

CABINET

MINUTES of a MEETING held in KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Thursday, 21 November 2013.

Cllr Keith Humphries	Cabinet Member for Public Health, Protection Services, Adult Care and Housing (exc strategic housing)
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economy, Skills and Transport
Cllr Jane Scott OBE	Leader of the Council
Cllr Jonathon Seed	Cabinet Member for Communities, Campuses, Area Boards, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property, Waste
Cllr John Thomson	Deputy Leader and Cabinet Member for Highways and Streetscene and Broadband
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage & Arts, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services)

Also in Attendance: Cllr Allison Bucknell, Cllr Richard Clewer, Cllr Christine Crisp
Cllr Tony Deane, Cllr Jon Hubbard, Cllr George Jeans
Cllr Julian Johnson, Cllr Simon Killane, Cllr Nina Phillips
Cllr Fred Westmoreland, Cllr Roy While and
Cllr Philip Whitehead

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

100 **Apologies**

All Cabinet members were present.

101 **Minutes of the Previous Meeting**

The minutes of the last meeting held on 22 October 2013 were presented.

Resolved:

That the minutes of the meeting held on 22 October 2013 be approved as a correct record and signed by the Leader.

102 **Leader's Announcements**

The Leader made the following announcements:

St Stephen's Place development

The Leader thanked the officers involved in delivering the St Stephen's Place leisure complex in Trowbridge which had officially opened on Tuesday 19 November. The multi-million pound scheme demonstrated how much confidence major companies had in Trowbridge. The complex would create more than 200 jobs and would encourage more businesses and investment to the area. This was great news for the County Town and all the communities which had already started to benefit from this development.

Your Wiltshire magazine – winter 2013 edition

The Leader drew attention to the latest copy of Your Wiltshire Magazine, which was now available and circulated at the meeting. As an incentive to those who did not currently participate in activity, the issue included a seven day free leisure pass for use in any of Wiltshire Council's leisure centres from next Monday the 25th November – until the 28th February. Recognising the need to boost local towns and encourage people to shop for longer, the issue also included a reusable voucher for one hour's free parking in the run up to Christmas which would add one hour free on to any parking ticket purchased.

Wiltshire Assembly – 2 December

The Leader announced that the Wiltshire Assembly on 2 December 2013 would be held at the new Tidworth Garrison Theatre and would be focusing on Wiltshire as a military County, and our partnership with the military community. It would provide an update to partners, community representatives and local businesses on the impact that the Army rebasing project would have on the County over the next few years. Infrastructure, facilities, community and business opportunities would be highlighted and it would showcase some of the excellent work which was taking place across the County to integrate the military and local communities.

Boosting the local economy – Wealth of Wiltshire Christmas Fayre

The Wealth of Wiltshire Christmas Fayre which would be held in the Atrium on December 12 had proved very popular with businesses taking up every stall available. The event was open to the public and free of charge and local choirs would add to the festive atmosphere by singing throughout the day. Local businesses from across the County would be selling their products from 10am

to 7.30pm. This was another way the Council was supporting the local economy and businesses and bringing the community into the heart of this Council.

103 Declarations of interest

No declarations of interest were made.

104 Public participation

The Leader explained that as usual at meetings of Cabinet she would be more than happy to hear from any member of the public present on any of the items on this agenda.

The Leader acknowledged receipt of a statement and questions from Mrs Jarvis, Clerk to Melksham Without Parish Council, details of which were circulated at the meeting in respect of the item on Parish and Town Council Grant Options (minute no. 107 refers).

105 Minutes - Cabinet Transformation Committee

The minutes of the Cabinet Transformation Committee dated 22 October 2013 were presented.

Resolved:

That the minutes of the Cabinet Transformation Committee dated 22 October 2013 be received and noted.

106 Wiltshire Council's New Housing Allocations Policy 

Cllr Keith Humphries presented a report which reported on the outcome of consultations and sought Cabinet approval of a new Housing Allocations Policy effective from April 2014.

The proposed new Allocations Policy would help to deliver on the Council's vision to create stronger and more resilient communities by focussing on local homes for local people. This would also help bring communities together to enable and support them to do more for themselves which was a key priority within the Council's Business Plan.

The Policy would remain a choice based lettings scheme covering the Wiltshire Council area. It would include eligible and exclusion criteria for registration, property size criteria, a new banding structure that determines how applicants would be assessed and prioritised and how homes would be allocated. Cllr Clewer, Portfolio Holder explained points of detail on the Policy.

Scrutiny engagement had taken place at key milestones in developing the revised policy. A Rapid Scrutiny exercise was held on 28 October, the outcome of which had been endorsed by the Overview and Scrutiny Management Committee on 5 November 2013. Cllr Simon Killane, Chairman of the Management Committee explained the Scrutiny recommendations.

Cllr Humphries acknowledged the helpful input from Scrutiny, with many of their recommendations taken on board. Key points from the consultation had been incorporated in the robust policy. This included allocation to people with a local connection, which 71.8% of respondents to the consultation requested.

Concern was raised by Cllrs Tony Deane and George Jeans over the allocations policy being too prescriptive. It was suggested that the Policy should include provision for those with a local employment connection as in need, if they are not able to afford accommodation within the village or parish in which they work. It was also suggested that those building affordable housing should also be happy with the Council's Allocation Policy. A suggested form of wording was proposed.

Cllr Humphries explained that whilst he was not prepared to accept the suggested wording without first examining the implications, he would be happy to discuss the matter further with Cllrs Deane and Jeans and make any minor changes if considered appropriate. It was also agreed to delete the word 'existing' from paragraph 9.3 of the policy to read:

9.3 ~~Existing~~ *Planning agreements and former exception sites*

It was noted that work would take place to promote and explain the revised Policy to members, the public and parish councils.

The proposed Policy as amended was proposed. An amendment was also made to change the delegation from the Associate Director to the Corporate Director.

Resolved:

That Cabinet approves the new Allocations Policy to be implemented from April 2014 and delegates to the Corporate Director with responsibility for Housing any necessary final minor amendments (including the deletion of the word 'existing' from paragraph 9.3) in consultation with the Cabinet member for Public Health, Protection Service and Adult Care and Housing.

Reason for decision:

The Housing Act 1996 Part VI (as amended by the Homelessness Act 2002) and Localism Act 2012 requires the Council to have a scheme which

determines how allocations and nominations will be made. In Wiltshire we operate a Choice Based Lettings policy called Homes4Wiltshire which was adopted shortly before unitary.

The purpose of the Council's Choice Based Lettings Policy is to set out clear guidelines to ensure that affordable housing is allocated fairly and according to an applicants' need for housing while at the same time taking into account effective management of the affordable housing stock across Wiltshire. Following the introduction of the Localism Act we had the opportunity to review our allocations policy to consider some of the new freedoms that the act introduced. Following extensive consultation we have proposed some fundamental changes to our policy and have taken full advantage of our new freedoms to ensure we make best use of our limited affordable housing stock and give priority to local people.

107 **Parish and Town Council Grant Options**

Public participation

Mrs Mary Jarvis, Clerk to Melksham Without Parish Council, addressed Cabinet and asked for a fairer grant for rural councils and parishes. Mrs Teresa Strong, Finance Officer for the Parish Council also addressed Cabinet on this issue. A copy of the statement and question submitted by Mrs Jarvis as tabled at the meeting are attached to the signed copy of these minutes.

Cllr Dick Tonge, Cabinet member for Finance, Performance, Risk, Procurement and Welfare Reform presented a report which asked Cabinet to consider the Council Tax Support grant to town and parish councils for 2014/15 onwards.

From April 2013 Council Tax Support (formerly Council Tax Benefit) had taken the form of Council Tax Reductions (CTR) which had had the effect of reducing the Council Tax Base.

As a consequence, town and parish councils had experienced a decrease to their tax base which therefore decreased the amount of cash received for the same level percentage of precept. In 2013/14 Wiltshire Council awarded a grant totalling £1.4 million to top up the Town and Parish Council funding levels to compensate for this loss in funding.

Following further reductions in Central Government funding to Wiltshire Council, it was necessary to consider the options available in terms of providing support funding to Town and Parish Councils in 2014/15 and onwards.

Cabinet was asked to consider the following four options:

- **Option 1** – Seek new additional funds from Central Government.

- **Option 2** – Do nothing and continue with the grant at the same level as 2013/14.
- **Option 3** – Pass the unringfenced grant adjusted by the Settlement Funding Assessment from DCLG without the Wiltshire Council top up to Town and Parish Councils.
- **Option 4** – Withdraw all grant funding.

The report recommended approval of option 3. Some other authorities had decided not to pass their share of the Council tax support grant to their towns and parishes. It was noted that this Council had lobbied central Government extensively for a change to the scheme. The Leader urged town and parish councils to also lobby for a change. Details of the consultation undertaken with town and parish council and members were also reported.

Cllr Tonge reported that he had been contacted by Mr Morland who queried a £25k discrepancy in the figures. Cllr Tonge explained that the figures quoted were indicative at this stage pending full figures being provided by central Government and that Mr Hudson had responded to Mr Morland.

In response to Mrs Jarvis, it was explained that the level of precept was based on the number of properties, and the grant calculated was unrelated to the population. Council Tax Base was decided within a legislative framework, with bandings supplied from an external valuation office. Cabinet would be asked to determine its Council Tax Base at its meeting on 17 December 2013.

Resolved:

That Cabinet approves option 3 as follows:

1. **That the Wiltshire Council grant to Town and Parish Councils be set at 65% of the 2013/14 grant to take into account the £300k shortfall in the 2013/14 Department for Communities and Local Government (DCLG) grant made up by Wiltshire Council, and the expected reduced level of Council's Settlement Funding Assessment from DCLG.**
2. **That in future years the grant is adjusted in line with changes to the Council's Settlement Funding Assessment from DCLG.**

and that

3. **The comments received as part of the consultation and shown at paragraph G in Appendix C of the report presented be addressed in a separate briefing to be sent to all Towns and Parishes.**

Reason for decision

To provide financial support to Town and Parish Councils in the light of changes made to Council Tax Support by the Coalition.

108 **Report on Treasury Management Strategy 2013-14 - Second Quarter ended 30 September 2013**

Cllr Dick Tonge, Cabinet member for Finance, Performance, Risk, Procurement and Welfare Reform introduced the interim report reviewing the Treasury Management Strategy (TMS), which covered the period 1 April 2013 to 30 September 2013.

This report reviewed management actions in relation to:

- a) the PrIs and TrIs originally set for the year and the position at the 30 September 2013;
- b) other treasury management actions during the period; and
- c) the approved Annual Investment Strategy.

Resolved:

That Cabinet note the content of the report presented in line with the Treasury Management Strategy.

Reason for decision:

This report is a requirement of the Council's Treasury Management Strategy.

109 **Community Contraception and Sexual Health Services Procurement**

Cllr Keith Humphries, Cabinet member for Public Health, Protection Services, Adult Care and Housing (exc strategic housing) presented a report which updated Cabinet on the new mandated responsibility of this Council to commission Open Access Sexual Health services. Cabinet was also asked to agree to the proposed procurement of the Community Contraception and Sexual Health services in Wiltshire.

Cllr Humphries explained that this would be the first of a number of papers to come to Cabinet. The contract with Sirona Care and Health had been transferred without competitive tender when the PCT split commissioning and provider services in 2011. The transition agreement was now coming to an end and the contract needs to be put out for competitive tender.

The majority of contraception and sexual health (CaSH) services were located in the North and it was hoped that the number of clinics could be extended to 10 and would spread across the County. The potential for campuses to play a cost effective role in this was noted.

The need to work on education was highlighted, not just in prevention but knowing where to go in terms of help and guidance. The role of the Area Boards was highlighted in terms of what can be done locally.

Resolved:

That Cabinet:

- 1. agrees in principle to the proposal to undertake a tendering process to provide community contraception and sexual health services for 5 (3+2) year agreement;**
- 2. delegates authority of consideration of a procurement options paper to determine the appropriate procurement route and execute the contracts resulting from this tendering activity to Maggie Rae, Corporate Director, in consultation with the Cabinet Member for Public Health, Public Protection and Adult Care and Housing, the Solicitor to the Council and the Chief Financial Officer.**

Reason for decision:

As part of the Health and Social Care Act reforms, Wiltshire Council has a mandated responsibility to commission Open Access Sexual Health Services, to address the disease burden of sexually transmitted infections and reduce unintended pregnancy through the provision of a full range of contraceptive methods.

110 High Level Specification and Tender Evaluation criteria for Future Waste Management and Collection Services 

Cllr Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Property and Waste presented a report which sought Cabinet approval to develop service specifications based on key principles outlined in the report; to use the criteria contained within the report to develop the quality element of tender evaluation models and to use the proposed price/quality ratios to develop the tender evaluation models.

Work was in progress to move forward to tender documentation, and Cabinet's attention was drawn to the price/quality ratio proposed, which differed from the Waste Task Group proposal. It was explained that if the specifications were tightly written the quality weighting could be lowered.

Attention was drawn to the potential use of the My Wiltshire app for residents to report issues such as missed bins using their smart phones.

The need to retain long term flexibility balanced with minimising cost was highlighted, and this would be taken on board within the tender specifications.

Resolved:

That Cabinet agrees to:

- 1. Develop service specifications based upon the key principles set out in the report presented.**
- 2. Develop tender evaluation models based upon the price/quality ratios set out in paragraph 13 of the report presented.**
- 3. Use the criteria contained in the report presented to develop the quality element of the tender evaluation models.**

Reason for decision

The decisions taken in respect of these proposals are key to informing the detailed development of tender documentation and tender evaluation models prior to issuing invitations to tender.

111 Urgent Items

There were no urgent items.

112 Exclusion of the Press and Public

Resolved:

That Cabinet agrees 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 112 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Reason for taking the item in private:

Paragraph 3 – information relating to the financial or business affairs of any particular person (including the authority holding that information).

No representations had been received on taking the item under Part II.

113 **Extension of Contracts operated by the Hatts Group in the Salisbury Area**


Cllr John Thomson, Deputy Leader and Cabinet member for Highways, Streetscene and Broadband presented a report which sought Cabinet approval to extend existing contracts between Wiltshire Council and Hatts Travel as detailed in the report presented.

Resolved:

That Cabinet agrees to the extensions of contracts as set out in the report presented.

Reason for decision

1. Extending the contracts preserves the major savings on the Park & Ride contract that were achieved when it was last tendered, and removes the risk that higher prices would be submitted if the contract were retendered.
2. Extending the contracts would achieve savings against the SEN transport budget as detailed in the report.

Appendix to signed minutes

Statement and questions from Mrs Jarvis, Clerk to Melksham Without Parish Council (minute no. 107 refers).

(Duration of meeting: 10.30 am - 12.17 pm)

These decisions were published on the 2 December 2013 and will come into force on 10 December 2013
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The Officer who has produced these minutes is Yamina Rhouati, of Democratic Services, direct line 01225 718024 or e-mail Yamina.Rhouati@wiltshire.gov.uk
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Public Participation

Statement/Question from Mary Jarvis, Clerk to Melksham Without Parish Council

Parish and Town Council grant options

There are two issues I would like to raise

1. The unfair way Wiltshire Council plans to award the grants to town and parish councils, despite our objections. This is based on a percentage amount of the planned precept, rather than an amount per elector x number of electors per parish. Thus if a Council has planned a precept of £100,000, the grant is given of a percentage amount of that 30% = 30,000. This system does not take into account the efficiency of the local council and the formula works against rural parishes and areas. A rural parish with £5,000 precept would only receive £1,500. The system should be done fairly to allocate the grant on an amount per each elector, so that each parish has an equitable amount, regardless of the amount of precept. An example of this can be seen in how the grant was paid last year. Melksham Town Council received £13.80 per elector/tax base whereas Melksham Without who has an electorate about the third of the size of Melksham only in effect received 84p per elector. Melksham Town Council received a grant of £54,072.19 whereas Melksham Without which is about one third the size of Melksham received only £2,313.20. That is just unfair.
2. The requirement to pay Melksham Without Parish Council compensation for the loss of grant due to the grant being calculated on the precept for the year before 2012/13, rather than on the previous year's precept, plus the extra revenue from the 200 + extra houses. Although there were approximately 200+ extra new electors in our parish, as a Council we actually lost grant. We wish to receive the amount which should have been given to us last year; i.e. the extra revenue for the extra housing built in our parish during 2012/13, with our grant from you for 2014/15. This year we will miss out again as last year's grant for us omitted to include the revenue base for our extra housing. This year, you will be basing your grant award on last year's amount which was based on our precept amount **prior** to the construction of the extra houses. How are you going to put this right?

Wiltshire Council has acknowledged that Melksham Without lost out on huge amount of revenue due to the way things were calculated. (Under the old system we would have been able to raise £114,000 due to our extra housing without even raising our Precept amount per elector) We are asking that Wiltshire Council now make the correct adjustments including the amount we lost out on last year. Last year's grant should have been based on the correct precept for the number of electors - £114,000, not £107,000 which excluded the extra houses. As a Council we are struggling with the revenue loss for 2013/14 and no more cuts can be made.

The full response the Melksham Without parish made to your consultation questionnaire is attached as our comments were only partially reported in your Agenda papers.

Response from Cllr Tonge

Cabinet member for Finance, Performance, Risk, Procurement and Welfare Reform

A verbal response will be provided at the meeting.