

IMPLEMENTATION EXECUTIVE

Minutes of the Meeting Held on 13th May 2009

In Attendance

Wiltshire County Council

Mrs Jane Scott – Leader – in the Chair
Mr John Thomson – Deputy Leader
Miss Fleur de Rhe Philippe
Mrs Mary Douglas
Mr John Noeken
Mr Toby Sturgis
Mrs Bridget Wayman

Representing the Former Kennet District Council

Mr Lionel Grundy
Mr Philip Brown

Representing the Former North Wiltshire District Council

Mr Dick Tonge
Mrs Allison Bucknell

Representing the Former West Wiltshire District Council

Mr Tony Phillips
Mr Rod Eaton

Representing the Former Salisbury District Council

Mr Stephen Fear
Mr Paul Sample

276. Apologies

Apologies were received from Mr M Baker and Mrs N Bryant.

277. Minutes

The minutes of the meeting held on 22 April 2009 were confirmed and signed as a correct record.

278. Leader's Announcements

The Chairman thanked Members and officers for their work in support of the Implementation Executive and offered her congratulations on the achievement of a successful transition.

279. Members' Interests

Mr Sample declared an interest in Agenda Item 11 (Minute 286) and having spoken on the item left the meeting for the duration of consideration of the item.

280. Public Participation

Mrs J Davies attended in respect of Minute Nos. 286 and 289 below. Mrs Davies delivered a statement on behalf of a number of local residents. She expressed concerns regarding the plans to sell the old swimming pool site at Wyndham Park to help fund the Bourne Hill Office extension. Mrs Davies opposed the new office plans, citing an inadequate amount of open space provision in the locality, and urged the Implementation Executive to reconsider the project.

The Leader thanked Mrs Davies for her contribution but advised that this was a matter for the New Council to decide.

281. Area Boards Development Phase: Final Report

The Implementation Executive considered the report of the Corporate Director, Department of Community Services. The report evaluated the results of nine months of participative pilots and associated consultation, and made recommendations pertaining to the implementation of the Area Boards under the new Wiltshire Council.

The Deputy Leader introduced the report and outlined in detail the numerous recommendations contained therein. He also reported that on 8 May the Overview & Scrutiny Transition Board had approved the recommendations in the report with one amendment in relation to the set-up of meetings, which he was happy to accept.

Resolved

- a. That the recommendations set out in this report be adopted and the additional resource requirements be approved, subject to an amendment to Recommendation 14 (k) to read: "The set-up of meetings should be of an informal, inclusive nature.";**
- b. That the Director for Legal and Democratic Services be authorised to draft the Council's constitution in accordance with these decisions for adoption by the new Council in June.**
- c. That the Director Community Leadership and Governance be authorised to:**
 - I. revise the Area Boards Handbook to accommodate the outcome of the evaluation process and the decisions here adopted; and**

- II. ensure that all necessary arrangements are made to implement these recommendations in readiness for the first Area Board meetings in June.**

Reason for Proposal

These proposals facilitate the introduction of 18 fully empowered Area Boards and associated community governance arrangements for the new Wiltshire Council. The proposals will underpin the more extensive guidance set out in the Area Boards Handbook.

282. Joint Commissioning Framework – Adult Health and Social Care

The Implementation Executive considered the report of the Service Director, Adult Care: Strategy and Commissioning, which outlined plans to develop a joint commissioning framework with NHS Wiltshire for adult health and social care.

Resolved

- a. To establish a Joint Commissioning Board (JCB) for Adult health and Social Care between the Council and NHS Wiltshire.**
- b. To recognise the Mental Health Local Implementation Team (LIT) and the Learning Disabilities Partnership Board (LDPB) as the partnership group that determines the strategic direction for mental health and learning disabilities respectively.**
- c. To establish two forums for older people and people with a physical impairment for determining key strategic priorities for older people and people with a physical impairment.**

Reason for Proposal

The Council and NHS Wiltshire are committed to ensuring that money is spent wisely in meeting the increasing need. This involves being transparent about the priorities.

Health and social care services must command the confidence of those who receive them, the wider community and politicians who represent and serve those communities.

The Health and Social Care White Paper signalled a move towards judging services on the basis of outcomes for those who use the services rather than the quantity of service or numbers of people who receive them.

The Council and NHS Wiltshire have, during the last few years, seen the health and adult social care services getting closer and the joint commissioning provide an opportunity to deliver more efficient and effective services to residents of Wiltshire.

The establishment of a joint commissioning framework for Adult Health and Social Care will provide the Council and NHS Wiltshire a robust framework to commissioning and ultimately, deliver services to the population of Wiltshire

283. Outcomes of the Consultation on the Future of Wingfield Church of England Primary School

The Implementation Executive considered the report of the Corporate Director, Children and Education, which detailed the recent consultation on the future of the school, the reasons for the consultation, who was consulted, the responses to the consultation, and the options for the future.

The Corporate Director, Children & Education, and Service Director, Schools, introduced the report and outlined the background to the proposed decision before the Implementation Executive.

The Leader welcomed Mrs Lyssy Bolton, Headteacher of The Mead School, Ms Melanie Jacobs, Chair of Governors for The Mead Community Primary School, and Mr Oliver Price, a Governor of Wingfield Church of England Voluntary Aided Primary School. All parties spoke in favour of the amalgamation option.

There was general agreement that scattering the current students of Wingfield School across various schools in Trowbridge was an unsatisfactory solution, and that keeping the students together in Wingfield's existing premises would be vastly preferable. There was also general concern that there should be no financial detriment to The Mead School. The Director for Schools reported that funding to implement amalgamation had not yet been confirmed from the Department for Children, Schools and Families but there was provision within the Wiltshire Council budget to meet such a deficit should it arise.

Resolved

- a. To approve the closure of Wingfield Church of England Voluntary Aided Primary School and its amalgamation with The Mead Community Primary School to form one school operating on both sites from 1 September 2009, subject to there being no financial detriment to The Mead Community Primary School.**
- b. To approve the publication of a Statutory Notice to implement the decision at (a) from 31 August 2009.**
- c. To authorise the Leader of the Council to make the final determination in this matter once the period of responses to the Statutory Notice has been completed and a further report produced.**

Reason for Proposal

To enable Members of the Implementation Executive to consider fully the options considered within the consultation.

284. Information Security Policies and Procedures

The Implementation Executive considered the report of the Corporate Director, Resources, which provided an interim summary of the current status of Wiltshire Council's information security policies and procedures, and the effectiveness of their promulgation to users (staff, members and contractors).

Mr Sample and Mr Fear both expressed concern that the risks to data security mentioned in the report had not yet been completely resolved.

The Leader reminded Members that the report constituted an update on the measures to improve information security implemented over the past eighteen months, and a further report will be brought to the New Council when these measures were complete.

Resolved

That the Implementation Executive noted the report.

(N.B. Mr Fear and Mr Sample requested that their dissent from this decision be recorded in the Minutes.)

Reason for Proposal

Not only is there a significant risk of reputational damage to the authority were there to be a breach of information security (i.e. unauthorised disclosure of confidential or personal data), there is a potentially much greater risk of harm to the citizens of Wiltshire should their data be compromised.

285. Wiltshire Council Workplace Transformation Programme

The Implementation Executive considered the report of the Corporate Director, Transport, Environment and Leisure, and Corporate Director, Resources, providing the outcomes of a review of the accommodation required to meet the needs of the new Unitary Authority and made recommendations for making significant savings and efficiencies by consolidating the majority of the 95 offices into four main hubs.

There was general agreement to replace the word “implement” with the word “expand” within the recommendation.

Resolved

To approve the recommendation to expand the Workplace Transformation Programme including the reduction in number of offices and refurbishment of the remaining as proposed in this report.

Reason for Proposal

The comprehensive review of Council’s office accommodation shows that the current portfolio does not meet the needs of the new Authority and has identified significant savings and efficiencies that can be achieved through rationalisation of these buildings. This report proposes a programme to realise these savings.

286. Funding of the Increased Costs of Bourne Hill Office Project

The Implementation Executive considered the report of the Chief Finance Officer, which made recommendations on the method of funding for meeting the increased costs of the Bourne Hill Office Project.

Mr Sample, having questioned his potential interest in this matter and having received advice, spoke on the item to express concern that some of the projected funding for the Bourne Hill Project was derived from the disposal of the old swimming pool site at Wyndham Park. There was huge local opposition to this idea. Mr Sample then left the meeting for the remainder of the discussion as detailed in Minute No. 279.

The Leader suggested that there should be no change to the recommendation contained within the report as this is a decision that should be taken by the New Council.

Mr Fear moved and Mrs Douglas seconded an amendment to instruct officers to investigate the disposal of assets other than the old swimming pool site at Wyndham Park to fund the Bourne Hill Project. On being put to the vote this motion was lost.

There was general agreement to specify the level of increase in the cost of the Project (£3.684M) within the recommendation.

Resolved

To approve the funding of the cost increases of £3.684M through unsupported borrowing and revenue savings that are yet to be identified.

Reason for Proposal

The Bourne Hill Office Project is currently under construction. Significant cost increases have been identified, and this report recommends the method of funding the increase.

287. The Economic Downturn in Wiltshire

The Implementation Executive considered the report of the Chief Executive concerning the economic recession and its impact in Wiltshire, and the report considered by the Wiltshire Assembly on 26 March 2009.

The Leader welcomed Mr George Bright, Chair of the West Wilts Economic Partnership, to the meeting.

The Chief Executive provided an overview of the Performance Reward Grant recently awarded to the Council (detailed in Minute No. 288) and the areas in which it could be invested. He suggested that the Implementation Executive might wish to direct some of the Grant toward 'pump-priming' urgent initiatives (with appropriate business cases) aimed at helping Wiltshire businesses and residents combat the economic downturn. He also announced that a Programme Board would be set-up to finalise and monitor such an arrangement.

In respect of the urgent initiatives Mr Bright highlighted the Business Support Service, the Citizens Advice Bureau and an increased capacity to manage apprenticeship opportunities.

The Leader requested that a briefing note be circulated to Members on this work and those areas that most urgently require further investment. A briefing note was also

requested on what was happening to support the rural community and rural enterprise.

Resolved

- a. To endorse the initial programme of work initiated by Wiltshire Council to take forward the recommendations of the report prepared for the Wiltshire Assembly;
- b. To designate up to £500K of the Performance Reward Grant to support urgent initiatives to combat the recession, including the Business Support Service, the Citizens' Advice Bureau and an increased capacity to manage apprenticeship opportunities.

Reason for Proposal

The approval of the Implementation Executive is requested to ensure that the Executive gives authority to the programme of work that is to be taken forward by the Wiltshire Council.

288. Recommendations from the Public Service Board - Using Performance Reward Grant to Support Wiltshire's Ambitions

The Implementation Executive considered the report of the Service Director, Performance and Risk, which contained recommendations from the Wiltshire Public Service Board on the use of the grant.

Resolved

That the Implementation Executive supported the use of Performance Reward Grant to:

- a. Honour the commitment to reinvest up to £1,557,120 (paid over 2 years) in successful LPSA target areas that take forward Wiltshire's ambitions.
- b. Use the grant to support some initiatives to combat the recession (as detailed in Minute No. 288 above). A sum of £1m over two years could be set aside, subject to suitable bids.
- c. Fund bids from the new Area Boards for initiatives in the local community which will command local support and contribute to the achievement of the Local Agreement for Wiltshire, or to combat the recession.

Reason for Proposal

This represents a unique opportunity for us to put additional resources into our Local Agreement for Wiltshire (LAW) and to help combat the recession. Applying the resources at a local level we can build local support and commitment to addressing the ambitions for Wiltshire contained in the LAW.

289. Salisbury City Council Update Report

The Implementation Executive considered the report of the Head of the Programme Office, which outlined the provisions in place to secure interim support for Salisbury City Council, and updated the Implementation Executive in relation to the previously agreed property and asset transfers.

The Leader announced that an experienced interim manager will soon be appointed to provide initial 'senior' support to Salisbury City Council at its first meeting. It was agreed that copies of the interim manager's contract be circulated to all Implementation Executive Members who wished to see the detail.

Resolved

- a. To note the appointment of an experienced interim manager to provide initial 'senior' support to the City Council at its first meeting. The appointment is initially on a five month basis, but has a break clause which may be activated by the new City Council the day after its initial meeting.**
- b. To delegate to the Leader of the Implementation Executive, in conjunction with the Chief Executive, authority to set the dates of the first meetings of the City Council, determine the agenda for them and publicise these accordingly.**
- c. To note and approve the next steps in relation to finalising the property and asset transfers to Salisbury City Council previously agreed by the Implementation Executive and delegate the necessary decisions needed to complete this process to the Leader and Chief Executive.**

Reason for Proposal

The proposals above will allow for the completion of the Implementation Executives role in the creation and initial 'custodianship' of Salisbury City Council. These proposals will ensure that the first meeting of the City Council is adequately publicised, supported and communicated to new members

290. Member/Officer Relations Protocol

The Implementation Executive considered the report of the Service Director, Legal and Democratic Services, which attached a protocol setting out the essential elements of the relationship between Members and Officers and clarifying their respective roles and responsibilities.

The Service Director reported that the Constitution Focus Group (CFG) and the Overview and Scrutiny Transition Board (OSTB) had considered this matter and he referred to the comments that had been submitted.

Resolved

To approve the Member/Officer Relations Protocol as now amended to reflect the comments of the CFG and OSTB.

Reason for Proposal

To ensure that there is a framework for Member/Officer relations in place for the new Council.

291. Appointments to Outside Bodies

The Implementation Executive considered the report of the Head of Democratic Services, which gave an overview of the arrangements in place to provide Unitary Member representation for those outside bodies that require it.

The Leader recognised that further work was required on the appointments and asked Members to forward any corrections to the schedule to the Head of Democratic Services.

The Leader also referred to the request from the Overview and Scrutiny Transition Board (OSTB) that the IE reconsider the Council's withdrawal from the LGA. The Leader confirmed that this decision was taken as part of the budget process and had been agreed by the IE and the full Council.

Resolved

- a. To agree the renewal of those appointments set out in Schedule 1 to this report and to approve those appointments being authorised by those bodies/persons listed.**
- b. To authorise the Chief Executive, after consultation with Group Leaders, to finalise the nominations to those bodies contained in Schedules 2 and 3 if there is a need for Council representation.**
- c. To confirm the previous decision to withdraw from the LGA.**

Reason for proposal

To ensure that the new Council has appropriate representation on outside bodies.

292. Public Protection Licensing Policies

The Implementation Executive considered the report of the Head of Environmental Protection and Licensing requesting approval of the Statement of Licensing Policy under the Licensing Act 2003, the Statement of Principles under the Gambling Act 2005 and the Sex Establishments Policy, and describing the results of a public consultation on the draft policies and how these comments were considered in amending the final policies.

Mr Fear and Mr Sample both expressed concern that the licensing policy as currently drafted would mean that the terminal hour currently provided for within the former Salisbury District Council area, would be removed. This they felt would have an adverse impact on the residents of the City where the operation of a terminal hour had been hugely successful.

In response to a request from the Leader, it was confirmed that the removal of the terminal hour did not mean that establishments could automatically open longer as they would continue to be subject to the current conditions of their licence. They could however apply for a change in the licence conditions and this would be considered by a sub-committee of the Council's Licensing Committee.

Members highlighted the provisions within the current licensing policy that provided for a special policy for a particular area and the Leader suggested that adoption of the overall licensing policy should be deferred to provide for consultation with the new City Council.

Resolved

- a. **To adopt, on behalf of Council, the:**
 - I. **Statement of Principles under the Gambling Act 2005, and**
 - II. **Sex Establishments Policy**

- b. **To defer the adoption of the Licensing policy to provide for the opportunity for consultation with the new Salisbury City Council.**

Reason for proposal

Statutory requirements for the Council.

293. Adoption of the Wiltshire and Swindon Waste Core Strategy 2006 – 2026

The Implementation Executive considered the report of the Service Director, Economy and Enterprise, which proposed that the Wiltshire and Swindon Waste Core Strategy, as amended by the changes identified in the Planning Inspector's binding Report, be recommended to Full Council for adoption.

Resolved

To recommend to Full Council that the Wiltshire and Swindon Waste Core Strategy, as amended by the changes identified in the Inspector's binding Report, be adopted.

Reason for proposal

The Waste Core Strategy will form part of the Council's Policy Framework. In line with the Local Government Act it must first be approved by the Implementation Executive before it is agreed by Full Council. The Inspector's Report is **binding** upon the Councils (Wiltshire and Swindon) and hence the recommendations it presents must be acted upon. As the document has been found sound, it follows that it should be adopted by the Council as soon as reasonably practicable, in order to ensure up to date waste policy is in place for Wiltshire.

294. Sustainable Communities Act: Recommendations from the Wiltshire Panel

The Leader requested that consideration of the report of the Service Director, Community Leadership and Governance, which provided an overview of the process undertaken by Wiltshire Council and the Wiltshire Assembly in participating in the

Local Government Association's Sustainable Communities Act consultation process, should be deferred.

295. Minimum Revenue Provision (MRP) Annual Policy Statement

The Implementation Executive considered the report of the Chief Finance Officer, setting out the Council policy on making a Minimum Revenue Provision for the financial years 2007/08 and 2009/10 in accordance with Local Authorities (Capital Finance and Accounting) Regulations 2008.

Resolved

To adopt the Minimum Revenue Policy as specified in this report under Option 1 for Supported Borrowings and Option 3 for Unsupported Borrowings for the financial year 2009/10.

Reason for Proposal

The annual adoption of the Minimum Revenue Policy is a regulatory responsibility of the Council.

296. Wiltshire Council, Week Six Update

It was agreed that a report on the 'count-up' to the first 100 Days of Wiltshire Council would be circulated to all Members.

297. Application of Appointments Procedure

The Implementation Executive considered and noted an update report on the Council's current position in relation to the progress of the Appointments process including a time line.

Gavin Brooks, Regional Organiser for UNISON attended and reported that from the Union's perspective the procedure was going as well as could be expected and that issues were being dealt with as and when they arose.

298. Time Off For Trade Unions

The Implementation Executive considered and noted the report of the Assistant Director, LGR Staff Transition, which provided an update on the arrangements reached with Unison regarding a new Time Off and Facilities Agreement.

299. Progress Report - Budget 2009-10

The Implementation Executive considered and noted the report of the Chief Finance Officer, which highlighted key issues with regard to the monitoring of the 2009-10 Council budget.

300. Exclusion of the Public

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 No. 301 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 1 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.

301. Staffing Issues referred from Salisbury District Council

The Implementation Executive considered the confidential report of the Service Director, Legal and Democratic Services, requested at the previous meeting following questions raised by Wiltshire Council's District Auditor.

Resolved:

To agree that in light of counsel's advice, the Chief Executive be authorised to take the appropriate action as outlined in the confidential report.

The meeting closed at 6.15pm.