


CABINET

MINUTES of a MEETING held in COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 16 December 2014.

Cllr Jane Scott OBE	Leader of the Council
Cllr John Thomson	Deputy Leader and Cabinet Member for Highways and Streetscene and Broadband
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills and Strategic Transport
Cllr Laura Mayes	Cabinet Member for Children's Services
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 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 Jon Hubbard, Cllr Richard Gamble, Cllr Fred Westmoreland Cllr Philip Whitehead, Cllr Roy While, Cllr Simon Killane, Cllr Mollie Groom, Cllr Glenis Ansell, Cllr Howard Greenman Cllr Bill Moss, Cllr David Jenkins, Cllr Gordon King, Cllr Magnus Macdonald, Cllr Horace Prickett and Cllr Jerry Wickham.

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

119 Apologies

Apologies were received from Councillor Keith Humphries.

120 Minutes of the previous meeting

The minutes of the meeting held on 11 November 2014 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 11 November 2014.

121 Declarations of Interest

There were no declarations of interest.

122 Minutes - Capital Assets Committee

Resolved:

That the minutes of the Cabinet Capital Assets Committee, dated 11 November 2014 be received and noted.

123 Leader's announcements

There were no formal announcements from the Leader.

124 Public participation and Questions from Councillors

Questions submitted in advance of the meeting, including the replies given by the Council, had been circulated in a supplementary agenda paper, and were taken as read. Additional questions were received as follows:

A) Fovant Parish Council

In response to a question from Fovant Parish Council regarding the appropriate classification of their village, Councillor Jane Scott asked that officers contact the Parish Council at the earliest opportunity and reconsider the status of Fovant through a review of the Core Strategy

B) Allington Action Group

In response to questions from Allington Action Group, Alistair Cunningham, Associate Director for Economic Development and Planning, made the following points: That all correspondence between the Council and the Inspector was a matter of public record; that the Council had not requested that the Inspector change the wording; that the Inspector had made this change to alert the Council to the fact that whilst the diagram is informed by earlier evidence it mustn't be considered definitive until such time as the Site Allocations Plan for Chippenham has considered this and further evidence thereby ensuring the starting point is robust and defensible; the Council would be publishing this further evidence and place it in the public domain ahead of the consideration of the Core Strategy by Council.

C) Campaign for a Better Trowbridge

In a response to the questions from the Campaign for a Better Trowbridge, Councillor Sturgis said that whilst he supported the aim to prioritise development on brownfield land, Wiltshire had proportionately fewer brownfield sites available.

125 Adoption of Wiltshire Core Strategy

Councillor Toby Sturgis presented the report which sought to: inform Cabinet of the Inspector's Report into the examination of the Wiltshire Core Strategy and

his conclusions regarding legal compliance and soundness; sought approval that the Wiltshire Core Strategy, as amended by the modifications in the Inspector's Report and other focused and minor modifications that have arisen during the examination or been made in the interest of accuracy and consistency, be recommended to Council for adoption; and sought approval for the Associate Director for Economic Development and Planning, in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste, to undertake the final stages associated with the formal adoption by the Council of the Wiltshire Core Strategy

In the course of the presentation and the discussion, the issues discussed included: that officers be commended for their hard work in getting to this stage; that Council should adopt the Inspector's Report in its entirety or risk further delay; that the Malmesbury Neighbourhood Plan had recently received resounding approval by local referendum; that settlement boundaries would be reviewed following the adoption of the Core Strategy.

Councillor Scott thanked officer and asked that the officers respond to the issue raised by Fovant Parish Council, and ensured that the evidence required to address issue in relation to the Strategic Boundary of Chippenham be published as soon as practicable.

Resolved:

- 1. To note the content of the Inspector's report, into the examination of the Wiltshire Core Strategy (Appendix 1 as presented), and his conclusions regarding legal compliance and soundness, and accepts the modifications in the Appendix of the Inspector's Report, which the Inspector considers are necessary to make the plan sound in accordance with legislation and other focused and minor modifications that have arisen during the examination, which have been consulted on, or made in the interest of accuracy and consistency;**
- 2. To recommend to Council that the Wiltshire Core Strategy, as amended as set out in (1) above be adopted as part of the statutory development plan for Wiltshire (Appendix 2 as presented);**
- 3. To delegate authority to the Associate Director for Economic Development and Planning in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste for: the Policies Map to be amended in line with the modifications identified in (ii) and for further minor textual changes to be made to the Core Strategy prior to publication in the interests of accuracy and consistency; and**

- 4. Following approval of Council, to agree that the Associate Director for Economic, Development and Planning in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste, undertakes the final stages associated with the formal adoption and publication of the Core Strategy.**

Reason for decisions

The Wiltshire Core Strategy will form part of the Council's Policy Framework. In accordance with the Local Government Acts 1972 and 2000, and the Council's constitution it must first be approved by Cabinet before it is adopted by Council. As the document has been found sound by the Inspector its adoption by the Council would help ensure up to date planning policy is in place for Wiltshire and provide effective policies to ensure the sustainable development of Wiltshire.

126 **Swindon and Wiltshire Local Enterprise Partnership Governance**

Council Leader, Councillor Jane Scott presented the report which invited Cabinet to review and agree the governance arrangements that have been developed by Wiltshire Council in partnership with Swindon Borough Council and the Swindon and Wiltshire Local Enterprise Partnership (SWLEP).

In her presentation of the report, Councillor Scott highlighted the following issues: that there was clear need for a robust governance structure, to ensure that decisions that are made properly; that the group empowered to make urgent decision would include the Leaders of Wiltshire Council and Swindon Council; that Scrutiny should have a role in the SWLEP; and that the SWLEPP was a joint Executive Committee and would report its decisions to Council.

Councillor Jon Hubbard, Leader of the Liberal Democrat Group, expressed concern regarding the amount democratic accountability in the Local Enterprise Model. Councillor Scott stated that she shared some of his concerns, and whilst she would prefer for more power to be delegated to Local Government, it was appropriate to engage with the structure set up by the Coalition Government.

Resolved

- 1. To note and agree the proposed governance structure for SWLEP activities, including the Swindon and Wiltshire Growth Deal as proposed by the Swindon and Wiltshire Local Enterprise Partnership Secretariat and presented to the SWLEP Board for approval on 9 September 2014.**
- 2. To approve the Swindon and Wiltshire Local Enterprise Partnership Governance Structure as set out in Appendix 1.**

3. **To authorise the Director of Economic Development and Planning and the Monitoring Officer for Wiltshire Council, in consultation with the Leader of the Council, to undertake the necessary actions, including changes to the Council's Constitution, to enable the implementation of the governance structure set out in Appendix 1.**
4. **To agree to consult Swindon Borough Council in the event of any changes to Wiltshire Council's constitution that may impact upon or affect their corporate or political structures and committees.**
5. **To agree to keep these governance arrangements under review to ensure that they remain fit for purpose.**

Reason for Decision: To ensure that SWLEP activity is undertaken with robust and democratically accountable governance arrangements between the two Unitary Authorities and the SWLEP; and to ensure that the decision making regarding allocations of funding and resources made available through the SWLEP Board is agreed in an open and transparent way.

127 **Wiltshire Local Flood Risk Management Strategy**

Cabinet Member Councillor Jonathon Seed presented the report which asked Cabinet to consider the proposed Wiltshire Local Flood Risk Management Strategy. In his presentation, Councillor Seed, commended officers from the two directorates responsible for the Strategy and the Response Plan, considered later in the agenda, for working together. It was noted that, although the Chair of the Environment Select Committee was not present, the Select Committee had had a good discussion on both the Strategy and the Response Plan.

Resolved:

1. **To note that consultation is being undertaken on the proposed Wiltshire Local Flood Risk Management Strategy;**
2. **To delegate final approval of the Strategy to the Corporate Director, in consultation with the Cabinet Member for Communities, Campuses, Area Boards, Leisure, Libraries and Flooding, following consideration of the response to the current consultations.**

Reason for Decision: There is a need to adopt a Local Flood Risk Management Strategy, and a public consultation is being undertaken as part of the development process.

128 **Flood Operational Response Plan**

Cabinet Member Councillor Jonathon Seed presented the report which sought Cabinet's approval of the Wiltshire Flood Response Operational Plan, which is attached as Appendix 1 to the report.

Resolved:

To approve the Wiltshire Flood Response Operational Plan.

Reason for Decision: To improve Wiltshire Council's preparedness and response to future incidents of flooding.

129 CQC Inspection at Bradbury House and Shared Lives (Adult Placement) Service

Council Leader, Councillor Jane Scott presented the report which provided information to Cabinet on the recent Care Quality Commission (CQC) inspections carried out at 2 Wiltshire Council Adult Care services, Bradbury House Salisbury and Wiltshire Shared Lives (Adult Placement).


In her presentation of the report, Councillor Scott warmly congratulated the staff for providing a high quality service to vulnerable members of the community. This sentiment was echoed by Councillor Jon Hubbard, Leader of the Liberal Democrat Group. It was agreed that a letter of congratulation, from all Group Leaders, be sent to the relevant staff.

Resolved

To note the key outcomes of the CQC inspections in relation to the Council run services and the level of managerial input required in order to achieve such positive outcomes, which gives assurance to the Council that quality services are being provided.

Reason for Decision: To ensure that Cabinet is updated on the service provision being delivered by the Council's adult care direct provider service.

130 Independent Living Fund

 Council Leader, Councillor Jane Scott presented the report which provided information to Cabinet about the closure of the Independent Living Fund (ILF), and which asked Cabinet to consider the potential impact on customers and on Wiltshire Council.

In her presentation of the report, Councillor Scott highlighted the following issues: that the ILF had been set up and administered by Central Government in the 1980s; that the funding for the scheme, which 71 Wiltshire residents were in receipt of, would be transferred to Wiltshire Council; that although the funding had not been ringfenced by Central Government, Wiltshire Council would do so.


Councillor Scott also asked that when officer reassessed the recipients of the fund, this would be done so in a sensitive manner; and that she felt that Wiltshire Council was equipped to assess and provide appropriate support.

Resolved

- 1. To note the closure of the ILF and the need to ensure people with a disability are treated equably in Wiltshire;**
- 2. To agree to the ILF budget transfer to the Adult Care base budget; and**
- 3. To request an update following the completion of assessments, including a report on any potential transitional arrangements required.**

Reason for Decision: Wiltshire Council needs to work in a transparent and equitable way, to meet eligible social care needs, whilst managing the potential financial pressures that this transfer may cause.

131 Council Tax Base 2015/16

 Councillor Richard Tonge presented a report which sought the Cabinet's approval for the Council Tax Base, and asked the meeting to note information in relation to the collection rate.

In his presentation, Councillor Tonge reminded Cabinet that the Council is required to approve its Council Tax Base annually, in accordance with the Local Government Finance Act 1992 and The Local Authorities (Calculation of Council Tax Base) Regulations 1992; and that the Council Tax Base 2015/2016 has to be notified to Major (the Office of the Police & Crime Commissioner for Wiltshire & Swindon and Wiltshire Fire and Rescue Service) and Local (Town and Parish Councils) Precepting Authorities by 31 January 2015.

Resolved:

- 1. To approve the Council Tax Base 2015/2016; and**
- 2. To note that the recommended overall collection rate remains at 99.50% which reflects current expectations for collection.**

Reason for Decision: Before the Council Tax can be set by the Council in February 2015 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 Act.

132 Revenue Budget Monitoring

Councillor Richard Tonge presented a report which advised Cabinet members of the revenue budget monitoring position as at the end of period 7 (end of October 2014) for the financial year 2014/2015 with suggested actions as appropriate.

Resolved:

To note the outcome of the period 7 (end of October) budget monitoring.

Reason for Decision: To inform effective decision making and ensure a sound financial control environment.

133 Capital Budget Monitoring

Councillor Richard Tonge presented a report which provided Cabinet with information on the detailed changes to the budget made since the 2014/2015 budget was set in February 2014 over and above the changes detailed in the Period 4 report. The report reflected the position of the 2014/2015 spend against budget as at Period 7 (as at 31 October 2014).

Resolved:

To note the budget movements undertaken to the capital programme (shown in Appendices A and B).

Reason for Decision: To inform Cabinet of the position of the 2014/2015 capital programme as at Period 7 (31 October 2014), including highlighting any budget changes.

134 Urgent Items

There were no urgent items.

(The meeting started at 10.00am and finished at 12:54pm)

These decisions were published on the 23 December 2014 and will come into force on 5 January 2015

The Officer who has produced these minutes is William Oulton, of Democratic Services, direct line 01225 713935 or e-mail william.oulton@wiltshire.gov.uk
Press enquiries to Communications, direct line (01225) 713114/713115