

CABINET

DRAFT MINUTES OF THE CABINET MEETING HELD ON 12 DECEMBER 2017 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Baroness Scott of Bybrook OBE (Chairman), Cllr John Thomson (Vice-Chairman), Cllr Chuck Berry, Cllr Richard Clewer, Cllr Laura Mayes, Cllr Toby Sturgis, Cllr Bridget Wayman, Cllr Philip Whitehead and Cllr Jerry Wickham

Also Present:

Cllr Pat Aves, Cllr Richard Britton, Cllr Clare Cape, Cllr Gavin Grant, Cllr Darren Henry, Cllr Alan Hill, Cllr Ruth Hopkinson, Cllr Atiquel Hoque, Cllr Jon Hubbard, Cllr David Jenkins, Cllr Bob Jones MBE, Cllr Gordon King, Cllr Jerry Kunkler, Cllr Steve Oldrieve, Cllr Horace Prickett, Cllr Tom Rounds, Cllr Jonathon Seed, Cllr Ian Thorn, Cllr Philip Whalley, Cllr Stuart Wheeler, Cllr Roy While, Cllr Christopher Williams and Cllr Graham Wright

149 Apologies

There no apologies received as all Cabinet members were present.

150 Minutes of the previous meeting

The minutes of the meeting held on 7 November 2017 were presented.

In response to a question regarding the applicability of core policy 49, Councillor Toby Sturgis stated that he was satisfied with the accuracy of the minute.

Councillor Jerry Wickham stated in relation to the minute 139 regarding the Procurement of User Led Organisations, that he had been informed by the executive of WSUN that some of the information that he highlighted at the meeting was incorrect. At the meeting on the 7 November, he stated that WSUN had returned some grant money to Wiltshire Council, but he now acknowledged that this was incorrect and had written to apologise to Diane Gooch the chair of WSUN.

Resolved

To approve as a correct record and sign the minutes of the meeting held on 7 November 2017.

Note: this is a draft record of decisions; a full minute will be published once drafted.

151 Declarations of Interest

There were no declarations of interest.

152 Leader's announcements

There were no leader's announcements.

153 Public participation and Questions from Councillors

Cllr John Gundry, Malmesbury TC, made a statement regarding the decision not to extend provision at Malmesbury Primary School. This was considered before the item on the School Places Strategy.

In response to a query from Cllr John Hubbard, Councillor Toby Sturgis stated that the evidence and rationale behind placement of Melksham was included Swindon and Wiltshire Strategic Housing Market Assessment (SHMAA). He encouraged Cllr Hubbard to submit his views as part of the consultation.

154 Performance Management and Risk Outturn Report: Q2 2017/18

Councillor Philip Whitehead presented the report which provided an update on performance against the stated aims in the council's new Business Plan 2017-27. The information provided included key measures as well as the council's strategic risk register.

Matters raised in the course of the presentation and discussion included: that that key performance indicators had been reviewed to ensure they were more meaningful; that areas where performance needed improvement was included; how some performance had levelled off, including number of apprenticeships, but how this had reflected national performance; that police performance could be scrutinised through the Police & Crime Panel; that work was continuing to address issues such as getting care leavers into appropriate accommodation; and how area boards can help to improve performance in areas protecting the vulnerable.

Resolved

To note the updates and outturns:

- 1. Against the measures and activities ascribed against the council's priorities; and**
- 2. To the strategic risk register.**

Reasons for Decision:

The current interim performance framework compiles measures used to monitor progress against the council's previous business plan in relation to the goals laid out in Wiltshire Council's current Business Plan 2017-27. A new framework

is being compiled to capture all the activity designed to deliver the new business plan.

The strategic risk register captures and monitors significant risks facing the council: in relation to significant in-service risks facing individual areas, in managing its business across the authority generally and in assuring our preparedness should a national risk event occur.

155 **Revenue & Capital Budget Monitoring Report**

Councillor Philip Whitehead presented the report which: advised members of the revenue and capital budget monitoring position as at the end of period 7 (end of October 2017) for the financial year 2017/2018 with suggested actions as appropriate; and informed Cabinet on the position of the 2017/2018 capital programme, as at Period 7 (31 October 2017), including highlighting budget changes.

Matters raised in the course of the presentation and discussion included: that if no management action was taken that there would be a £6.557m deficit, but that action would be taken in many areas to ensure that a balanced budget would be delivered; that whilst it was a significant amount of money, the projected overspend represented less than 7 days spend.

In response to a question from Councillor Ian Thorn, Councillor Philip Whitehead stated that whilst any overspend was a concern, the Council was in a better position than at the same time last year and he had every confidence that the overspend would be addressed.

Resolved

- 1. To note the outcome of the period 7 (end of October) budget monitoring and to approve all budget amendments outlined in the report.**
- 2. To note the budget movements undertaken to the capital programme shown in appendices E and F and to also note the reprogramming of the capital £14.741 million between 2017/2018 and 2018/2019.**

Reasons for Decision:

To inform effective decision making and ensure a sound financial control environment.

To inform Cabinet of the position of the 2017/2018 capital programme as at Period 7 (31 October 2017), including highlighting any budget changes

156 **Treasury Management Report Quarter 2**

Councillor Philip Whitehead presented the report which updated the Cabinet on treasury management activities.

Matters highlighted in the course of the presentation and discussion included: the performance of investments over the period; the limited impact of the rate rise; how the level of risk is assessed.

In response to a question from Cllr Ian Thorn, Michael Hudson stated that some performance had been slightly behind projections due to the rate increase happening later than anticipated.

Resolved

To note that the contents of this report are in line with the Treasury Management Strategy.

Reasons for Decision:

To give members an opportunity to consider the performance of the Council in the period to the end of the quarter against the parameters set out in the approved Treasury Management Strategy for 2017/2018.

157 **Council Tax Base 2018/2019**

Councillor Philip Whitehead presented the report which recommended that Cabinet approve the Council Tax Base for 2018/2019.

In response to a query from Cricklade Town Council, Michael Hudson stated that he would follow up to see if the information had been sent to town and parish councils giving more detailed analysis.

Resolved

- 1. To approve the Council Tax Base 2018/2019.**
- 2. To note that the recommended collection rate adjustments are set at 99.75% and 82.50% which reflects current expectations for collection (further details are outlined in the main body of the report).**

Reasons for Decision:

Before the Council Tax can be set by the Council in February 2018 a calculation has to be made and approved of the Council Tax Base, which is an annual requirement as laid out in the Local Government Finance Act 1992.

158 **Schools Funding 2018-19 - Approval of Local Funding Formula for Schools**

Councillor Laura Mayes and Philip Whitehead presented the report which proposed a revised funding formula for Wiltshire schools in order move towards the government's proposed National Funding Formula (NFF) for schools. It is proposed that the revised formula is implemented from the 2018-19 financial

year. Councillor Mayes thanked Councillor Philip Whalley and the Schools Forum for their work on the matter, and stated that she would continue to lobby government on the issues of fairer funding.

Resolved

- 1. To set the Wiltshire formula for funding schools as close to the proposed National Funding Formula (NFF) for schools as possible. The proposed formula for Wiltshire therefore incorporates all of the factors proposed for the NFF.**
- 2. To note that final values for the individual factors in 2018-19 will be determined after the funding settlement is announced in December 2017.**

Reasons for Decision:

The Schools Forum considered the approach to be taken in Wiltshire and proposed that school budgets should be moved towards the NFF during the transitional period. Whilst this does represent a change to the way in which schools in Wiltshire will be funded, it is the view of Schools Forum that it is appropriate to move school budgets in this direction whilst the LA can implement transitional protection. There is no indication of any transitional arrangement after April 2020 at this stage.

159 School Places Strategy 2017-2022

Councillor Laura Mayes presented the report which asked Cabinet to consider and approve the Wiltshire School Places Strategy 2017-2022 and associated Implementation Plan.

In a response to a question from Cllr John Gundry, that she was content with how the process to decide the upon the extension to the Lea & Garsden Primary School, and that sufficient opportunities had been given to other schools to offer sustainable proposals.

Councillor John Hubbard, Chair of the Children's Select Committee, stated the Select Committee had reviewed the strategy and had asked, in future iterations, to have an earlier opportunity to have input into its development.

Resolved

To approve the Wiltshire School Places Strategy 2017- 2022 and associated Implementation Plan

Reasons for Decision:

The Wiltshire School Places Strategy 2017- 2022 is a key framework document for the Council in considering any statutory proposals for changes to school organisation including the commissioning of new schools and will inform future capital investment priorities.

160 **Carers Strategy**

Councillors Jerry Wickham and Laura Mayes presented the report which requested that, subject to the addressing of any concerns raised by the Children's Trust Commissioning Executive and during scrutiny by the Children's Select Committees, Cabinet be requested to recommend the draft Carers in Wiltshire Strategy 2017 – 22 to full Council in February 2018 and, subject to approval by full Council, this strategy be published in March 2018.

Matters highlighted in the course of the presentation and discussion included: that the strategy was a combination of two previous strategies that sought to cover all ages; that the provisions had been reviewed following different statutory changes; that officers had been waiting for publication of national strategy to complete review; and that carers groups and health watch had helped in consultation and co-production of the strategy.

In response to issues raised by Councillor Jon Hubbard regarding statutory requirements including addressing specialist needs, Terence Herbert stated that he would follow up to provide an answer.

Resolved

That, subject to the addressing of any concerns raised by the Children's Trust Commissioning Executive and during scrutiny by the Children's Select committee, cabinet be requested to recommend the draft Carers in Wiltshire Strategy 2017 – 22 to full Council in February 2018 and, subject to approval by full Council, this strategy be published in March 2018.

Reasons for Decision:

The draft Carers in Wiltshire Joint Strategy 2017 – 22 (Appendix 1) is intended to build on the progress since the publication of the Joint Wiltshire Carers' Strategy in 2012.

161 **Update on Integration of Health and Social Care**

The Leader presented the report which provided an update on progress towards the appointment of a joint Corporate Director (Director of Adult Social Care) and Chief Accountable Officer for Wiltshire Council and Wiltshire CCG; and associated developments.

Matters highlighted in the course of the presentation and discussion included: the progress made, and the issues that remained to address; that both the council and health partners were enthused to make the changes; that the Joint Commissioning Board is working well and making decisions; that the Council should have space to accommodate more co-location of staff; and that the Liberal Democrat group had a seat on the transformation board.

Resolved

To note the progress towards a joint appointment and a range of associated work underway on the integration of health and social care.

Reasons for Decision:

Health and social care integration is an important goal of the Council's new business plan.

162 Leisure Provision

Councillor John Thomson presented the report sets out consideration to the interim management arrangements for the eleven council leisure centres currently managed by Places for People Leisure Ltd.

163 Campus Programme

Councillor John Thomson presented the report which provided an update on the delivery of the approved campus programme, and sought approval for revised proposals for Melksham, Cricklade and Calne.

The report also provided an update on the proposal to asset transfer the council owned leisure centre in Cricklade, following investment in the centre, as part of a package of assets, as set out in this report.

164 Exclusion of the Press and 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 Items Number 18-22, because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 3 and 5 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 item in private:

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

Paragraph 5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

165 Leisure Provision (Part ii)

Councillor John Thomson presented the report which outlined the legal advice provided.

Resolved

- 1. To agree to pause the insourcing of the eleven leisure centres managed by Places for People Leisure Ltd for a period up to 3 years, commencing 1 April 2018, on the understanding that the review referred to in paragraph 4.1 above and any procurement resulting from it will be undertaken in the shortest period achievable with strict project governance, including oversight by a member and officer task group and regular reporting of progress to cabinet, the first progress report to be made in 6 months from the date of this decision.**
- 2. To agree to extend the Places for People Leisure Ltd contract by a period of –up to three years commencing 1 April 2018 subject to negotiation of revised terms taking into account the council’s financial position for this period;**
- 3. To authorise the Director of Communities and Communications, after consultation with the Cabinet Member for Communities, Communication Leisure and Libraries, the Director of Finance and Procurement and the Director Legal and Democratic Services, to enter into an extension of the contract on the basis outlined above.**
- 4. To note that in making this decision cabinet considered the corporate procurement, legal and financial implications of this decision covered in this report, and that by agreeing to pause the previous cabinet decision is not considered to be a reversal of that decision.**

Reason for Decision:

A cabinet decision on 10 November 2015, determined that the management of the eleven contracted centres be in-sourced to commence from 1 April 2018. Cabinet is requested to consider pausing this decision for a period of 2-3 years whilst an overall appraisal of community facilities across the county is undertaken to determine what facilities are required in the future and where these facilities should be located. This review will consider the maximum benefit to the community and the services that will be provided.

All options will be based on a robust business case that predicates future sustainability and no requirement for subsidy or grant funding. This is an opportunity to deliver strategic hubs in the areas that do not have a community campus or hub.

This review will be carried out in the context of all the available facts and information in order to provide the maximum benefit to local communities and the council as a whole.

166 Campus Programme (Part ii)

Councillor John Thomson presented the report which asked Cabinet to approve the investment for the refurbishment of Calne Leisure Centre.

Resolved

1. Note the progress and investment to date
2. Note that the final phase will be delivered with the financial resources allocated in the capital budget programme and Medium Term Financial Plan. If this is not possible following procurement exercises then any amendments to the financial envelope of the programme will be brought back to cabinet for decision before award is made. As such delegated authority within the current financial envelope is granted to the Director of Communities and Communications, to authorise the procurement of those services and resources required to deliver the programme, following consultation with the Cabinet Member of Communities and Communications, and the Directors for Legal and Democratic Services and Finance
3. Approve the proposals for Melksham and Calne (attached at Appendix 3 and 1 respectively)
4. Approve the proposal for Cricklade (attached at Appendix 2) and the proposal to transfer a package of assets to Cricklade Town Council including the leisure centre at Stones Lane
5. Approve that the investments proposed in Calne, Cricklade and Melksham completes the delivery of the campus programme in Wiltshire.
6. To record the Cabinet's thanks to all the officers, councillors and volunteers who worked hard to develop and deliver the campus programme.

Reason for Decision:

In 2012, Wiltshire Council committed to a programme of rationalisation of buildings to invest in community campuses across the county. Investment was approved for seven campuses and an additional community hub was added in 2014. Since the initial approval, the council has seen change in its financial position and as a consequence its future capital investment programme. This combined with the economic downturn has meant a need to review the campus programme ambitions across the county.

To date £41.576 million has been invested to deliver the campus programme and work is currently underway to invest a further £10.334 million.

The final phase of the programme will see completion of the outstanding campuses. This report recommends that this final phase of investment will complete the campus programme. Any future investment will be based on the provision of community hubs and will be predicated on community need and a robust business case that demonstrates the Return on Investment (ROI).

The success of the provision of community hubs in Calne, Devizes and Malmesbury has proven to be highly successful providing a wide range of services, flexible space for use by the community and commercial organisations and an increase in the numbers of volunteers helping to make the service sustainable in the future.

167 Adult Social Care Transformation Programme

Councillor Jerry Wickham presented the report, for Cabinet's consideration and determination, which was exempt from publication.

Resolved

That Cabinet approves the recommendations contained in the report presented, and as amended at the meeting.

168 Older Peoples Housing Provision

Councillor Chuck Berry presented the report which sought approval for a programme to deliver 158 new affordable council homes and delegated approval to enter contracts and legal agreements as required.

Resolved

To delegate authority to the Corporate Director responsible for housing in consultation with the Directors for finance, procurement, legal services and assets and in consultation with the Cabinet Member for Economic Development and Housing, the Cabinet Member for Strategic Planning, Development Management and Property, the Cabinet Member for Finance, Procurement, ICT and Operational Assets and the Cabinet Member for Corporate Services, Heritage, Arts and Tourism to approve;

a) The use of sites in Appendix 2 for affordable housing

b) Any appropriations necessary pursuant to s122 LGA 1972 to ensure that the sites in a) are held by the Council for housing purposes

c) A total budget of £30.553m with delegated authority to substitute and change funding streams within the programme for individual sites to optimise financing. HRA funding will not exceed £25.8m but other funding streams may be increased or decreased as required providing that they stay within available allocation and do not affect the total budget position.

d) Entering contracts for consultants, construction and other elements of the project to enable the delivery of 158 new homes within the total scheme costs identified in Appendix 2 in accordance with the Corporate Procurement & Commissioning Board approach.

e) Entering funding agreements with Homes England, Communities and Local Government, Department of Health as required

Reason for Decision:

Since the council house building programme was approved in September 2015, new legislation has been passed which has had a significant impact on the investment capacity of the Housing Revenue Account. The Business Plan has been reviewed and, as a result, it is proposed that the programme is revised to ensure the Business Plan remains sustainable.

This report seeks approval for a revised programme to deliver 158 new homes as detailed in Appendix 2.

169 **Boscombe Down**

The Leader presented the report, for Cabinet's consideration and determination, which was exempt from publication.

Resolved

That Cabinet approves the recommendations contained in the report presented.

Reason for Decision:

In order to secure the opportunity for major inward investment at Boscombe Down, an initial investment to deliver the required public infrastructure needs to be made. It is intended to recover the council's development costs through its application to government to fund the implementation of the scheme.

If successful, the Programme will enable an initial private sector investment in excess of £150 million, the creation of upwards of 5,000 jobs to 2025, major supply chain opportunities in the local and regional economy, implementation of new skills provision, and significant housing growth. It will also improve local transport infrastructure by resolving a longstanding hazardous junction onto the A303.

170 **Urgent Items**

The Leader, having announced that an urgent item was to be taken in part ii, asked officers to present the report which outlined the details of an officer decision taken under special emergency provision.

Resolved

- 1. To note the report; and**
- 2. To note that the officer decision was made in accordance with the Constitution, under Emergency Powers**

(Duration of meeting: 13:20)

These decisions were published, on the 13 December 2017 and will come into force
21 December 2017

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