

## Cabinet

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### **MINUTES OF THE CABINET MEETING HELD ON 5 JANUARY 2021 AT ONLINE MEETING.**

#### **Present:**

Cllr Philip Whitehead (Chairman), Cllr Richard Clewer (Vice-Chairman), Cllr Ian Blair-Pilling, Cllr Pauline Church, Cllr Simon Jacobs, Cllr Laura Mayes, Cllr Toby Sturgis and Cllr Bridget Wayman

#### **Also Present:**

Cllr Chuck Berry, Cllr Richard Britton, Cllr Trevor Carbin, Cllr Andrew Davis, Cllr Tony Deane, Cllr Stewart Dobson, Cllr Gavin Grant, Cllr Atiquel Hoque, Cllr Chris Hurst, Cllr Tony Jackson, Cllr Bob Jones MBE, Cllr Johnny Kidney, Cllr Gordon King, Cllr Edward Kirk, Cllr Jacqui Lay, Cllr Brian Mathew, Cllr Stewart Palmen, Cllr Fleur de Rhé-Philippe MBE, Cllr Pip Ridout, Cllr Ian Thorn, Cllr Jo Trigg, Cllr Stuart Wheeler, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill

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#### 148 **Apologies**

There were no apologies.

#### 149 **Minutes of the previous meeting**

The minutes of the meeting held on 1 December 2020 were presented.

#### **Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 1 December 2020.**

#### 150 **Declarations of Interest**

There were no declarations of interest.

#### 151 **Leader's announcements**

There were no Leader announcements.

#### 152 **Public participation and Questions from Councillors**

Questions were received from the following members of public:

- Chris Caswill - Chippenham HIF – Bid Publication, Highways England Publication and HIF Consultation
- Ian James – Statement on Chippenham HIF Consultation

Cllr Whitehead explained that due to the proximity of this meeting to the Christmas and New Year holidays the questions would receive written responses after the meeting, copies of which are attached at the appendix to these minutes. He confirmed that the questions received had been published on the Council's website prior to the meeting.

In addition to the above public questions, a number were received from the following Councillors:

- Cllr Chris Hurst – Parking on double yellow lines, Station Road, Royal Wootton Bassett
- Cllr Ian Thorn – Chippenham HIF Bid – Key milestones for the delivery of the bid

Cllr Whitehead and Cllr Wayman responded verbally at the meeting to the above questions received from Councillors. The responses are attached in the appendix to these minutes.

## 153 **COVID-19 Update**

Cllr Philip Whitehead, Leader of the Council and Cabinet member for Economic Development, MCI and Communications introduced the report which provided a summary of the key activities to mitigate the impact of the coronavirus in Wiltshire since the last update to Cabinet in December 2020.

Cllr Whitehead explained that since the publication of the report the Prime Minister has announced a national lockdown which started on 5 January 2021, instructing people to stay at, continue to protect the NHS and save lives.

The Chief Executive commented on the guidelines recently received from Government and the following issues:

- The importance of personal responsibility
- The work undertaken by headteachers and Council teams to provide remote learning
- The closure of school except for the vulnerable and children of key workers
- The closure of certain non-retail shops, leisure centres etc
- Care Home visits
- Grants for businesses and individual
- Wedding ceremonies, funerals and places of worship
- House moves
- Availability of the Wellbeing Hub
- Parks and open spaces
- The delivery of budgets and elections

- Support for vaccinations
- Maintaining the opening of Day Centres

Officers provided updates for their service areas, as detailed in the report, covering the following areas - Test and Trace, mass testing, mass vaccinations, outbreak management, community spaces and engagement, wellbeing hub, care homes, health and care, education, economy, safe spaces, organisational recovery, financial, legal and safeguarding implications.

Cllr Whitehead thanked officers for their continued hard work and resilience during this difficult and testing time.

Cllr Laura Mayes, Cabinet Member for Children, Education and Skills provided reassurance that following discussions with the Interim Corporate Director People and Director, Education & Skills, the provision of digital devices and free school meals have been addressed.

Cllr Pip Ridout, Chair of the Financial Planning Task Group, reported that Financial Planning Scrutiny Task Group met on 4 January 2021 to consider the Cabinet report. Cllr Graham Wright, Chair of the Wiltshire Covid-19 Response Task Group explained that the four Select Committees would be meeting during January 2021 to consider the report further. He also thanked officers for the outstanding work undertaken during this difficult time.

In response to questions, comments and issues raised by Councillors, officers explained the following:

- The Winter Grant Scheme is live and 90% of the funds have been distributed to 9,133 eligible children via 239 schools. The Scheme runs until 31 March 2021.
- Free school meal funding of £15 per week over the Christmas period would be sufficient for each eligible child and administered by the school.
- Increases in Universal Credit and other benefits has not been realised at this stage, although an increase in demand is anticipated along with the subsequent impact on Council finances.
- Financial underspends continue and are the consequence, in a number of circumstances to the current COVID-19 situation, it is expected that increased demand will be experienced in the next financial year and this would be managed by transfer of funds into earmarked reserves.
- Residents in Two Care Homes have now received vaccinations and the emergence of the Oxford/AstraZeneca vaccination is more transportable than the Pfizer/BioNTech vaccine. It was understood that some Wiltshire residents who lived on the border with neighbouring Authorities had received their vaccinations from within those neighbouring Authorities.
- Front line health workers are included in Group 2 to receive the vaccine and would be notified when they will receive the vaccine.
- There is an awareness that not all elderly people have the necessary laptops or smart phones to receive details about vaccinations dates. It is

understood that doctor surgeries would also be sending letters out to residents.

- There are no capacity constraints at testing centres in Wiltshire, although the number of people receiving tests was increasing along with the number of positive tests.
- It is expected that anticipated demand for digital devices would be met by schools and the Council.
- Recent visits to schools by Ofsted referred to Covid Assurance visits for those schools with pre-existing judgement of 'inadequate'.
- Vulnerable residents required to shield would be informed by letter from the Government.
- The claim rate in Wiltshire for the self-employed grant.
- Applicants for the Self Isolation Payment Scheme are required to provide evidence of their need for the payment. A team is in place to administer the payment scheme.
- The grant process for the Local Restrictions Support Grant and Additional Restrictions Grant are administered in blocks of time, with eligible businesses being able to apply for the grants up to the end of January 2021.
- The availability of the Wellbeing Hub to offer support and advice to voluntary organisations, and the need to keep volunteers safe during the COVID-19 situation.
- Consideration would be given to the support given to those residents who rely on the use of car parks in relation to car parking charges.

**Resolved:**

- 1. Continue to encourage all residents to download the NHS Test and Trace app on their phone.**
- 2. Encourage all residents to answer a call received from 0300 456 0100 as it may be the local contact tracing team within the Council**
- 3. Continue to encourage all residents to follow national guidance**
- 4. To note the financial forecast as detailed within the report**
- 5. To note changes in national policy and the work underway within the Recovery Coordinating Group themes.**

*Reason for Decision:*

*Wiltshire Council continues to work closely with partners to deliver in a rapidly changing environment.*

154 **Nursing care contracts**

Cllr Simon Jacobs, Cabinet member for Adult Social Care, Public Health and Public Protection introduced the report which provided a number of proposals for the successful recommissioning and procurement of nursing and residential care capacity.

Cllr Jacobs explained that the existing nursing block and residential/nursing frameworks were coming to an end in March 2021 and a new commissioning and procurement platform for care homes activity was required.

Cllr Pip Ridout, Chair of the Financial Planning Task Group, Cllr Chuck Berry, Chair and Cllr Gordon King, Vice-Chair of the Health Select Committee reported that they had received a briefing on 4 January 2021. The Councillors explained that they welcomed and support the proposals as set out in the report.

In response to a question from Cllr Ian Thorn, Leader of the Liberal Democrats, Cllr Jacobs explained that the proposals were made in a timely manner and reflect the new platform for the commissioning and procurement of residential beds in Wiltshire.

**Resolved:**

- 1. To note the development and implementation of a new commissioning and procurement platform for nursing and residential beds in Wiltshire. This platform will be in the form of a pseudo-dynamic purchasing system known as the 'Care Home Alliance', or 'Alliance'.**
- 2. To note that under the Alliance, 'Draw Down Contracts' can be tendered for by the providers who are Alliance members. This enables the Council to be more flexible if it needs to tender at short notice as it has due to COVID and winter pressures.**
- 3. As identified in appendix 1 (Indicative Procurement Timeline) of the report, the Alliance will commence on 8th February 2021. The first 'Draw Down Contracts' will be tendered in February 2021 with contract commencement on 1st April 2021. These contracts will be for:**
  - a) Block contract nursing beds**
  - b) Framework contract beds for both nursing and residential care**
  - c) 'Passive' nursing and residential care services required on an ad-hoc basis (as identified in the Alliance tender documentation) to enable the Council to quickly and compliantly secure services in response to urgent system need and its strategic priorities.**
- 4. To delegate authority to make decisions connected with the procurement and award new contracts and all associated documents to the Director Joint Commissioning in consultation with the Cabinet Member for Adult Social Care, Public Health and Public Protection and the Corporate Director of Resources.**
- 5. That officers will continue to assess demand and market conditions and urgent care system needs to review the level of block beds required under the Alliance.**

*Reason for Decision:*

*A new commissioning approach to secure value for money nursing and residential care capacity is required due to the expiry of existing contracts and market conditions, which remain challenging.*

155 **Porton Science Park - Collaborative Innovation Centre**

Cllr Philip Whitehead, Leader of the Council and Cabinet member for Economic Development, MCI and Communications introduced the report which provided an update about (i) increased costs of delivery of the Innovation Centre; (ii) revenue projection for the Centre's initial years of operation; and (iii) entering funding agreements with the Ministry of Housing, Communities and Local Government (MHCLG) and Swindon and Wiltshire Local Enterprise Partnership (SWLEP).

Cllr Whitehead explained that the project is now at a stage where the Council can enter into contract with MHCLG, and delegated authority is being sought to sign the Funding Agreement for the European Funding. He reported that although the overall costs for the preferred option had increased, work with the Swindon and Wiltshire Local Enterprise Partnership and securing other funding would cover the costs. It was noted that the breakeven point for the centre remains at year six assuming an occupancy rate of 70% is reached within three years of opening.

Cllr Stuart Wheeler, Chair and Cllr Bob Jones MBE, Vice-Chair of the Environment Select Committee reported that they had received a briefing on 17 December 2020 and expressed their support for the proposals. The proposals also received wide ranging support from Councillors.

**Resolved:**

- 1. To delegate authority to the Director of Housing and Commercial Development; to enter into a Funding Agreement with MHCLG for the ERDF £2.5m grant funding.**
- 2. To delegate authority to the Director of Housing and Commercial Development; to enter into a Funding Agreement with the SWLEP for the GBF £2m grant funding.**
- 3. To note the adjusted revenue profile in light of changes to the level and type of lettable space in the revised building design.**

*Reason for Decision:*

- To ensure the Council can drawdown European match funding for the project, before the ERDF programme finishes*
- To ensure the Council can secure additional funding to cover the building costs, meet environmental requirements and provide for project risk*

- *To offer flexible space for meetings and a collaborative laboratory space supported by existing ultrafast broadband provision, as well as creative and recreational space to support networking at the new centre*
- *To progress delivery of Porton Science Park, in partnership with SWLEP, MHCLG and campus partners Dstl and PHE.*

156 **Allocation of Community Infrastructure Levy Funding to manage phosphates in the River Avon Special Area of Conservation**

Cllr Toby Sturgis, Cabinet member for Spatial Planning, Development Management and Property introduced the report which provided (i) confirmation of the Council's strategic approach to securing phosphate neutral development in the catchment area of the River Avon (Hampshire) Special Area of Conservation to support delivery of development, particularly new homes; and (ii) to agree to ring-fence and commit a sum of money from the Community Infrastructure Levy strategic funds accrued for the delivery of mitigation measures and funding of project officer to secure phosphate neutral development in the period to 2026.

Cllr Sturgis explained that the funding will be directed to delivering a strategic programme to ensure phosphate neutrality in perpetuity, such as large-scale habitat schemes, which will in time replace the current less efficient approach of incrementally identifying small scale measures (e.g. woodland or wetland creation).

Cllr Ian Thorn, Leader of the Liberal Democrats raised questions about the acceptable level of phosphates, impact on Wiltshire watercourses from other areas, the use of CIL funds, and the impact on phosphates levels from developments. In response, Cllr Sturgis referred to the Habitat Regulations and securing phosphate neutral developments to the satisfaction of Natural England; that prioritisation CIL spending more generally is a Cabinet matter that he was the responsible member for; and other neighbouring Authorities such as Hampshire and Dorset are also impacted by phosphates.

In response to other general questions and comments, Cllr Sturgis explained that OFWAT reviewed water authorities pricing and investment in sewage treatment works which had implications for amount of phosphates removed; DEFRA requires farmers to maintain soil health and reduce fertiliser use; and the decision to accept the proposals would help to release some embargoed planning applications; He also noted that the report is specific to the River Avon Special Area of Conservation.

**Resolved:**

- 1. Confirms that the Council will, until such time as the responsibility falls to others, adopt a strategic approach to secure in perpetuity measures to ensure development is phosphate neutral in the catchment for the River Avon (Hampshire) Special Area of Conservation; including short term temporary measures followed up by long term strategic mitigation measures, such as a large**

scale habitat creation scheme, to ensure in perpetuity phosphate neutrality;

2. Confirms that the strategic approach will include monitoring with annual reporting, to take an evidence led approach to ensure that phosphate offsets arising from the measures secured keep pace with permissions granted;
3. Agrees to ring-fence and commit an initial fund of £850,000 from the Community Infrastructure Levy strategic funds for the delivery of off-setting measures to achieve phosphate neutral development and fund a project officer to oversee delivery, monitoring and reporting; and
4. Delegates authority for the Interim Corporate Director of Place and Environment in consultation with the Cabinet Member for Spatial Planning, Development Management and Investment and Interim Corporate Director of Resources to oversee the spending of this fund.

*Reason for Decision:*

*To demonstrate the Council's commitment to the delivery of, and allocation of funding for, a strategic solution to secure phosphate neutral development including a dedicated project officer; unlocking development in the catchment of the River Avon (Hampshire) Special Area of Conservation. The project officer will also have the capability to help address similar issues of nitrate neutrality for development in the catchment of the River Test that affects wildlife sites in the Solent.*

157 **A303 Amesbury to Berwick Down (Stonehenge) Road Improvement Scheme**

Cllr Bridget Wayman, Cabinet member for Highways, Transport and Waste introduced the report which provided an update about A303 Amesbury to Berwick Down (Stonehenge) road improvement scheme.

A statement and questions were received from Adrian Temple-Brown about and the use of technology to reduce Co2 emissions in relation to the A303 build. Cllr Whitehead acknowledged that the statement and questions had been published on the Council's website prior to the meeting and would receive responses following this meeting. He also indicated that unacceptable language used in statements and questions would not be tolerated and the questioner would be asked to remove such comments from their statements/questions.

Cllr Wayman reported that the road scheme was a nationally significant infrastructure project promoted by Highways England and highlighted the key features of the scheme. She also explained the process involved in achieving development consent for the proposals. In addition, Cllr Wayman introduced a further recommendation at 3 (f) to minimise disruption to settlements alongside



the A303 during the construction phase. The proposals received wide support from Councillors.

Cllr Stuart Wheeler, Chair of the Environment Select Committee reported that he had received a full briefing on the proposals on 15 December 2020 and he would encourage the further dualling of the A303 further west.

In response to a question from Cllr Robert Yuill about the benefits to the local community of the Highway England designated fund scheme, Cllr Wayman explained that she would provide a written response following the meeting.

**Resolved:**

- 1. Welcome the Secretary of State's decision regarding the A303 Stonehenge Development Consent Order.**
- 2. To agree the proposed recurring budget of £300,000 within the Highways budget for the A303 Stonehenge scheme until 2026/27.**
- 3. Agree the delegation of authority to the Director Transport and Environment to:**
  - a) Continue to input into the scheme by providing consultation responses to the various plans and documents being produced by Highways England for inclusion within the consultation reports to be considered by the Secretary of State**
  - b) Negotiate and agree the level of maintenance contributions associated with the de-trunked and local road elements, including public rights of way, of the scheme**
  - c) Agree the design and construction of the new local roads and rights of way, or alterations of existing arising from the scheme.**
  - d) Agree and implement any associated traffic regulation measures arising from or required by the scheme**
  - e) Approve the heritage management plans, site specific written schemes of investigation and method statements for the archaeological mitigation works and to monitor and approve the archaeological fieldwork.**
  - f) Work with Highways England to minimise disruption to our settlements alongside the A303 during the construction phase.**

*Reason for Decision:*

*The case for dualling the A303 between Amesbury and Berwick Down has long been established through promoting economic growth in the South West, increasing safety, improving connectivity with neighbouring regions and protecting and enhancing the environment and the world heritage site.*

*In order to fulfil its statutory duties promptly regarding the construction and implementation of this important road improvement scheme it is considered appropriate to delegate authority to the Director Transport and Environment in connection with this scheme.*

158 **Procurement of Framework contract for temporary agency staff**

Cllr Richard Clewer, Deputy Leader of the Council and Cabinet Member for Corporate Services, Heritage, Arts & Tourism, Housing and Communities introduced the report seeking approval to proceed with a procurement for the supply of temporary agency staff, and following this procurement process, to delegate the award of the subsequent contract and potential extension (if utilised) in line with the proposal set out in the report.

Cllr Clewer reported that the council's current contract for the supply of agency staff was awarded in 2017 for three years plus an optional extension year. The extension year was used in 2019 giving a contract end date of 21 September 2021. He explained that the tender will be run against an Eastern Shires Purchasing Organisation (ESPO) framework that replaced the one under which the Council previously procured the current temporary agency contract.

In response to a question from Cllr Ian Thorn, Leader of the Liberal Democrats, Cllr Clewer confirmed that the estimated contract value of £24m did include the contractor's fees.

**Resolved:**

- 1. That officers continue to undertake the tender programme, award and implement a new contract to replace the existing contract expiring on 21 September 2021.**
- 2. That following this tender programme, that Cabinet delegate the subsequent authority to award a new contract for a duration of three years with an optional additional extension year, with a total estimated value of £24 million to the Director for HR&OD following consultation with the Cabinet member for Finance and the Director for Legal & Governance.**
- 3. That Cabinet delegate the authority to approve any subsequent optional extension periods to the Director for HR&OD, subject to satisfactory performance and following appropriate consultation with the Cabinet member for Finance and the Director for Legal and Governance.**

*Reason for Decision:*

*The Council has an ongoing requirement for temporary agency staff to deliver its business and a contract to ensure a supply of temporary agency staff meets this need.*

159 **Wiltshire Council Adoption Service: 2020/21 Q1-2, 6 Month Report**

Cllr Laura Mayes, Cabinet Member for Children, Education and Skills introduced the report which provided an interim six-month report about the adoption performance within the Families and Children's Service of Wiltshire Council.

Cllr Mayes explained that it was a statutory requirement that regular assurance reports are provided regarding the Council's responsibility for the adoption of children. For this reporting period the main area of focus being in relation to the Service and outcomes for Wiltshire's children who need to be adopted, ensuring that appropriate matches are made and that children move to live with their adoptive families in a timely way. In doing this, it is necessary to consider the effectiveness of Adoption West, the partnership organisation that has responsibility for recruiting, assessing and approving adopters for Wiltshire children. The Cabinet noted details about adoption orders for quarters 1 and 2, that the Council continues to work closely with Adoption West and details about comparative performance showing continued improvement.

Cllr Graham Wright, Chair of the Overview and Scrutiny Management Committee reported that Cllr John Hubbard, Chair of Adoption West Joint Scrutiny Panel would provide an update once the Scrutiny Panel had met on 20 January 2021.

In response to a question from Cllr Gavin Grant, officers confirmed that Adoption West had placed children with Wiltshire families from neighbouring Authorities from within the Adoption West boundary, details of the number of placements would be included in future six monthly reports.

**Resolved: That the Adoption Service 2020/21 Q1-2 6 month report be noted and adopted.**

*Reason for Decision:*

*Wiltshire Council is an Adoption Agency registered with Ofsted. The 2014 Adoption Minimum Standards (25.6) and 2013 Statutory Guidance (3.93 and 5.39) describe the information that is required to be regularly reported to the executive side of the local authority to provide assurance that the adoption agency is complying with the conditions of registration whilst being effective and achieving good outcomes for children and service users.*

160 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.00 am - 1.30 pm)

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