Wiltshire Council
Where everybody matters

CABINET

MINUTES of a MEETING held at County Hall, Bythesea Road, Trowbridge on 15 DECEMBER 2009

Present:
Councillors

Jane Scott	Leader of the Council
John Brady	Cabinet Member for Economic Development, Planning and Housing
Lionel Grundy	Cabinet Member for Children's Services
Keith Humphries	Cabinet Member for Health and Wellbeing
Fleur de Rhé-Philipe	Cabinet Member for Finance, Performance and Risk
Toby Sturgis	Cabinet Member for Waste, Property and Environment
John Thomson	Deputy Leader and Cabinet Member for Community Services
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 Gamble	Portfolio Holder for Transport
Jeff Osborn	Chairman, Overview and Scrutiny Management and Resources Select Committee

Councillors Trevor Carbin and Julian Johnson

92. Apologies

Apologies for absence were received from Cllr John Noeken, Cabinet member for Resources and Cllr Jerry Kunkler, Portfolio Holder for Leisure.

93. Leader's Announcement

The Leader reminded Councillors of the Carol Services that would be held on Wednesday, 16 December 2009. A Civic Carol Service would be held at St James Parish Church, Trowbridge at 7.00pm to which all Councillors were invited. Councillors were also welcome to attend the annual staff carol service being held in the Council Chamber at 1.00pm that day.

94. Minutes of the Previous Meeting

The minutes of the last meeting held on 24 November 2009 were presented.

Resolved:

To confirm and sign the minutes of the meeting held on 24 November 2009.

95. Declarations of Interests

No interests were declared.

96. Public Participation

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. It was noted that Mrs Maurizia Quarta would be addressing the meeting in relation to the following item.

97. Commissioning Regular Activity and Holiday Clubs for Children and Young People with a disability

Public Participation

Mrs Maurizia Quarta, Lead Parent on the Wiltshire Parent Carers' Council explained her background and the Carers' Council involvement in this initiative.

The Government intended to impose a new statutory duty on Local Authorities to provide short breaks to children and young people with a disability and their families from 31 March 2011. Additional funding had been allocated to support the transformation of existing services between 2009 and 2011.

Wiltshire Council and NHS Wiltshire in conjunction with the Wiltshire Parent and Carers' Council undertook a needs analysis and service review before publishing a commissioning strategy for the transformation of short breaks services. One of the commissioning priorities included was to conduct a tender to transform the existing Saturday and Holiday Club services to address the inconsistent service quality and increase capacity.

The Director of Children and Education presented a report which sought approval to enter into a contract or contracts as a result of such a tendering exercise.

Cllr Grundy expressed his personal appreciation for the work undertaken to bring this to fruition and on behalf of Cabinet thanked all those concerned and in so doing, acknowledged the very important part played by parents.

The Leader was also very pleased with this project but sought an assurance that Area Boards would be involved to ensure their awareness of the number of children and young people with disabilities and support groups for them within their communities to target support appropriately. Officers confirmed that details

of the Peer Mentoring Scheme and working alongside the youth service mentioned at the meeting would be shared with Area Boards and undertook to keep Cabinet informed of progress.

Resolved:

(a) That Cabinet approves the procurement of regular activity and holiday clubs for children and young people with a disability as the procurement involved the potential transfer of council employees to an external provider.

(b) That the procurement be undertaken on the basis of the second option presented namely, a tender based upon 4 geographical areas (North, South, West and East) where from one to four contracts may result.

Reason for Decision

To meet the requirement of Government and the aspirations of children and young people with a disability and their families by securing consistently high quality, flexible, accessible and available services across the County. To maximise the benefit from the existing and additional investment by allowing bidders to deploy the resources as innovatively and effectively as they can through tendering against an outcome based service specification.

98. Budget Monitoring

(a) Revenue Budget Monitoring

Cllr Fleur de Rhe-Philipe presented a report on the monitoring of the revenue budget for the period April – October 2009. The delivery of departmental action plans had reduced the previously reported financial pressures of £2.220 m down to £1.539 m and that action plans were in place to manage this reduced pressure further.

In addition, commitment and budget allocations in the Departments of Community Services and Resources were being reviewed details on which would be reported in the next budget monitoring report.

Resolved:

That the report be noted.

Reason for Decision

To make Councillors aware of the Council's budgetary pressures.

(b) Capital Budget Monitoring

Cllr Fleur de Rhe-Philipe presented a report on the monitoring of the capital

budget for the period April – October 2009. It was noted that there was a projected variation of £9.771 m which related to the reprogramming of expenditure, details of which were presented.

Resolved:

(i) That the current financial position of the 2009/10 capital budget be noted.

(ii) That the budget changes in sections 1 and 2 of appendix B of the report presented be noted.

Reason for Decision

To inform Cabinet of the current financial position of the 2009/10 capital Budget and to identify schemes within the programme where expenditure is not progressing as anticipated.

99. Interim Report on Treasury Management Strategy 2009/10

Cllr de Rhe-Philipe presented an interim report on the Treasury Management Strategy 2009/10 for the period 1 April to 30 September 2009 as required by the Strategy.

There had been no major variations from the Strategy during this period and it was noted that the Council had so far received £1.5 m of its investments caught up in the Icelandic banking crisis.

Resolved:

That the contents of the report in line with the Treasury Management Strategy be noted.

Reason for Decision

This is a requirement of the Treasury Management Strategy.

100. Council Tax Base 2010/2011

Cllr de Rhe-Philipe presented a report which sought Cabinet approval of the Council Tax Base 2010/2011 for the purposes of budget preparation and notifying major precepting authorities by 31 January 2010 in accordance with the relevant legislation.

Council at its meeting on 23 February 2010 would be asked to approve the Council's budget and council tax levels.

In response to a question, the Chief Finance Officer undertook to email Cabinet members to confirm that the relief for holiday/second homes would be applied consistently across the County. (Note: this was subsequently confirmed to be the case).

Resolved:

That Cabinet approve the Council Tax Base for 2010/2011 as set out in Appendix 1 to the report presented for the purposes of budget preparation.

Reason for Decision

Before the Council Tax can be set by the Council in February 2010 a calculation has to be made and approved of the Council Taqx Base, which is an annual requirement as laid out in the Local Government Finance Act 1992 and The Local Authorities (Calculation of Council Tax Base) Regulations 1992.

101. Annual Audit letter 2008/09

Cabinet considered the Annual Audit Letter from the Council's external auditors KPMG which had been considered by the Audit Committee on 9 December and would be considered by the Standards Committee on 13 January 2010. The Letter had also been circulated to all Councillors for their information.

Cabinet considered the covering report of the Chief Executive which drew Cabinet's attention to the most significant elements of the letter and its recommendations.

The Leader was satisfied that the recommendations made in the Letter were already being implemented.

During discussion, the Leader requested that a seminar be held for all Councillors, in particular those on Audit, Scrutiny and Standards Committees and Cabinet on the Comprehensive Area Assessment (CAA) and in particular the use of resources. The purpose of the seminar would be to promote and provide clarity on the different governance roles of those meetings with regards to these two areas.

Resolved:

(a) That subject to any comments that the Standards Committee may have, Cabinet welcome KPMG's Annual Audit Letter and request the Chief Executive to draw up a programme for considering the recommendations in the Letter.

(b) That a Seminar be arranged for all Councillors on the Comprehensive Area Assessment and in particular the Use of Resources to help promote and define the different governance roles

of the Audit, Scrutiny and Standards Committees and Cabinet on these areas.

Reason for Decision

To ensure that a response to KPMG's Annual Audit Letter is provided by the Council, reflecting the governance roles of the Cabinet, Standards Committee and Audit Committee.

102. Comprehensive Area Assessment – December 2009

Cllr Scott presented a report which informed Cabinet about judgements made by external inspectorates about Wiltshire. These related to the Comprehensive Area Assessment (CAA) which brought together the judgements of a number of inspectorates, namely the Audit Commission, The Care Quality Commission (CQC) in respect of adult social care, The Office for Standards in Education, Children's Services and Skills (Ofsted) in respect of children's services and the HMI Probation, HMI Constabulary and HMI Prisons. Details of these reports were presented for Cabinet's consideration.

Cabinet then considered the individual reports

CAA

The Leader explained that overall the Council was performing very well although she accepted that there was no room for complacency and that there were some issues which needed addressing and would be made a priority next year. Green flags were awarded for exceptional performance/outstanding improvement and red flags where significant concerns were raised which were not being tackled adequately. Wiltshire Council was awarded a green flag for involving people in decisions that affect their local community with no red flags having been identified.

Cllr Jeff Osborn acknowledged the positive assessments but also warned that there must be no room for complacency and considered that the Council was not necessarily fulfilling its potential.

The Chief Executive confirmed that the action plans within the reports would be taken on board in the Council's Corporate Plan and commented that the results of the assessment were a testament of the hard work of everyone in the organisation and in partner organisations.

CQC – Adult Social Care

The CQC concluded that Wiltshire performed 'well' in 2008/09. The Council's performance improved in four of the seven personal outcome domains and remained the same in three. Of the 148 Councils assessed in this year's annual performance assessment, Wiltshire was one of only five that had improved the most. The Leader congratulated John Thomson, Cabinet member for Community

Services and Sue Redmond, Director of Community Services for the very positive assessment given to Wiltshire.

John Thomson went through the report in detail and thanked the Community Services section for all their hard work in successfully rising to the challenges facing the service only a few years ago and achieving such a positive outcome this year. He also acknowledged the challenges ahead which he said would be met with continued hard work, commitment and dedication.

Ofsted

Wiltshire was rated as 'performing well'. Cllr Grundy thanked Carolyn Godfrey, Director for Children and Education on such an excellent report from Ofsted. He congratulated the former Wiltshire County Council on its foresight in agreeing to restructure the Department and reassured Cabinet that everything that should be done to address any concerns was being done.

Resolved:

(a) That Cabinet notes the results of the Comprehensive Area Assessment and the annual assessments of Children's Services and Adult Social Care and requests Officers to consider these in action planning and in the Council's work with partners.

(b) That a message from Cabinet be communicated to all staff on the results of the CAA, CQC and Ofsted reports acknowledging and thanking them for their hard work which contributed to the results.

Reason for Decision

To inform Cabinet of Wiltshire's inspection results.

103. Community Asset Transfer Policy

Cllr Sturgis presented a report which sought Cabinet's consideration of a Community Asset Transfer Policy and associated arrangements for the transfer of land and property assets for community purposes. The proposal was in line with the County Council's Cabinet's decision of April 2008, details of which were also presented.

The Leader stressed the importance of communicating details of the policy, the process which would be used and the timescales involved as soon as possible.

During discussion of this item, the Leader expressed concern that the Council had not yet implemented the scheme to delegate responsibility for services and functions to town, parish and city councils as previously agreed by the Council. To drive this forward, the Leader explained that a group of Cabinet members would be meeting in the New Year to assess which areas could be devolved to those councils. She requested a report be presented to Cabinet as soon as

possible in the New Year and for this to be reflected in the Cabinet Forward Work Plan.

Resolved:

(a) That Cabinet approve the arrangements as set out in the report for dealing with applications for the transfer of Council assets for community purposes within the framework of the main body of the report presented and requests officers to consult representatives of relevant bodies about the application of these arrangements (including the supply and demand for allotments).

(b) That details of the Community Asset Transfer Policy, the process to be used under the policy and the timescales involved be communicated as appropriate.

(c) That a report be prepared as a matter of urgency for presentation to Cabinet early in the New Year to progress the delegation of responsibility for services and functions to town, parish and city councils.

Reason for Decision

To provide a clear and transparent process for the implementation of the Framework Strategy for Community Asset Transfer.

104. Workplace Transformation – Operational Estate

Following Cabinet's previous approval of the Workplace Transformation Programme, Cllr Sturgis presented a report which updated Cabinet on the initial operational estate issues that would be addressed as part of the Programme.

Cabinet was pleased with the progress being made. In response to a question on monitoring the financing of the Programme, the Chief Executive confirmed that progress reports would be presented to Cabinet linked to reports on the capital programme.

Resolved:

That Cabinet

a) note the contents of the report;

b) confirm its support for the approach outlined for the provision of revised operational estate in respect of the services identified within this report subject to the capital programme development for 2010/11;

c) authorise the relevant service director, in conjunction with the relevant Cabinet Member to undertake the service user, carer and Area Board consultation that is now required;

d) confirms its previous position that the re-provision of Learning Disability Day Care and Children and Families Resource Centres are key priority areas for investment and that the capital receipt from the resources that are available for disposal from this approach should be reinvested in improved operational estate;

e) Support the broad over all cost envelope of the proposals within the report presented and the method of funding that has been identified. Noting that within this overall envelope individual costs may change depending on the detailed design solution and the property utilised to meet the operational need and the differing impact on revenue budgets and

f) Delegate further decisions regarding individual property costs to meet the needs identified within the report presented to the Corporate Director of Resources, in consultation with the Cabinet Member for Property and the Leader of Council, subject to recommendation e) above having been completed.

Reasons for Decision

We are now at a crucial time in relation to the meeting of several services operational needs, notably Learning Disability Day Care Services under the 'Better Days' review.

Further detailed work is now required in relation to engagement with service users, carers and Area Boards and it will be impossible to do so constructively without a firm commitment from Cabinet that funding will be made available to deliver proposals.

Considerable work has been undertaken at a quick pace to address developing operational and budgetary needs. Whilst individual Cabinet Members have been involved in this process via their direct service area, this paper meets the request of the Leader of Council and Cabinet that a broad overview be provided before areas outside of the Learning Disability Service begin service user and carer consultation and detailed operational designs are developed.

105. Future Commissioning and Contracting Arrangements for Services Funded Through the Supporting People Grant

Cllr Thomson presented a report which sought approval to temporarily exempt housing relating support services from mandatory tendering and to enhance the current benchmarking process to ensure value for money and to review current services and benchmark them against other similar local authorities.

The Corporate Director for Resources confirmed that the report was previously considered by the Corporate Commissioning Board and was in line with the Council's Corporate Commissioning Strategy and emphasised that the proposal was on a temporary basis only.

Resolved:

That Cabinet agrees to temporarily exempt all housing related support services from the corporate tendering process and implement rigorous benchmarking and negotiation as a method of ensuring value for money.

Reasons for Decision

Benchmarking and negotiation have been used since 2003 by the Supporting People team to keep prices competitive and to ensure that the budget has always balanced.

Tendering has been used successfully when commissioning new services or remodelling existing ones, however, the majority of existing services would prove problematic to tender and would currently offer limited opportunities for efficiencies.

The exemption would allow time to review services and consider whether it is possible to package them differently and whether opportunities for collaboration with partners is an option. We are keen to explore what further potential there is to optimise efficiency and tackle unmet need.

106. Urgent Items

There was no urgent business

Duration of meeting: (10.30am – 11.35)

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.
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These decisions were published on 21December 2009 and will come into force on 30 December 2009