CABINET

MINUTES of a MEETING held at County Hall, Bythesea Road, Trowbridge on 22 SEPTEMBER 2009

Present:
Councillors

Jane Scott	Leader of the Council
John Thomson	Deputy Leader and Cabinet Member for Community Services
John Brady	Cabinet Member for Economic Development, Planning and Housing
Fleur de Rhé-Philipe	Cabinet Member for Finance, Performance and Risk
Keith Humphries	Cabinet Member for Health and Wellbeing
John Noeken	Cabinet Member for BMP, ICT, HR, Procurement and Customer Services
Toby Sturgis	Cabinet Member for Waste, Property and Environment
Dick Tonge	Cabinet Member for Highways and Transport
Stuart Wheeler	Cabinet Member for Leisure, Sport and Culture

Also in attendance:
Councillors

Linda Conley	Portfolio Holder for Waste
Richard Clewer	Portfolio Holder for Youth and Skills
Chris Cochrane	Portfolio Holder for ICT
Sheila Parker	Portfolio Holder for Vulnerable Children
Laura Mayes	Portfolio Holder for Organisational Structure
Howard Greenman	Portfolio Holder for Housing
Richard Gamble	Portfolio Holder for Transport
Jemima Milton	Portfolio Holder for Adult Care
Jerry Kunkler	Portfolio Holder for Leisure
Jeff Osborn	Chairman, Overview and Scrutiny Management and Resources Select Committee
Julian Johnson	

32. **Apologies**

An apology for absence was received from Cllr Lionel Grundy, Cabinet member for Children's Services.

33. **Minutes of Previous Meeting**

Resolved:

To confirm and sign the minutes of the meeting held on 15 July 2009.

34. **Announcement from the Leader**

Housing PFI Scheme – Approval of Final Business Case

The Leader announced the withdrawal of this item.

35. Members' Interests

No interests were declared.

36. Public Participation

No requests for public participation had been received, although the Leader explained that as usual, she would be happy to allow the public to speak at the start of each item if they wished to do so.

37. H1N1 - 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 and outlined future planning for the Autumn and Winter seasons.

Cllr Keith Humphries reported that the latest figures from the Health Protection Agency revealed that the incidents of swine flu had increased recently from 3,000 to 5,000 cases which was largely attributable to the start of the autumn and children returning to school. There was no sign of the virus mutating and the swine flu was still considered to be a mild strain. Of the reported 79 deaths nationally, it was noted that these deaths were not necessarily directly as result of the virus and that there may have been other contributory factors or underlying causes.

In Wiltshire, the number of reported cases of swine flu remained low, there was no need for any additional mortuary facilities and it was noted that the antiviral collection service was working well.

Cllr Humphries also reported that in terms of critical care, efforts were being made to double the number of available beds to deal with swine flu patients that required hospitalization. It was anticipated that the swine flu vaccine would be available from the end of October 2009 initially for priority groups and key frontline care workers. Cabinet was reassured that the Council was well advanced in its plans for business continuity.

Resolved

That Cabinet notes the update report and endorses the overall pandemic response and future planning proposals.

Reason for the proposal

This update report has been prepared by the Joint Director of Public Health to provide a further essential update on the current impact and future planning proposals.

38. Total Place

The Chief Executive gave a presentation on the Total Place initiative and what it could mean for Wiltshire.

Total Place was a Government initiative which aimed to identify how local public sector agencies could work together to better deliver front line services more efficiently and in so doing, be able to radically reshape and improve the quality of life for their communities. By working together more creatively and innovatively, public sector organisations could look at ways of making much needed savings to deliver better value for money as well as providing improved local services. At the heart of the initiative would be to map the flow of public spending and identify where and how it could be spent more effectively.

The Chief Executive referred to the challenging economic situation which was likely to impact on public sector funding even further.

Nationally, thirteen areas had been selected to pilot the initiative which included within the South West region, Dorset, Bournemouth and Poole. However, £250k was available through the South West Regional Improvement and Efficiency Programme to embark on a similar initiative in the Wiltshire and Swindon area. Officers would be working with colleagues from Swindon Borough Council, the NHS and the Police to formulate proposals which would be presented to Cabinet at its October meeting.

The Chief Executive explained the aims for an initiative in this area which included focussing on families, being area based, involving the community and listening to the views of front line workers who worked closely with the issues. The aim would be to do things differently rather than doing less and concentrating on early intervention rather remedial action.

In terms of pilot schemes, the Chief Executive suggested the areas of family support, prolific and persistent offenders and drug misuse and explained the process which could be used to address these areas under the initiative. The Chief Executive explained that this initiative was consistent with the Council's vision to create stronger and more resilient communities and answered Councillors' questions.

A briefing note explaining the local initiative would be circulated to Councillors.

Resolved:

That the presentation on the Total Place initiative be noted and that a further report on proposals for a local Wiltshire and Swindon initiative be considered at the next meeting.

39. Wiltshire Alcohol Strategy 2009-11

There was a Government requirement on all community safety partnerships to have a local alcohol strategy in place. Accordingly, the Wiltshire Strategic Board commissioned a Wiltshire Alcohol Strategy which was completed in September 2008 following a 3 month consultation period. In approving the Strategy in December 2008, the Implementation Executive requested consideration of a progress report by Wiltshire Council and an annual report on progress thereafter.

Accordingly, Cabinet considered the report of the Joint Director of Public Health which sought approval of a Wiltshire Alcohol Strategy Implementation Plan. The Plan had been developed in conjunction with all partner organisations across Wiltshire and with the involvement of service users to ensure a co-ordinated and effective approach to reducing the negative impact of alcohol misuse on individuals and communities in Wiltshire. Details of the Strategy and Implementation Plan were presented together with details of progress made to date on a number of the actions within the Plan.

A discussion ensued on various measures which could be taken to address alcohol related issues which included encouraging more parental responsibility, using powers available under licensing legislation and fostering a cultural change. The strategy did not include drug related issues in order to focus more on alcohol related issues which was much more of a problem and so as not to alienate people who might not seek help if the strategy was also linked to drugs misuse. Cllr Humphries would be reviewing how the various health and wellbeing strategies would work together to maximise their effectiveness and avoid duplication.

Resolved:

(a) That Cabinet receive and approve the Wiltshire Alcohol Strategy Implementation Plan.

(b) That Cabinet receive and note the update on actions already underway in Wiltshire to address alcohol related harm.

Reasons for Decision

The impact of alcohol related harm is a key concern for public services in Wiltshire. Alcohol misuse impacts negatively on the Wiltshire community in a number of ways, examples of which were cited in the report presented.

Many Wiltshire Council services are working with partners to address these issues, and will be key to delivering the Alcohol Strategy Implementation Plan.

The Wiltshire Alcohol Strategy 2009 – 2011 will play a key role in co-ordinating the resources and activities of public and voluntary services in Wilshire to ensure that alcohol related harm is tackled appropriately and effectively.

40. Action for Wiltshire: Progress Report, Apprenticeship Programme and Future Jobs Fund

Cabinet considered three reports on initiatives to tackle the effects of the recession in the County.

Progress Report

The first report from the Chief Executive updated Cabinet on progress and asked Cabinet to support specific expenditure proposals approved by the Action for Wiltshire Programme Board to resource these initiatives. Details of the priority initiatives were presented which included a business support service, a Citizens Advice Bureau helpline, the Wiltshire Potential Programme for Young People and a benefit take up campaign.

The overall allocation of expenditure had been previously approved by the Implementation Executive on 13 May 2009.

Resolved:

(a) That Cabinet note the progress of the programme of work that has been initiated by Wiltshire Council to take forward the recommendations of the report prepared for the Wiltshire Assembly.

(b) That Cabinet note the specific expenditure proposals approved by the Action for Wiltshire Programme Board.

Reason for Proposal

There is statistical evidence that demonstrates the local impacts of the recession in the County. Timely action is needed to enable an effective response to some of these impacts.

Wiltshire Council Apprenticeship Programme

The second report updated Cabinet on the way forward that had been agreed for the delivery of the Wiltshire Council Apprenticeship Programme.

Resolved:

That Cabinet approves the plan to sub-contract to Wiltshire College the delivery of the Wiltshire Council Apprenticeship Programme.

Reasons for decision

To deliver an effective Apprenticeship programme both internally and on behalf of the wider public sector in Wiltshire that will assist with the workforce development of the employer organisation improving skills and raising performance standards and enable learners the opportunity to earn a decent wage, while learning new skills that will lead to nationally recognised qualifications.

Wiltshire Potential Future Jobs Fund

The third report informed Cabinet of Wiltshire's successful bid to the Department for Work and Pensions' (DWP) Future Jobs Fund, explained how the bid would enable delivery of the Action for Wiltshire Programme outcomes and how the scheme would be managed and sought approval to implement the scheme.

The Leader thanked officers for their hard work in securing these outcomes particularly Haylea Fryer.

Resolved:

That Cabinet

(a) notes Wiltshire's success in delivering a successful partnership bid to DWP's Future Jobs Fund;

(b) approves Wiltshire Council moving to delivery of the programme subject to satisfactory negotiation with DWP over contractual arrangements;

(c) endorses the recommendations relating to programme management as detailed in the report;

(d) delegate authority to the Chief Executive to instigate delivery of the programme once management, monitoring and contractual arrangements have been finalised.

Reasons for decision

The Report on the Impact of the Credit Crunch for Wiltshire Assembly identified that the 16-24 year old cohort seeking to enter the labour market over the next 18 months would face a greater risk of not only obtaining employment but also being displaced by next year's cohort who would be seen by employers as being less of an employment risk having just left full time education than those young people who had been unemployed for a significant period of time.

At the time of writing the bid (June 2009) JCP data demonstrated that the cohort eligible for FJF opportunities equated to 28% of the total JSA claimant population in Wiltshire. Wiltshire had 2,035 18-24 year olds claiming JSA, placing Wiltshire as the 4th highest of all the district and unitary areas in the South West. The data also demonstrated Wiltshire to be 3rd highest in terms of the actual number of JSA claimants who had been claiming for between 6-12 months.

41. Employee Volunteering Scheme

Cabinet received a report which had sought approval for a scheme whereby each Wiltshire Council employee would be offered up to 3 days of paid time out of the workplace for volunteering activities.

However, Cllr Thomson reported that whilst the proposed scheme was well intentioned, on reflection and due to the current economic situation, a different approach should be taken. Cllr Thomson therefore proposed that whilst the Council would encourage its employees to participate in voluntary activities, this should not involve the Council giving paid time off in which to do so. The Council for Voluntary Services would be assisting in the provision of information on volunteering opportunities.

Resolved:

(a) **That in light of current circumstances the Employee Voluntary Scheme is not approved at this time. Employees be encouraged to participate in voluntary activities and that in the meantime, every effort would be made to provide staff with information on volunteering opportunities that they could undertake in their own time.**

(b) That delegated authority be given to the relevant Cabinet member(s) in consultation with the Director of Resources to agree a policy and guidance to managers on granting time off work to attend jury service.

Reason for Decision

Due to the current economic climate, it would not be appropriate to introduce an Employee Volunteering Policy which includes paid time off for voluntary activities.

42. **Budget Monitoring**

(a) Revenue Budget Monitoring 2009-10

Cllr Fleur de Rhe Philipe presented a budget monitoring report which showed the latest revenue position as at 31 July 2009.

Cabinet was advised that the Council was facing financial pressures, which if left unaddressed, would result in a projected overspend of £3.864m. A major underlying reason for these financial pressures was a combined projected loss of income of £3.384m across Council services, mainly due to the economic climate. Plans were already in place to address these pressures and ensure that the Council's expenditure was in line with budget at the year end and these plans would be robustly monitored.

The Leader emphasised that it was extremely important to address the situation now even if this meant making difficult decisions in order to keep within overall expenditure at year end.

The Director of Resources explained that Cabinet Liaison would be asked to review and prioritise service interventions under the 'lean' programme in light of this report and the current pressures.

Resolved:

(i) That the budget monitoring position be noted.

(ii) That departmental action plans be regularly reported to Cabinet to ensure Council spending remains within budget.

Reason for Decision

To ensure the Council's budget and expenditure is robustly monitored.

(b) Capital Budget Monitoring

Cllr Fleur de Rhe Philipe presented a report which reflected the position on the capital budget for a selected number of high budget value schemes as at the end of July 2009.

Resolved:

That Cabinet

(i) note the current financial situation of the 12 capital schemes reported on in the report presented.

(ii) note the potential slippage of funds from this financial year into future financial years on the following schemes:

- **Highways Depot and Office Strategy**
- **DCSF Primary Capital Programme**

Reason for Decision

To inform the Cabinet of the current financial position of the high value budget schemes within the capital programme and identify any schemes where expenditure is not progressing as anticipated.

43. Planning Enforcement Policy

Cllr John Brady presented a report which sought Cabinet's approval of a single planning enforcement policy to replace those which were in place prior to 1 April 2009 in the former authorities.

In the discussion which ensued Cabinet was minded to defer approval of the Policy in order to take account of the views expressed at the meeting. Cabinet requested that timescales for the various stages of enforcement proceedings be included within the policy together with accompanying guidance for the public and town and parish councils. The Leader also requested that the views of the Area Planning Committees be sought on the Policy.

Resolved:

That consideration of the Planning Enforcement Policy be deferred to take into account the views expressed by Cabinet and for the views of the Area Planning Committees.

44. Property and Asset Transfer to Salisbury City Council

Cabinet considered a report of the Chief Executive which sought final approval in respect of the package of properties and assets that would transfer to Salisbury City Council and the covenants that would apply to these. The report also sought approval to approach the Government Office in order to obtain the required consent from the Secretary of State for this transfer.

This was consistent with decisions previously made by the Implementation Executive. The different classification of properties and assets was explained

as was the legal position in respect of the covenants and lease arrangements.

The Leader explained the position in respect of the valuation of the sites in so far as it did not include a finalised valuation of the old swimming pool site, but reflected all the other properties such as the crematorium and the Guild Hall.

A list of properties and assets to be transferred to Salisbury City Council was presented as Appendix A to the report presented. The views from Salisbury City Council's Policy and Resources Committee dated 17 September 2009 were circulated, although it was noted that this was subject to confirmation by Salisbury City Council's full Council meeting on 8 October 2009. In response to the comments from Salisbury City Council, Cabinet received a revised Appendix A for Cabinet's consideration taking into account the comments from Salisbury City Council where appropriate.

Councillors appreciated all the work from both Councils that had gone into reaching this stage and asked that the matter be resolved as quickly as possible in order to secure consent of the Secretary of State.

Resolved:

(a) That Cabinet approves the transfer of the package of assets and trusteeships identified as transferring to Salisbury City Council in the revised Appendix A tabled at the meeting subject to the approval of the Secretary of State for Communities and Local Government, the agreement to the package as a whole by Salisbury City Council at its meeting on 8 October 2009 and the completion of due legal process including the finalisation of the valuation of all assets in line with this approval;

(b) That in doing so, Cabinet approves the application and amendments of the covenants identified in the revised Appendix A and contained in draft in Appendix B to the report and the operational leases noted within the report and contained in draft as Appendices C and D.

(c) That the Leader of Wiltshire Council in consultation with the Chief Executive be authorised to approve the final terms of the transfer subject to the Service Director, Legal and Democratic Services being satisfied on the legal aspects of the transfer.

Reasons for Decision

To finalise the over all package of assets (Land and property) to be transferred to Salisbury City Council by Wiltshire Council, whether this is by ownership or the transferring of Trusteeship.

To confirm the covenants and any operational licences that will apply to the transferring assets

The above are essential requirements of the application that needs to be made to the Secretary of State for Communities and Local Government to obtain consent to the proposed transfer of assets for less than full market val

45. Annual Governance Statement

Cabinet considered the report of the Service Director, Legal and Democratic Services which sought Cabinet's comments on the draft Annual Governance Statement for 2008/09, details of which were presented prior to final approval being sought from the Audit Committee. It was noted that the Standards Committee had also considered the draft at its meeting on 9 September 2009.

Further revisions had been made to the document to take account of comments from the external auditor and details of these key changes were presented at the meeting.

Cabinet was content with the document and made no comments.

Resolved:

That Cabinet notes the draft Annual Governance Statement for 2008/09 and notes that the document would be revised to take account of the ongoing work by the Assurance Group. It would then be taken back to the Audit Committee for final approval for publication by 30 September 2009.

Reasons for Decision

The Council is required to prepare and publish an Annual Governance Statement as part of its annual review of the effectiveness of its governance arrangements.

46. Wiltshire Playbuilder Programme

Cabinet considered the report of the Director for Children's Services which sought approval for use of 'Playbuilder' funding from the Department for Children, Schools and Families to improve the provision of outdoor play opportunities for children aged 8 -13 years in Wiltshire.

It was noted that Wiltshire Council was regarded as a best practice authority in this area. The Leader requested that a review/inventory of all the Council's play areas be undertaken.

Resolved:

That Cabinet:

(a) accepts the terms and conditions of the DCSF Playbuilder Capital and Revenue Grant Offer of £1.124m.

(b) approves the proposed allocations of Playbuilder capital expenditure of £1.124 million capital and £44,937 revenue on the Playbuilder Projects identified to develop at least 22 play spaces in Wiltshire.

(c) approves the allocation and prioritisation methodology and site selection process used to identify the sites for Year 1 and 2 projects.

(d) Cabinet approves the current sites identified for Year 1 and 2.

(e) considers the Playbuilder maintenance budget as part of the overall budget setting process taking account of all pressures/priorities.

(f) approves the use of Eastern Shires Purchasing Organisation Pro V play framework contract for procurement using the design and build process.

(g) delegates the appointment of companies for each of the Playbuilder schemes in the programme to the Service Director for Transport, Environment and Leisure and Service Director for Schools and Learning.

(h) agrees that Wiltshire Playbuilder Project Board be authorised to approve additional Playbuilder Projects in the County.

(i) affirms its support for children's play as an integral part of the Children and Young People's plan and adopts the National Charter for Children's Play.

Reasons for Decision

Wiltshire Council has been awarded 'Playbuilder' status by the Department for Children, Schools and Families (DCSF). This means that Wiltshire Council has been allocated £1.124 million over two years to fund the capital costs of developing at least 22 children's play areas, together with £44,937 revenue funding over a 2 year period. This will make a step change in the Council's ambitions for a better life for children and young people develop more resilient communities and improve the Council's parks and open spaces. This will significantly improve the quality of outdoor play experiences for children and young people in Wiltshire.

47. Performance Update – First Year Plan and Local Agreement for Wiltshire

Cabinet considered the report of the Service Director, Performance which provided an update on progress against the First Year Plan and performance for the period April to June 2009 for the Local Agreement for Wiltshire.

Resolved:

That Cabinet note progress for the first quarter of 2009/10.

48. Private Sector Housing Renewal Interim Strategy and Policy

Cllr Brady presented the Private Sector Housing Renewal Interim Strategy and Policy for Cabinet's consideration with a view to recommending adoption of the document by full Council.

The Strategy primarily deals with providing support and assistance to ensure that the private sector stock is kept in good condition and meets the needs of occupants.

The proposed interim Strategy had been designed to allow the new Wiltshire Council to continue to fulfil one of its key housing roles during its first year of operation. A new Wiltshire Strategy and policy would be developed that fully meets local and national priorities and would be reflected in the overarching Housing Strategy for Wiltshire Council due to be published in 2010.

Cllr Thomson emphasised the need to work in conjunction with community services where appropriate and this was taken on board by Cllr Brady.

Resolved:

That the Cabinet recommends that Full Council approve the Private Sector Housing Renewal Strategy and Policy

Reasons for Decision

Harmonisation of essential policies to enable the council to discharge it's discretionary powers under the Regulatory Reform Order 2002 to provide financial assistance to residents in the county and mandatory powers under the Housing Act 2004 with regards to Housing Enforcement and Houses of Multiple Occupation.

49. Housing PFI Scheme – Approval of Final Business Case

This item was withdrawn.

50. Urgent Business

There was no urgent business.

(Duration of meeting: 10.30 – 1.10pm)

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 Yamina Rhouati, of Democratic Services, direct line 01225 718024 or email yamina.rhouati@wiltshire.gov.uk. Press enquiries to Communications, direct line (01225) 713114/71311

These decisions were published on 29 September 2009 and will come into force on 7 October 2009