

## CABINET

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MINUTES of a MEETING held in THE GUILDHALL, MARKET PLACE, SALISBURY, WILTSHIRE, SP1 1JH on Tuesday, 12 February 2013.

Cllr John Brady	Cabinet Member for Finance Performance and Risk
Cllr Lionel Grundy OBE	Cabinet Member for Children's Services
Cllr Keith Humphries	Cabinet Member for Public Health and Protection Services
Cllr John Noeken	Cabinet Member for Resources
Cllr Fleur de Rhé-Philipe	Cabinet Member for Economic Development and Strategic Planning
Cllr Jane Scott OBE	Leader of the Council
Cllr Toby Sturgis	Cabinet Member for Waste, Property, Environment and Development Control Services
Cllr John Thomson	Deputy Leader and Cabinet Member for Adult Care, Communities and Housing
Cllr Dick Tonge	Cabinet Member for Highways and Transport
Cllr Stuart Wheeler	Cabinet Member for Transformation, Culture, Leisure and Libraries

Also in Attendance:	Cllr Richard Britton
	Cllr Tony Deane
	Cllr Nick Fogg
	Cllr Mike Hewitt
	Cllr Jon Hubbard
	Cllr Julian Johnson
	Cllr Jerry Kunkler
	Cllr Jonathon Seed

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

1 **Apologies**

Apologies were received from Councillor Alan MacRae and Maggie Rae (Corporate Director).

2 **Minutes of the previous meeting**

The minutes of the meeting held on **22 January 2013** were presented.

**Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 22 January 2013.**

3 **Minutes - Capital Assets Committee**

The minutes of the meeting of the Cabinet Capital Assets Committee held on 22 January 2013 were received and noted.

4 **Declarations of Interest**

There were no declarations of interest.

5 **Leader's announcements**

There were no announcements.

6 **Public participation**

The rules on public participation were noted; however the Leader reported that she would be happy for any members of the public present to participate in the discussion of items on the agenda.

7 **New Local Welfare Provision**

Councillor John Thomson, Deputy Leader and Cabinet Member for Adult Care, Communities and Housing, presented a report which outlined a proposal for the Cabinet to ratify the proposed criteria and delivery model for a new local welfare provision, and to delegate responsibility to officers to make minor amendments to the application of the scheme in light of any review and ongoing consultation.

A correction was highlighted on paragraph 7.5 on Page 27 of the Agenda papers, stating it should refer to Appendix D rather than Appendix E. Details were then provided on the accessibility of and eligibility for the scheme, as detailed in the report. It was noted that no cash awards would be made under the proposed scheme, with provision being provided by means of a purchase order for an item/service, or a referral to a third party to purchase agreed items or goods.

It was stated that owing to the urgent nature of any applications for the provision, efforts would be made to ensure appeal against refusal would be processed on the same day as that of the appeal, or by 1pm the following day if an appeal was made after 1pm.

The Cabinet welcomed a proposal to amend the scheme to allow people to appeal against refusal by 1pm the day after refusal of provision rather than at the time of refusal, and noted it was proposed officers would be granted delegated responsibility to make other minor amendments to the application of the scheme should other matters, such as signposting applicants to appropriate local services, require further drafting consideration.

The Cabinet Member also gave an assurance he would be asking officers to review the decision not to issue emergency cash loans during its first six months of operation, by which time more detail regarding demand and need would have been established.

It was,

**Resolved:**

- 1) That the cabinet ratify the proposed criteria and delivery model for a new local welfare provision.**
- 2) That the cabinet provide officers with delegated responsibility to make minor amendments to the application of the scheme in light of review and ongoing consultation.**

**Reason for Proposal**

As part of the Welfare Reform Act (2012), the Government is abolishing the current system of Social Fund discretionary payments. From April 2013, the support provided to households through the Social fund by means of Community Care Grants and Crisis Loans for Living Expenses will cease and Local Authorities will receive financial support to enable them to develop and implement their own 'successor models'

**8 Business Plan Scorecard Update**

Councillor John Brady, Cabinet member for Finance, Performance and Risk, introduced the report which provided a summary of progress against Wiltshire Council's Business Plan for the third quarter of 2012/13.

It was noted that the plan was currently in its second year out of four, and that though external factors such as recent severe weather and the economic downturn might impact on achievement of targets in any one year, the overall four year targets were still expected to be achievable.

At the end of the third quarter, 20 of the remaining 31 indicators were on target, another five were within 5 per cent, and three have no targets set. Only three indicators were not on target, with none being a priority target.

In relation to targets not yet met, it was stated that the last transfer of staff to the Cloud service be completed shortly, and that the Wiltshire Online programme to deliver superfast broadband had been delayed at the time of the report to sign the contract, which had now been achieved, and that further information would follow to the Area Boards when available.

It was also highlighted that the results not on target in relation to Children in Care GCSE results and Care Leavers in suitable education, employment or training, were higher than both the national average and statistical neighbours.

After discussion, it was,

**Resolved:**

**That the progress against the Business Plan be noted.**

9 **Wiltshire Council's Financial Plan Update 2013/14**

Councillor Jane Scott, Leader of the Council, presented a report which provided an assessment of Cabinet's draft proposals to Council to set a budget for 2013/14, and the impact on Council Tax, rents, fees and charges, the capital programme, schools, as well as reserves.

Joint Overview and Scrutiny had met on 7 February 2013 to consider the updated plan, with a report on its conclusions tabled at the meeting and attached to these minutes along with the minutes of the Budget Task Group from 25 January 2013, Group Leaders meeting with Trade Union Representatives, and the Group Leaders Meeting with Non-Domestic Rate-Payers, both held on 6 February 2013.

The Leader detailed the proposals as detailed in the report, highlighting the 1% pay increase for staff and fourth consecutive council tax freeze which had been budgeted. £27.656 million in savings had been identified, alongside £17.804 million increase in investment in frontline services such as safeguarding vulnerable children and adults, and waste services. The largest areas of savings had been achieved through improved procurement procedures, for example saving £1.2 million with regards the Highways Contract.

The Leader also announced that the Council had been awarded an additional £362,000 Rural Grant from central government, and thanked the Secretary of State for Communities and Local Government for taking into account the county's position.

Taking into account the feedback from the Overview and Scrutiny Management Committee on 7 February, which had been well attended by non-executive Members, the Leader moved an amendment that £162,000 of the new grant allocation would be distributed between the Area Boards to be focused on children and young people, with the remaining £200,000 to be allocated to the base budget for School Improvement.

Following discussion, it was,

**Resolved:**

**That Cabinet, following consideration of comments and recommendations arising from the Director of Finance and Corporate Directors' statements, Scrutiny and public consultations, makes the following recommendations to Council on 26<sup>th</sup> February 2012:**

- a. **To endorse the update of the 2012-15 Financial Plan for 2013/14.**
- b. **To allocate the new Rural Grant allocated to Wiltshire on 5<sup>th</sup> February of £0.362 million between the base budgets for Area**

**Boards (£0.162 million) and School Improvement (£0.200 million) as set out at paragraph 6.7.**

- c. To recommend to Council, for approval, that the savings and investment proposals summarised at Sections 9 and 7 respectively of this report and Sections 4 and 5 of Cabinet's proposed Financial Plan at Appendix 1 of this report, provides a net revenue budget for 2013/14 of £340.518 million.**
- d. To recommend to Council to:**
  - i. Freeze Wiltshire Council's element of the Band D council tax for 2013/14 £1,222.43, as calculated in accordance with statute, as set out in Section 10 of this report.**
  - ii. Set the Council's total net expenditure budget for 2013/14 at £340.518 million.**
  - iii. Approve the award of grants to Parish and Town Councils as set out under Sections 10.9 and 10.10 of this report so no such precepting body is impacted by the local Council Tax support scheme introduced for 2013/14;**
  - iv. Set a 3.4% increase for dwelling rents in accordance with rent restructuring;**
  - v. Set the HRA Budget for 2013/14 (original) as set out at Appendix F of Cabinet's proposed Financial Plan at Appendix 1 of this report;**
  - vi. That all other rent or service charges related to the HRA be frozen at 2011/12 levels.**
  - vii. The Capital programme proposed at Appendix E of Cabinet's proposed Financial Plan, attached to this report at Appendix 1.**
  - viii. Set the changes in fees and charges set out in detail at Section 6 of Cabinet's proposed Financial Plan at Appendix 1 of this report.**

#### Reasons for Proposal

The Cabinet, following Scrutiny and consultation, agrees recommendations to Council to enable it to:

- Set its revenue, capital, housing revenue accounts, fees and charges, levels of reserves and resultant Council Tax for 2013/14 to then issue Council Tax and rent bills.
- Provide the Council with a strong business and financial plan for sustainable delivery for the remaining 2 years of those plans.

## 10 Treasury Management Strategy 2013/14

Councillor John Brady, Cabinet Member for Finance, Performance and Risk, presented a report which presented the Treasury Management Strategy for 2013-14 including:

- a) The Prudential and Treasury Indicators (Prls and Trls) for the next three years;
- b) Other debt management decisions required for 2013-14 that do not feature within the Prls or Trls; and
- c) The Annual Investment Strategy for 2013-14.

### Resolved:

To recommend that the Council:

- a) **adopt the Prudential and Treasury Indicators (Appendix A) and approve the change in Prudential Indicator 4, which now compares Gross (previously Net, of investments) Debt with the Capital Financing Requirement in accordance with an amendment issued by CIPFA in November 2012;**
- b) **adopt the Annual Investment Strategy (Appendix B);**
- c) **delegate to the Service Director, Finance the authority to vary the amount of borrowing and other long term liabilities within both the Treasury Indicators for the Authorised Limit and the Operational Boundary;**
- d) **authorise the Service Director, Finance to agree the restructuring of existing long-term loans where savings are achievable or to enhance the long term portfolio;**
- e) **agree that short term cash surpluses and deficits continue to be managed through temporary loans and deposits; and**
- f) **agree that any long term surplus cash balances not required to cover borrowing are placed in authorised money-market funds, particularly where this is more cost effective than short term deposits and delegate to the Service Director, Finance the authority to select such funds.**

### Reasons For Proposals

To enable the Council to agree a Treasury Management Strategy for 2013-14 and set Prudential Indicators that comply with statutory guidance and reflect best practice.

## 11 Revenue Budget Monitoring

Councillor John Brady, Cabinet Member for Finance, Performance and Risk, presented a report which advised the Cabinet of the revenue budget monitoring position as at the end of Period 9 (end of December 2012) for the financial year 2012/2013 and highlights new cost pressures or changes since the previous budget monitoring report on 18 December 2012.

Councillor Brady noted the revised decreases in cost pressures that totalled £0.761 million after transferring £1.700 million from reserves to support the pressure on safeguarding children as agreed in the period 7 budget monitoring report. This would give a revised potential year end cost pressure of £1.228 million. Councillor Brady stated action to return this to balance was being taken and this should be the position at the conclusion of the financial year.

The Cabinet thanked all those who had worked to provide a balanced budget for the Council.

**Resolved:**

**To note the outcome of the Period 9(December 2012) budget monitoring.**

**Reason for Proposal**

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

12 **Wiltshire Community Infrastructure Levy - Update**

Councillor Fleur de Rhé-Philipe, Cabinet Member for Economic Development and Strategic Planning, presented a report which updated the Cabinet on the preparation of the Wiltshire Community Infrastructure Levy (CIL) Draft Charging Schedule and to ensure timely progress is made on preparing a CIL Charging Schedule that will enable the Council to charge CIL on new development to help pay for infrastructure within the county.

It was explained that new government guidance had been issued in December 2012, which required an adjustment of the previously agreed timetable.

It was,

**Resolved:**

**That Cabinet:**

- (i) Notes the new statutory Community Infrastructure Levy (CIL) guidance and implications in terms of the extra evidence and policy requirements, which must be completed before the Council can progress to the next stage of the process - consultation on a Draft Charging Schedule.**
- (ii) Notes the response to the consultation on the Preliminary Draft CIL Charging Schedule consultation.**
- (iii) Approves the revised timetable for the preparation of the CIL Charging Schedule.**

## Reason for Proposals

To update Cabinet on progress in preparing Wiltshire's CIL and the implications of new statutory Government guidance on the process and timescale for its preparation; and ensure timely progress is made on preparing a CIL Charging Schedule that will enable the Council to charge CIL on new development to help pay for infrastructure within the county.

### 13 **Salisbury Central Car Park & Maltings**

#### Public Participation

Mr Eric Hart gave a statement in opposition to the proposals.

Councillor Fleur de Rhé-Philippe, Cabinet Member for Economic Development and Strategic Planning, presented a report which set out the process taken in accordance with European Procurement Regulations, and following approval by Cabinet in December 2010 and February 2012, leading to the appointment of Stanhope plc as the Council's 'Preferred Bidder' for the regeneration of the Central Car Park and Maltings site, and which stated that commercial negotiations have progressed to a stage where the Council is in a position to enter a Development Agreement for the regeneration of the site.

It was recommended that the meeting move into Part II to receive a detailed report on the outcome of the evaluation, to protect commercially sensitive information.

### 14 **Urgent Items**

There were no urgent items.

### 15 **Exclusion of the Press and Public**

Further notice was given in accordance with paragraph 5 (4) and 5 (5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 of the intention to take the following item in private.

#### **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 Item Number 16 (minute 16 below) because it was 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.**

No representations had been received on the question of taking the item in private.

16 **Salisbury Central Car Park & Maltings**

Councillor Fleur de Rhé-Philipe, Cabinet Member for Economic Development and Strategic Planning presented a confidential report on entering in a Development Agreement with its preferred bidder for the regeneration of the Central Car Park and Maltings site, Salisbury, for consideration.

The issues and impacts in relation to the agreed commercial terms were considered. Including consideration of the impact on parking revenues as development is delivered and the level of future National Non-Domestic Rate (NNDR) generation arising from the scheme. The overall financial implications were summarised in net present value terms and detailed in the report.

**Resolved:**

- I. **That the Council enters into the Development Agreement with a Stanhope special purpose company with Stanhope plc as guarantor for the delivery of the Salisbury Central Car park & Maltings mixed use retail led development on the principal terms and conditions set out in appendix 2 of the report with such minor changes as may be approved by the Service Director (Economy and Regeneration).**
- II. **That the land now in the ownership of the Council within the area shown edged in red on the phasing plan displayed at the meeting (except for any public open space) be appropriated for planning purposes under section 122 of the Local Government Act 1972 immediately before the commencement of development it then no longer being required for the purpose for which it is currently held.**

**Reason for Proposal**

- i) The signing of the Development Agreement will commit Stanhope to investing further resources to deliver the development thereby enhancing the viability and vitality of the city as envisaged by the Core Strategy and Salisbury Vision.
- ii) The Appropriation for Planning purposes will require landowners with legal rights over the site to be compensated for interference with those rights whilst ensuring that such rights, if any, do not preclude the project from proceeding.

(Duration of meeting: 10.30 am - 1.10 pm)

These decisions were published on the 18 <sup>th</sup> February 2013 and will come into force on 25 <sup>th</sup> February 2013
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