

CABINET

DRAFT MINUTES of a MEETING held in KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 17 March 2015.

Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Fleur de Rhé-Philipe	Cabinet Member for Economic Development, Skills and Strategic Transport
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Jonathon Seed	Cabinet Member for Housing (excluding strategic housing), Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning (strategic and development management), Property, Waste and Strategic Housing
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Systems Thinking, Procurement and Welfare Reform
Cllr Stuart Wheeler	Cabinet Member for Hubs, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services), Heritage & Arts and Customer Care

Also in Attendance: Cllr Jon Hubbard, Cllr Mark Packard, Cllr Richard Gamble, Cllr Richard Clewer, Cllr Alison Bucknell, Cllr Stewart Dobson, Cllr David Jenkins, Cllr Simon Killane, Cllr Magnus MacDonald, Cllr Horace Prickett, Cllr John Walsh, Cllr Julian Johnson, Cllr Bridget Wayman and Cllr Jerry Wickham.

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

25 **Apologies**

Apologies were received from Councillors Jane Scott and Keith Humphries.

Councillor John Thomson, Deputy Leader in the Chair

26 **Minutes of the previous meeting**

The minutes of the meeting held on 10 February 2015 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 10 February 2015.

27 **Declarations of Interest**

There were no declarations of interest.

28 **Leader's announcements**

There were no announcements.

29 **Public participation and Questions from Councillors**

There were no requests for formal participation.

Councillor Stuart Wheeler referred to a question from Councillor Jon Hubbard from the last Council meeting in respect of the living wage to which he had provided Councillor Hubbard with a written response.

30 **Car Parking Review**

 The Deputy Leader, Councillor John Thomson, presented a report which sought Cabinet's approval of the revised Wiltshire Local Transport Plan (LTP) 2011-2026 – Car Parking Strategy.

In the course of the presentation by officers and the discussion, the issues discussed included: that over 14,000 comments had been received as part of the consultation; that the previous strategy was developed in 2010; an outline of the methodology used; how members of the public and Scrutiny Members had been engaged; how the review sought to deal with recent changes to Central Government policy and guidance; how initiatives could be trialled; how assets had been identified for possible review; the statutory process required for Traffic Regulation Orders (TROs); how community stakeholders could be engaged; the impact of the proposals on different communities; that the implementation of new technology should be gradual; and how the review benefited from considering the experience of other authorities.

Councillor John Walsh referred to the work of the Scrutiny Task Group, and drew particular attention to the impact of the proposals in the Salisbury area. He proposed, in his personal capacity, to Cabinet that they defer implementation of the proposals in Salisbury to enable a review of the bus services in the area. Councillor John Thomson stated that a delay in implementation would not be advisable and that the proposals had support of the Business Improvement District group in Salisbury, and that, unlike other communities in Wiltshire, Salisbury had Park and Ride scheme that visitors were encouraged to use.

In response to a question from Councillor Jon Hubbard, Councillor John Thomson stated that he was open to discussions from the communities that wished to take over specific car parks, and that he felt that the council should be able to take a sufficiently flexible approach to address any financial planning

issues that would prevent communities from meeting their aspirations in this matter.

In response to a question from Councillor Jon Hubbard, Councillor John Thomson stated that he would give a written answer regarding the different rates for annual permits in Calne, Melksham and Chippenham, and that if there was a discrepancy, the matter could be reviewed.

In response to a question from Councillor Alison Bucknell, Councillor John Thomson stated Blue Badge holders would not be charged for parking. Councillor Bucknell, as portfolio holder for Equalities, welcomed the inclusion of the Equalities Impact Assessment in the report papers.

In response to a question from Councillor Stewart Dobson, Councillor John Thomson stated that the Council would consider ways to spread the cost of annual permits to help make it a more affordable option for lower-paid workers.

In response to a question from Councillor Stewart Dobson, Councillor Stuart Wheeler stated that the car park at Savernake Hospital was owned by the NHS but was managed by the Council.

In response from a statement from Councillor Simon Killane, Chair of the Overview and Scrutiny Committee, Councillor John Thomson stated that recommendations to the Cabinet had taken the views of the Scrutiny Panel into account.

Councillor John Thomson, in moving the recommendations, drew the meetings attention to the addendum which amended recommendation xii. He also added his thanks for the hard work of the officers in supporting the review, a sentiment that was widely supported by those in attendance.

Resolved

To approve the revised Wiltshire Local Transport Plan 2011 – 2026: Car Parking Strategy (Appendix 1) including the following:

- (i) Support the concept of setting parking charges on a car-park-by-car-park basis (as per Policy PS3 - Parking Charges) rather than on a 'banded' or Wiltshire wide approach (i.e. all towns have the same charges).**
- (ii) Approve the recommended parking charges (Monday – Sunday) as set out in Appendix 9 for implementation in 2015/16.**
- (iii) Agree that a full review of parking charges will be undertaken by the Council at approximately five year intervals based on the factors outlined in Policy PS3 and delegates authority to the Associate Director for Highways and Transport in consultation with the Cabinet**

Member for Highways and Transport to undertake any necessary annual interim reviews of parking charges at a car park or town level.

- (iv) Note that over 5,000 individuals and organisations responded to, and took part in, the public consultation.**
- (v) Note the submission of a petition for 'One hour free parking in Wiltshire Towns' signed by 3,750 people but agrees that the issue of possible exemptions to charging, including first hour free parking, has been adequately covered in the review.**
- (vi) Support the approach to implementing new technologies as set out in paragraphs 18 to 24.**
- (vii) Note that due to the volume of consultation responses received only the majority or main consultation points have been fully considered at this time; the analysis and consideration of more detailed points will be undertaken in liaison with town councils, BIDs and other interested parties during 2015/16.**
- (viii) Agree the revised proposed approach to season tickets and delegate authority to the Associate Director for Highways and Transport in consultation with the Cabinet Member for Highways and Transport to develop and implement the changes.**
- (ix) Approve the submission of the identified car parks (including Market Place car park in Wilton) to a property asset review and delegates authority to the Associate Director for People and Business in consultation with the Cabinet Member for Highways and Transport and the Cabinet Member for Strategic Planning, Property, Waste and Strategic Housing, to negotiate and agree any resulting legal agreements.**
- (x) Approve the localism opportunities set out in paragraph 112 and delegate authority to the Associate Director for Highways and Transport in consultation with the Cabinet Member for Highways and Transport, and with the advice of legal and property services, to negotiate and agree any resulting legal agreements.**
- (xi) Support the principle of studies being undertaken into coach parking, leisure centre parking, residents' parking zones, on-street waiting restriction reviews and parking enforcement, and delegate authority to the Associate Director for Highways and Transport in consultation with the Cabinet Member for Highways and Transport to develop and implement any changes.**
- (xii) Note the publication of revised Government parking guidance (see paragraph 138), approves a 15 minute grace period before the issuing of any penalty charge notice for both on-street and off-street parking places provided under traffic orders (where a ticket has been**

purchased and displayed), and delegates authority to the Associate Director for Highways and Transport in consultation with the Cabinet Member for Highways and Transport to revise the Council's car parking strategy and parking management practices if necessary to accord with the revised guidance.

- (xii) Delegate authority to the Associate Director for Highways and Transport in consultation with the Cabinet Member for Highways and Transport, to finalise the strategy document for publication.**

Reasons for Decision:

To seek agreement to commence implementation of the revised LTP Car Parking Strategy following public consultation.

31 **Adoption Agency Six Month Report**

 Councillor Laura Mayes presented a report which sought to ensure that Cabinet was satisfied that the Council's adoption agency was effective and achieving good outcomes for children, young people and service users. The report covered the period 1 April 2014 to 31 October 2014 referred to the Adoption Service Improvement Plan.

It was recognised that the service had improved its performance and risen to the challenges posed by the adoption reform agenda. However, the Council was not complacent and acknowledged that it had to do more to improve the Council's effectiveness in this area of vital importance.

In the course of the presentation and the discussion, the issues discussed included: that Wiltshire Council had increased the number of parents ready for adoption; the need to proactively recruit parents to meet the needs of the children awaiting adoption, including recruiting more specialist adopters for children who are more challenging to place; and that there were a number of areas where the Council would continue to seek improvements.

Resolved

- 1. That the contents of this report are noted and accepted; and**
- 2. That the Cabinet's thanks be passed on to the Adoption team.**

Reasons for Decision:

The 2013 Statutory Adoption Guidance and the 2014 Adoption Minimum Standards place a requirement on local authority adoption services to ensure that Wiltshire Council Cabinet is satisfied that the Adoption Agency is effective; achieving good outcomes for children, young people and service users; and complying with the conditions of registration.

32 **2014 Staff Survey Results**

Councillor Stuart Wheeler presented a report which sought to provide Cabinet with an overview of the 2014 staff survey results, highlighting key messages and priorities arising.

In the course of the presentation and the discussion, the issues discussed included: the high response rate to the survey; that response, overall, was positive; what actions the Council could take to address less positive areas; and that work would be ongoing to improve the appraisal process.

Councillor Jon Hubbard agreed that the results were very positive but highlighted a couple of less positive areas which he considered needed addressing.

Resolved

To note the content of the corporate staff survey report and priorities arising.

Reasons for Decision:

Cabinet have requested to be kept updated regarding staff survey outcomes and trends, particularly regarding staff engagement, recognising that the ability to deliver business plan outcome relies on having an engaged workforce.

33 **Report on Treasury Management Strategy 2014-15 - Third Quarter ended 31 December 2014**

Councillor Dick Tonge presented the report which presented the third quarter review of the Treasury Management Strategy.

The report reviewed management actions in relation to: the Prudential Indicators, Treasury Management Indicators originally set for the year and the position at the 31 December 2014; the other treasury management actions during the period; and the approved Annual Investment Strategy.

Resolved

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

Reasons for Decision:

To give members of the Cabinet 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 2014-15.

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

34 School Admission 2016/17

Councillor Laura Mayes presented the report which asked Cabinet, as part of the statutory process, to determine the admission arrangements for maintained schools.

In the course of the presentation and the discussion, the issues discussed included: that the scheme had worked well in previous years; that changes in the way forces families are dealt with were proposed with the aim to reduce the stress on families affected by the army rebasing programme; and that the proposals had been approved by the School Admissions Forum.

Resolved

- 1. That the proposed scheme for the co-ordination of admission to secondary schools for 2016/17.**
- 2. That the proposed scheme for the co-ordination of admissions to primary schools for 2016/17.**
- 3. That the proposed admission arrangements for Voluntary Controlled & Community secondary schools for 2016/17.**
- 4. That the proposed admission arrangements for Voluntary Controlled & Community primary schools for 2016/17.**

Reasons for Decision:

The Local Authority has a statutory duty to have a determined admission policy for 2016/17 in place on or before 15 April 2015.

35 Housing Board Annual Report

Councillor Jonathon Seed presented a report to update Cabinet regarding the activities of Wiltshire Council's Housing Board between December 2013 and November 2014.

In the course of the discussion, the issues discussed included: that a number of Key Performance Indicators (KPIs) had been developed; that improvements had been made, but there were still areas where changes were required; that a Tenant Scrutiny Panel had been appointed and were receiving training; and that the Wiltshire Council Corporate Scrutiny would be looking at how tenants were engaged across Wiltshire. Cabinet received a presentation which highlighted improvements which had been made to the housing service.

Resolved

To note the annual report.

Reasons for Decision:

Wiltshire Council's Housing Board's Terms of Reference require an Annual Report to be presented to Cabinet.

36 Urgent Item - Better Care Plan

The Deputy Leader approved consideration of the following item in order to determine it prior to the next scheduled meeting.

Corporate Director, Maggie Rae, presented a report in the absence of the Lead Member, Councillor Keith Humpries. The urgent item sought Cabinet's approval for a establishment of a pooled fund and the making of a s75 agreement.

The Better Care Fund (BCF) had been developed by the Health and Wellbeing Board (HWB) and it was the responsibility of the HWB to sign off the Better Care Plan (BCP). The new guidance from the Government has a requirement for the Better Care Fund to be signed off by the Health and Wellbeing Board and be established as a joint fund.

In order to deliver the Better Care Fund it is a requirement of the scheme that a pooled fund is established under a formal agreement on or before 1 April 2015. The agreement must be made under Section 75 of the National Health Service Act 2006 between Wiltshire Council and the Clinical Commissioning group (CCG). This needs to be approved by both parties.

Resolved

- 1. That subject to sign off by the Health and Wellbeing Board approves the establishment of the Better Care Fund Pooled Fund on and from 1 April 2015 largely on the terms set out in the draft Section 75 Agreement attached to this report at Appendix 1;**
- 2. That subject to sign off by the Health and Wellbeing Board delegates authority to Maggie Rae, Corporate Director in consultation with the Associate Director (Legal and Governance) to finalise and enter into the Section 75 Agreement on behalf of Wiltshire Council. The Councils 151 Officer will ensure the financial monitoring of this fund;**
- 3. That subject to sign off by the Health and Wellbeing delegated on decisions on expenditure from the Better Care Fund Pooled Budget to Maggie Rae and Deborah Fielding (Chief Accountable officer CCG) following recommendations of the Joint Commissioning Board for Adults.**

Reason for Decision:

1. The Health and Wellbeing Board gives strategic oversight on the Better Care Fund and the Section 75 agreement.
2. The Section 75 agreement needs to be in place by 1 April 2015. Due to scheduling of meetings it will be required to be signed off by both Wiltshire Council and Wiltshire CCG during March 2015. This is prior to the next Health and Wellbeing Board on 26 March, hence the request for the delegation arrangements in this report.
3. Whilst the draft Section 75 agreement has been mainly completed there remains further work to be completed on specific issues; along with legal advice relating to the outstanding issues.

37 **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 minute number 106 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.

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). No representations had been received as to why this item should not be taken in private.

38 **Growth Deal**

Key Councillor Fleur de Rhé-Philippe presented the report which identified the financial obligations of the Council in relation to the delivery of part-funded Growth Deal projects in 2015/2016; and sought the approval from Cabinet to continue with the delivery of two highways projects in 2015/2016 using financial resources available to the Council to provide the local match funding.

Resolved

That after considering the financial obligations of delivering in 2015/16 the A429 Highways Improvements project and the LTB Sponsored A350 Chippenham Bypass Improvements project, to support the recommendation to provide local match funding for these projects.

Reason for Decision:

To ensure that Wiltshire Council maximises the benefits and opportunities associated with the Growth Deal programme in terms of delivering key infrastructure projects and building Wiltshire's economy whilst managing the financial implications and associated risks to the organisation.

To ensure that officers are able to develop and deliver key capital projects on time, on cost and on quality through the Growth Deal programme.

(Duration of meeting: 10.30 am - 12.28 pm)

<p>These decisions were published on the 23 March 2015 and will come into force on 31 March 2015.</p>

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