet Member, to make any necessary amendments to the Core Strategy in the interests of clarity and accuracy before it is published, and to make the arrangements for consultation.**

Reason for Proposal

To ensure that progress continues to be made on preparing an up to date planning policy framework for Wiltshire in line with the timetable set out in the Council's Local Development Scheme and statutory requirements.

23. Waterside Development - Update

Cabinet considered the report of the Director of Economy and Enterprise which updated Members on the Waterside Development in light of the economic downturn and the resulting failure of the Council's development partner, Modus Ventures Trowbridge and provided options for a way forward for Members' consideration.

The Leader commented that the Council should continue to push for a cinema as well as leisure facilities in Trowbridge.

Resolved

- (a) That Cabinet continues to strongly support the vision within the Town through the Transforming Trowbridge project.**
- (b) That Cabinet terminate the contract with Modus Ventures Trowbridge.**

- (c) That the Council continues to support the regeneration of Trowbridge by its commitment to the provision of leisure, cinema and library facilities in Trowbridge through the Waterside Project and the wider Transforming Trowbridge Project.
- (d) That officers investigate areas which will assist the financial viability of the Project under the Direction of the Transforming Trowbridge Executive Board and report back to Cabinet at regular intervals.
- (e) To note that, with Modus Ventures Trowbridge being placed in administration, the amount already spent on consultants will have an impact on this year's revenue account.

Reason for Proposal

To confirm the Council's continued support for the regeneration of Trowbridge and consider options for the development of the key regeneration site.

24. Budget Monitoring 2009 - 2010

The report of the Chief Financial Officer was presented which updated Members on the latest budget monitoring report for 2009/10. A service by service budget analysis along with projected outturn was also presented for Cabinet's information.

Resolved

That the report be noted.

Reason for Proposal

To represent the latest budget monitoring report for 2009-10.

25. Annual Report on Treasury Management 2008/09

Cabinet considered the report of the Chief Financial Officer which showed how the Council had performed against the Treasury Management Strategy.

The Cabinet Member for Finance, Performance and Risk confirmed that the position was satisfactory and that investment rates were higher than average and loan rates were lower than average.

Following a member request the Leader asked that all Cabinet members be issued with a copy of the Council's investment policy.

Resolved

That Cabinet note:

- a) the actual cash position at the end of 2008-09 against the original forecast for the year;**
- b) Prudential Indicators and other treasury management strategies set for 2008-09 against actual positions resulting from actions within the year as detailed in Appendix A of the report and**
- c) investments during the year in the context of the Annual Investment Strategy as detailed in Appendix B of the report presented.**

Reason for Proposal

To give members of the Cabinet an opportunity to consider the performance of the Council against the parameters set out in the last approved Treasury Management Strategy.

This report is required by the Prudential Code for Capital Finance in Local Authorities and the CIPFA Code of practice for Treasury Management in Public Services.

26. Audit Commission: Annual Audit and Inspection Letter 2007/08

Cabinet considered the Audit Commission's Annual Audit and Inspection Letter.

The Deputy Leader commented on the actions and that there had been positive feedback from the Care Quality Commission's recent inspection with particular emphasis on the action plan that the Council had produced following the last inspection.

Resolved

That Cabinet welcome the Audit Commission's Annual Audit and Inspection Letter and asks the Chief Executive to draw up a programme for considering the recommendations in the letter.

Reason for Proposal

To draw the Audit Commission's Annual Audit and Inspection Letter to the attention of Members and to invite Members to consider their response.

27. Stonehenge World Heritage Site Management Plan 2009

Cabinet considered the report of the Director of Economy and Enterprise which gave details of the 2009 Stonehenge World Heritage Site (WHS) Management Plan, explained its role in the overall planning process and recommended that it be endorsed in order to afford it additional weight in the determination of planning applications.

The Leader asked officers to enter into discussions with the Stonehenge WHS Project Officer over arrangements for the next summer solstice to minimise the amount of litter left behind.

Resolved

That Cabinet

- (a) note the preparation of the 2009 Stonehenge World Heritage Site (WHS) Management Plan;**
- (b) acknowledge the extensive and thorough consultation process carried out by English Heritage; and**
- (c) endorse the Stonehenge (WHS) Management Plan 2009 as supplementary guidance and a material consideration in determining planning applications that affect the Stonehenge WHS, and as a replacement for the 2000 Stonehenge WHS Management Plan previously adopted by Salisbury District Council as Supplementary Planning Guidance.**

Reason for Proposal

To ensure that there is an up to date detailed planning policy framework which will help guide the decision-making process for the Stonehenge part of the World Heritage Site in the light of changes in the Government's decision on roads and the location of a visitor centre.

28. Wiltshire and Swindon Minerals Development Control Policies Development Plan Documents (DPD) and Wiltshire and Swindon Waste Development Control Policies (DPD)

Cabinet considered the report of the Director of Economy and Enterprise which requested that the content of the Inspectors' binding reports be noted in respect of The Wiltshire and Swindon Minerals Development Control Policies Development Plan Document (DPD) and The Wiltshire and Swindon Waste Development Control Policies DPD. Cabinet was therefore asked to recommend adoption of the documents by Council as amended by the changes identified in the Inspector's binding reports.

Recommended to Council

That Cabinet recommends Council to adopt:

- (a) the Wiltshire and Swindon Minerals Development Control Policies DPD; and**
- (b) the Wiltshire and Swindon Waste Development Control Policies DPD**

as amended by the changes identified in the Inspectors' binding Reports.

Reason for Proposal

The Minerals and Waste Development Control Policies DPDs will form part of the Council's Policy Framework. In line with the Local Government Act they must first be approved by Cabinet before they are adopted by Full Council. The Inspectors' Reports are binding upon the Councils (Wiltshire and Swindon) and hence, in accordance with the requirements of the Planning and Compulsory Purchase Act 2004, the recommendations it presents must be acted upon. As the documents have been found sound, it follows that they should be adopted by the Council as soon as reasonably practicable, in order to ensure up to date minerals and waste policy is in place for Wiltshire.

29. Urgent Business -Transfer of 'The Future of the Town Scheme Budget'

The Leader agreed to accept consideration of this item as urgent business in order to determine the matter prior to the next scheduled meeting.

The item related to a report of the Chief Executive which recommended that the Town Scheme Budget of £64,000 be transferred to Salisbury City Council in line with what had previously been considered by the Implementation Executive.

Resolved

- (a) That, after discussions with Wiltshire Council Officers, including the Corporate Director for Transport, Environment and Leisure, the Town Scheme Budget of £64,000 be transferred to Salisbury City Council.**
- (b) To recommend that the City Council use the money for its original purpose of contributing to the upkeep of the City's listed buildings.**

Reason for Proposal

To honour a previous agreement made by Salisbury District Council to contribute to the maintenance and upkeep of listed buildings within Salisbury City

30. Exclusion of the Press and Public

Resolved:

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 item number 17 (minute no. 31 refers) 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.

31. Proposed Bid for Grant Funding to Deliver Additional Affordable Housing

Cabinet considered a confidential report of the Interim Head of New Housing which detailed proposals to bid for a £100m pot specifically aimed at local authorities to increase the amount of affordable Housing.

Resolved


That Cabinet

- (a) approve the submission of a bid in line with the Bid guidance. The proposed sites are set out in appendix C and D of the report presented. In all cases the land is in the ownership of the council and will remain in the ownership of the council once developed. This bid will be to deliver new homes using council owned land, government grant and borrowing from housing revenue account reserves to be supported by the rental income from the new homes. The new homes will be owned and managed as Wiltshire Council homes;**
- (b) give Officers the discretion to continue improving the bid, provided that any amendments are approved by the Cabinet Member before submission takes place. Officers will report back to Cabinet following bid submission of any amendments made; and**
- (c) authorise Officers to continue working up the schemes, including the submission of planning applications so that by the time the result of the bid is announced, the Council is able to deliver in accordance with the anticipated timescales**

Reason for proposal

- The provision of new affordable housing is a very high priority for the Wiltshire Assembly and this is reflected in the Local Area Agreement target to deliver at least 590 new affordable homes per year by 2011
- The South Wiltshire Strategic Alliance has previously carried out an audit of land and has identified a number of potential affordable housing sites in the council's ownership, additional sites are also available in the council's ownership in other parts of Wiltshire that already have residential planning permission on them
- The recession is having a severe impact on the progress of existing open market residential sites to final development and therefore the residential housing market is becoming increasingly reliant on public sector interventions to ensure that houses are built and to kick start residential developments enabling the open market housing to follow on.
- The funding provides a unique opportunity to deliver additional affordable housing in Wiltshire without a cost to the council tax payer
- The bid, if successful, will bring additional Government funding into Wiltshire, this will be an important injection into the local economy.

(Duration of meeting: 10.30 – 12.55pm)

Please note that matters defined as 'Key' decisions and included in the Forward Plan are shown thus .

The officer who has produced these minutes is Pam Denton, of Democratic Services, direct line 01225 718371 or email pamdenton@wiltshire.gov.uk. Press enquiries to Communications, direct line (01225) 713114/71311

These decisions were published on 21 July 2009 and will come into force on 29 July 2009
