

AGENDA

Meeting: **Cabinet Capital Assets Committee**
Place: **The Kennet Room - County Hall, Trowbridge BA14 8JN**
Date: **Monday 3 July 2017**
Time: **10.30 am or on the rising of Cabinet whichever is the later**

Please direct any enquiries on this Agenda to Will Oulton, of Democratic Services, County Hall, Trowbridge, direct line 01225 713935 or email william.oulton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

All public reports referred to on this agenda are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Baroness Scott of Bybrook OBE	Leader of Council
Cllr John Thomson	Deputy Leader, and Cabinet Member for Communications, Communities, Leisure and Libraries
Cllr Richard Clewer	Cabinet Member for Corporate Services, Heritage, Arts and Tourism
Cllr Laura Mayes	Cabinet Member for Children, Education and Skills
Cllr Toby Sturgis	Cabinet Member for Planning and Strategic Asset Management
Cllr Bridget Wayman	Cabinet Member for Highways, Transport and Waste
Cllr Philip Whitehead	Cabinet Member for Finance, Procurement, IT and Operational Assets
Cllr Jerry Wickham	Cabinet Member for Adult Social Care, Public Health and Public Protection

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Public Participation


Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

The full constitution can be found at [this link](#). Cabinet Procedure rules are found at Part 6.

For assistance on these and other matters please contact the officer named above for details

Part I

Items to be considered while the meeting is open to the public

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

1 **Apologies and Substitutions**

2 **Minutes of the previous meeting** (*Pages 5 - 8*)

To confirm and sign as a correct record the minutes of the Cabinet (Capital Assets) Committee meeting held on 14 March 2017.

3 **Leader's Announcements**

4 **Declarations of interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

5 **Public Participation and Questions from Councillors**

The Council welcomes contributions from members of the public. This meeting is open to the public, who may ask a question or make a statement. Questions can also be asked by members of the Council. Written notice of questions or statements should be given to Will Oulton of Democratic Services by 12.00 noon on Tuesday 27 June 2017. Anyone wishing to ask a question or make a statement should contact the officer named above.

6 **Disposal of freehold interest of assets** (*Pages 9 - 20*)

Report by the Corporate Director, Dr Carlton Brand.

7 **Capital requirement for new and replacement waste containers - Waste Services** (*Pages 21 - 28*)

Report by the Corporate Director, Dr Carlton Brand.

8 **School Capital Programme - Additional Projects Report** (*Pages 29 - 40*)

 Report by the Corporate Director, Dr Carlton Brand.

9 **East Wing Planning Application submission** (*Pages 41 - 50*)

Report by the Corporate Director, Dr Carlton Brand.

10 **Urgent items**

Any other items of business that the Leader agrees to consider as a matter of urgency.

11 **Exclusion of the Press and Public**

This is to give further notice 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.

To consider passing the following resolution:

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 12 because it is 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).

Part II

Items during consideration of which it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

12 **Porton Science Park – Phase 1 Incubation Centre** (*Pages 51 - 68*)

 Report by the Corporate Director, Dr Carlton Brand.

Our vision is to create stronger and more resilient communities. Our priorities are: To protect those who are most vulnerable; to boost the local economy - creating and safeguarding jobs; and to support and empower communities to do more themselves.

CABINET CAPITAL ASSETS COMMITTEE

**DRAFT MINUTES OF THE CABINET CAPITAL ASSETS COMMITTEE MEETING
HELD ON 14 MARCH 2017 AT THE KENNET ROOM - COUNTY HALL,
TROWBRIDGE BA14 8JN.**

Present:

Cllr Baroness Scott of Bybrook OBE, Cllr John Thomson, Cllr Fleur de Rhé-Philipe,
Cllr Toby Sturgis and Cllr Dick Tonge

Also Present:

Cllr Stuart Wheeler and Cllr Chris Caswill

76 Apologies and Substitutions

All members were present.

77 Minutes of the previous meeting

The minutes of the meeting held on 17 January 2017 were presented.

Resolved

**To approve as a correct record and sign the minutes of the meeting held
on 17 January 2017.**

78 Leader's Announcements

There were no leaders announcements.

79 Declarations of interest

There were no declarations of interest.

80 Public Participation and Questions from Councillors

The Leader drew attention to the questions submitted by Marilyn Mackay, and to the answers circulated in the agenda supplement.

In response to a follow up question raised at the meeting from Councillor Chris Caswill, it was clarified that it was expected that the infrastructure requirements arising from the Rawlings Green application would be met by the developer, but that the Inspector had requested information as to what steps would be taken if this was not the case.

81 **Wiltshire Growth Deal Update**

Councillor Fleur de Rhé-Philippe presented the report which provided Cabinet Capital Assets Committee with an update on the development and delivery of Wiltshire Growth Deal projects and provide detail on the outcome of the Growth Deal round 3 bid.

The Leader welcomed the update particularly in relation to funding for Wiltshire College which would enable further improvements to their estate.

Resolved

- 1. To note the progress of Growth Deal projects; and**
- 2. To note the outcome of the round 3 bid.**

82 **Compulsory Purchase Order (CPO) Powers**

The Leader invited Councillor Stuart Wheeler to present a report which sought delegated authority to officers to establish the Council's process for carrying out the compulsory purchase of land to ensure the timely delivery of infrastructure, regeneration projects and development sites.

In presenting the report, Councillor Wheeler set out the main considerations and emphasised the importance of having a clear procedure in place should it be required.

Resolved

- (i) To note the main considerations for the Council in relation to compulsory purchase powers.**
- (ii) To delegate authority to the Associate Director for Economic Development and Planning in consultation with the Associate Director for Legal and Governance and, the Associate Director for Finance to establish the Council's process for carrying out the compulsory purchase of land to ensure the timely delivery of infrastructure, regeneration projects and development sites.**

83 **The Maltings and Central Car Park - Update**

🔑 Cllr Fleur de Rhé-Philippe presented the report which updated Members on the current status of the Central Car Park & Maltings regeneration scheme, and sought delegated authority to progress the project.

In presenting her report, and prior to consideration of exempt information in part ii of the agenda, Councillor Fleur de Rhé-Philippe reminded the meeting that the project would be in receipt of monies from the Growth Fund which would enable progress on the matter.

Resolved

To delegate authority to the Associate Director of Economic Development and Planning in consultation with the Cabinet Member for Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property to proceed as advised in the exempt report considered at this meeting.

84 Urgent items

There were no urgent items.

85 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 following items of business because it is likely that if members of the public were present there would 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 the item in private:

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

No representations have been received as to why this item should not be held in private.

86 The Maltings and Central Car Park - Update (Part ii)

The meeting considered the content of the report.

87 Professional Services Framework

Councillor Stuart Wheeler presented the report which described the procurement process that will be followed to establish a framework of providers for the delivery of capital building projects, and requested authority from the Cabinet for the execution of contracts on that basis.

Resolved

- 1. To note the Property related Professional Services Framework, which was entered into in 2012, will expire in November 2016; and**

- 2. To delegate authority to the Associate Director for People and Business Services, in consultation Associate Director for Corporate Services and Procurement, Associate Director for Legal Services and Section 151 officer with their respective Cabinet Members, to enter into a procurement for the provision of Consultancy Services in support of delivery of the Council's ambitious Building Programme across the Wiltshire.**

(Duration of meeting: 1.00 - 1.21 pm)

These decisions were published on the 17 March 2017 and will come into force on 27 March 2017.

The Officer who has produced these minutes is Will Oulton of Democratic Services, direct line 01225 713935, e-mail william.oulton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

Wiltshire Council

Cabinet Capital Assets Committee

3 July 2017

Subject: Disposal of freehold interest of assets

**Cabinet members: Toby Sturgis
Cabinet Member for Strategic Planning, Development
Management, Strategic Housing, Operational Property
and Waste**

Key Decision: No

Executive Summary

The council continually reviews and rationalises its asset portfolio in order to identify assets where the freehold interest can be considered for sale. A total of six assets are considered to be surplus to the Council's operational requirements and it is recommended they be added to the disposals list and progressed to sale in support of the Council's wider capital programme.

Proposals

- That members confirm that freehold interest of the six assets can be sold by the Council.
- To authorise the Associate Director for People and Business to dispose of freehold interest of the assets.

Reason for Proposal

To confirm the freehold interests of the assets can be sold in order to generate capital receipts in support of the Council's capital programme.

**Carlton Brand
Corporate Director**

3 July 2017

Subject: Assets to be declared surplus

Cabinet members: Toby Sturgis - Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste

Key Decision: No

Purpose of Report

1. The purpose of this report is to declare that freehold interest of the six assets can be sold by the Council.

Relevance to the Council's Business Plan

2. The disposal of assets raises capital to assist and support the Council's medium term financial plan (MTFP) which subsequently supports the Council's Business Plan and its aims and targets.

Main Considerations for the Council

3. Since its inception in 2009 the council has sold assets in excess of £70m. There are a number of other assets in the programme which are currently scheduled to be marketed and sold between now and the end of 2019/20 and it is anticipated that they will realise in the region of £30m.
4. In addition, the six assets listed in Appendix I are recommended for disposal of the freehold interest which will be sold over the next few years.

Background

5. The receipt of capital from the sale of assets is used to support the capital programme of investment in the communities of Wiltshire. Examples of the types of investment made and programmed to be made are provided in the Council's Budget but they range from investment in better roads, waste collection and recycling, extra care homes, health and wellbeing centres and initiatives to provide better and more efficient customer access to Council services.
6. Running, managing and holding assets is expensive but with careful investment as described above, services can be transformed and delivered in a way that improves customer satisfaction and relies less on needing a building/asset for service delivery.

7. Assets then become surplus to the core requirements of the Council and once sold, the capital realised can then be used to support further investment.
8. The Council receives a number of requests for purchase of land, ranging from small scale residential/domestic requests to larger site purchases. Resource is currently not available for a number of the domestic / low value requests to be considered and below sets out 3 tests that need to be met for the Council to consider disposals:
 - a. The land in question is not held by the Council as public open space
 - b. The purchaser will pay all costs associated with the disposal (internal and external surveyor and legal costs)
 - c. The land is being sold to support a wider Council objective or being supported / promoted by department of the Council (for example the Housing Revenue Account)

Safeguarding Implications

9. There are no safeguarding implications with this proposal.

Public Health Implications

10. There are no public health implications with this proposal.

Procurement Implications

11. The decision to dispose of the freehold interest does not have any direct procurement implications. However, when the appointment of agents to market the assets or when pre-marketing surveys are required, their procurement is carried out in accordance with the Council's procurement rules and policies.

Equalities Impact of the Proposal

12. None

Environmental and Climate Change Considerations

13. Where a sale envisages potential development, any environmental and/or climate change issues are best considered through the planning application process.

Risk Assessment

14. Regular reports on progress of property disposals are provided to this Committee within the Capital Monitoring Report. These reports are based on a review of risks of each disposal that takes into account legal issues and 3rd party interests over the asset, planning, market conditions and other factors to review and adjust future receipt out turn forecasts.

Risks that may arise if the proposed decision and related work is not taken

15. The MTFP for the Council is, in part, dependent on the success of the disposal of property and assets. Failure to deciding to declare new freehold interests to be sold or to sell those that are currently declared will impact on the council's ability to achieve its business plan.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

16. A risk that may arise is that due to legislative or other changes a service need arises for an asset after it has been sold and the Council then has to look to acquire or rent in an asset. However, the list of assets has been considered by the Corporate and Associate Directors and no service has identified a need that could be fulfilled by any of the properties on the list in Appendix I.

Financial Implications

17. As explained above, the realisation of capital from the sale of assets is used to support the MTFP and Council Business Plan. Reducing sales and the delivery of capital receipts will reduce the amount that the Council can invest in its communities and/or be used to reduce borrowings and thus free up revenue for delivering services. The disposal of surplus assets is not only integral to the council's medium term financial planning but often makes good asset management sense too.

Legal Implications

18. There are no legal implications with the paper other than it will result in legal work to formalise them. In respect of the assets being put forward as part of this report, each asset is to be sold at or above market value, thus ensuring that the best price properly payable will be received thus satisfying the requirements of s123 of the Local Government Act 1972. Market value will be determined by either open marketing of the sites or through an external valuation being procured to reflect any special circumstances. The assets will also be categorised as strategic assets due to their strategic importance to contribute to the MTFP and will not be available for Community Asset Transfer unless this Committee subsequently decides otherwise.

Options Considered

19. The alternative options would be to transfer the properties in another way or to not dispose of them at all, both of these have been discounted for the reasons set out in this report.

Conclusions

20. Declaring additional assets surplus to the requirements of the Council will provide additional funds for the Medium Term Financial Plan and Council's Business Plan.

Proposal

21. That members confirm that freehold interest of the six assets can be sold by the Council.
22. Authorise the Associate Director for People and Business to dispose of freehold interest of the assets.

Reason for Proposal

23. To confirm the freehold interests of the assets can be sold in order to generate capital receipts in support of the Council's capital programme and to maximise the amount of capital from them to support the MTPF and Council Business Plan.

Dr Carlton Brand
Corporate Director

Report Author:
Mike Dawson
Asset Manager (Estates & Asset Use)

Background Papers

None

Appendices

Appendix I: Asset List

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APPENDIX I – List of Assets

Wiltshire Council

Cabinet Capital Assets Committee

3rd July 2017

SITE DETAILS

SITE 1.

Trowbridge – Land at St Thomas’ Passage

UPRN – 50385S1

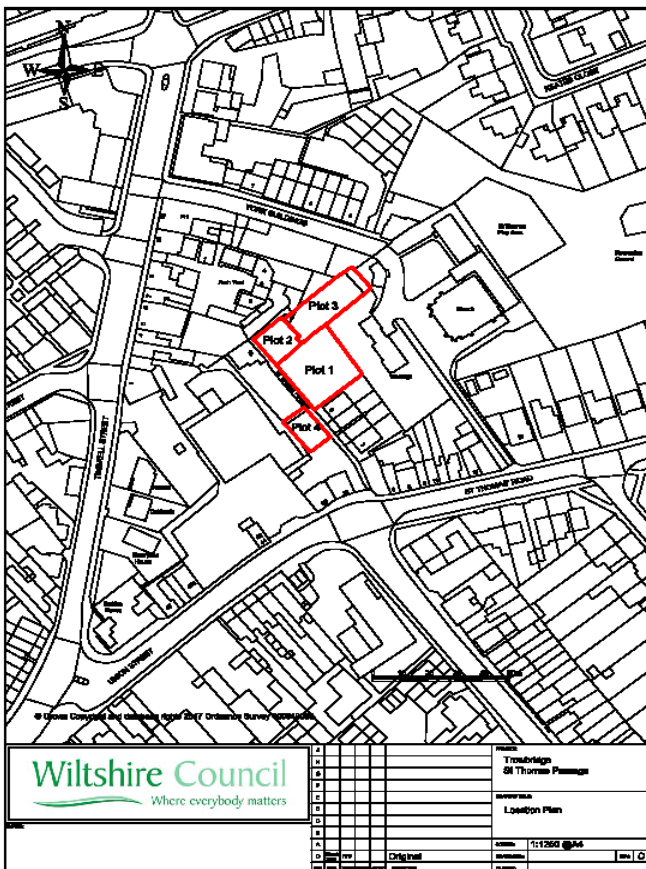
Brief description:

The site, comprising 4 small parcels of land to the rear of St. Thomas’ Passage, Trowbridge extend to approximately 0.125 hectares (0.31 acres).

Recommendation:

To sell the land at St. Thomas’ Passage, Trowbridge on terms to be agreed by the Solicitor to the Council and the Associate Director People & Business

Location Plan – Site Extent Subject to Survey (Not to Scale)



SITE 2.

Durrington – Land at Avondown Road

UPRN – 50656S1

Brief description:

The land is a small parcel (approximately 226 square metres) of grass between an old industrial building and a house in Avondown Road. The owner of the land to the south wishes to develop his land and the council’s highway engineer considers that access to the development site over this land would be safer than the alternative route originally proposed.

Recommendation:

The council sells the land to the owner of the land to the south at a price reflecting the proposed use as access to the development land. It is likely that this sale will be conditional upon the proposed buyer obtaining planning permission for his development.

Location Plan – Site Extent Subject to Survey (Not to Scale)



SITE 3.

Marlborough – Land at Kelham Gardens

UPRN – 50496S1

Brief description:

An 'L' shaped area of land of approximately 1,620m². On a site with 2 other landowners, who are both utility companies with access rights over our site. Adjacent residential properties wish to acquire for garden extension land. Regular complaints are received about lack of maintenance and vegetation overgrowth.

Recommendation:

Dispose of the site to local residents/owners subject to an overage provision if the rear land is developed.

Location Plan – Site Extent Subject to Survey (Not to Scale)



SITE 4.

Trowbridge – Land at The Halve

UPRN – 01492S1

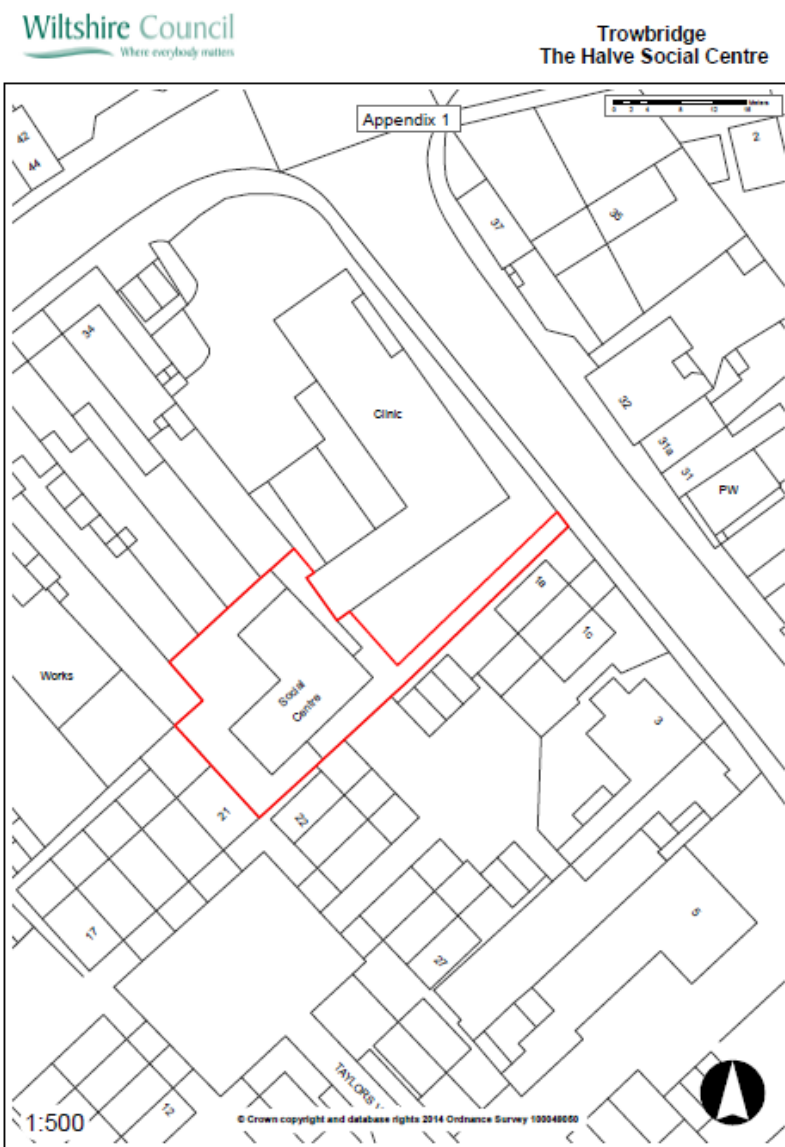
Brief description:

The building was used as a community centre and has been empty for some time and has become derelict. As there is a high asbestos content, this causes additional void property monitoring requirements and responsibilities. There is only pedestrian access to this site.

Recommendation:

Dispose of the freehold interest either by way of open marketing or via direct negotiations with neighbouring owners to extract value over and above market value.

Location Plan – Site Extent Subject to Survey (Not to Scale)



SITE 5.

Marlborough – Former Resource Centre

UPRN – 01429S2

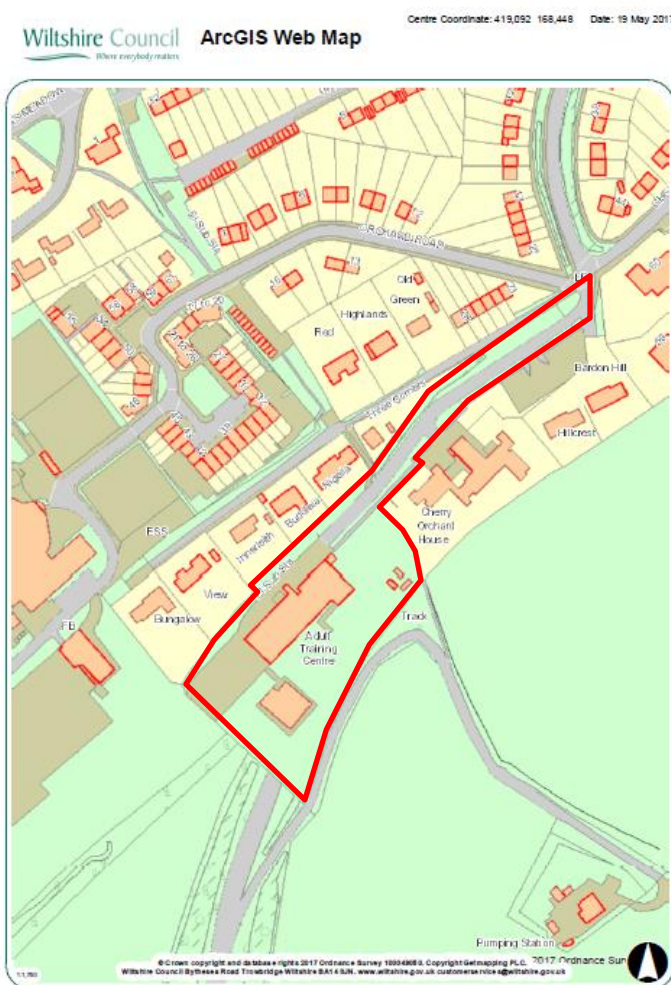
Brief description:

The site is a former adult resource and training centre that has been vacant (unoccupied) since 2010. The site is subject to vandalism over the years and becoming an increasing burden on the revenue budget. Whilst proposals for alternate use, either by Wiltshire Council or external partners, have been received none have been developed further. The re-use of the site as an extra care scheme has been considered but discounted.

Recommendation:

To dispose of the site on the open market, potentially including the access road.

Location Plan – Site Extent Subject to Survey (Not to Scale)



SITE 6.

Warminster – 2 The Street, Warminster

UPRN – VX 13348

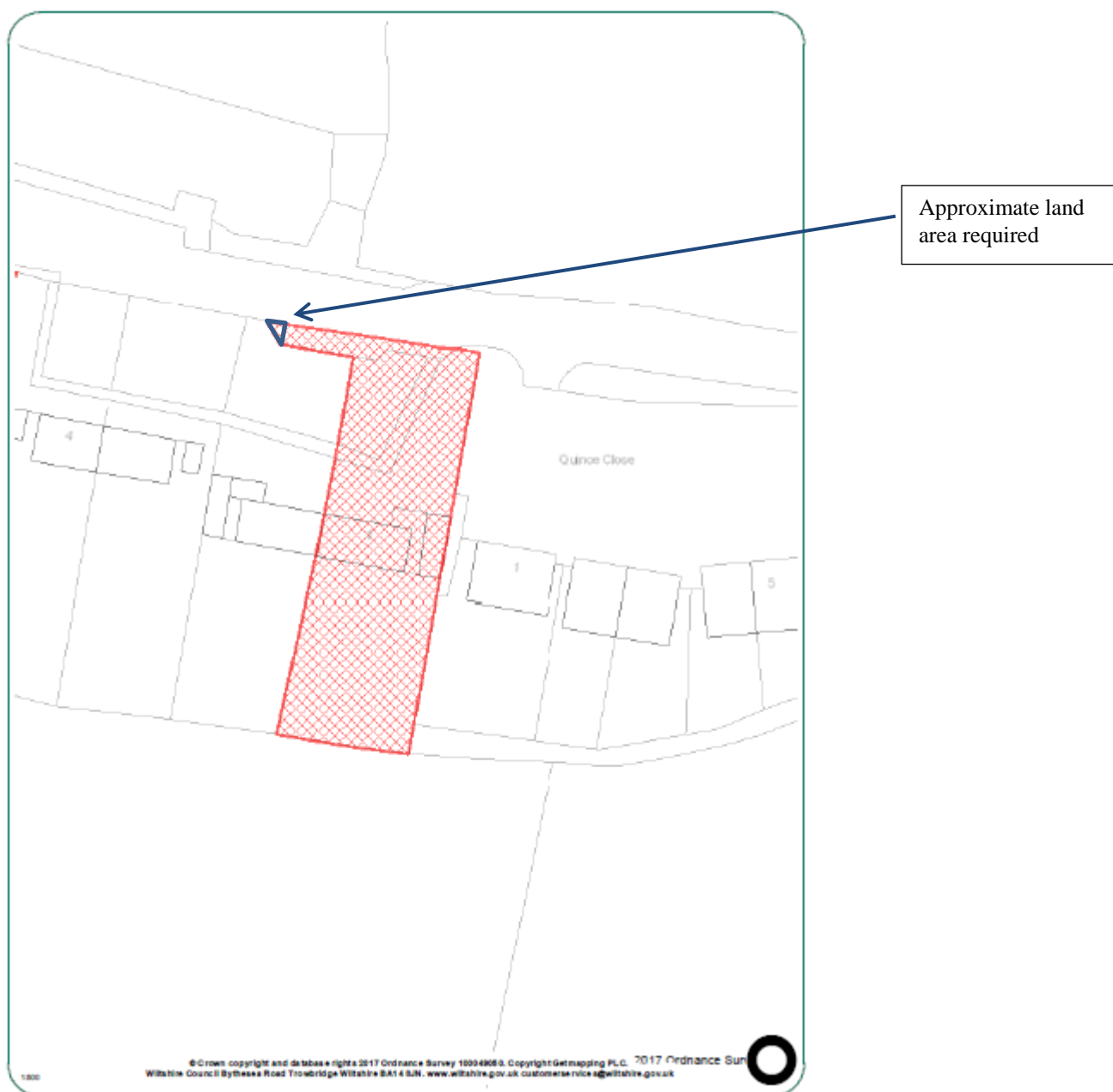
Brief description:

The site is part of a layby outside of the adopted highway, the adjoining owner has approached the Council for a strip of land (held within the Housing Revenue Account) to create a vehicular access to facilitate a planning application (16/08317/FUL). The land extend to circa 2m x 2m, but the exact size will be subject to negotiation, with the remainder continuing to be held by the HRA.

Recommendation:

To dispose of the site on the direct to the adjoining landowner.

Location Plan – Site Extent Subject to Survey (Not to Scale)



Wiltshire Council

Cabinet Capital Assets Committee

Date of meeting 3 July 2017

Subject: Capital Funding for Containers for Waste and Recycling

Cabinet Member: Councillor Bridget Wayman - Cabinet Member for Highways, Transport and Waste

Key Decision: Yes

Executive Summary

The purchase of containers for waste and recycling for delivery to new properties and to replace aging bins and boxes is funded through a combination of section 106 monies and the council's capital programme. The requirement for funding is to be considered within a wider review of the capital programme. As that has not yet taken place this report sets out the requirement for funding for 2017-18.

There will be a further report to CCAC at its meeting in September 2017 to update on spend and to provide projections for expenditure on containers for waste and recycling for 2018-19 and beyond.

Proposal

That Cabinet Capital Assets Committee notes the requirement for purchase of bins and boxes for waste and recycling and agrees that, subject to there being sufficient capital within the capital programme, the required funding of £435,000 is allocated in advance of the review of the capital programme.

Reason for Proposal

To enable the council to comply with its statutory duty to collect household waste and to maintain service delivery for residents.

Dr. Carlton Brand
Corporate Director

Wiltshire Council

Cabinet Capital Assets Committee

Date of meeting 3 July 2017

Subject: Capital Funding for Containers for Waste and Recycling

Cabinet Member: Councillor Bridget Wayman - Cabinet Member for Highways, Transport and Waste

Key Decision: Yes

Purpose of Report

1. To seek the agreement of Cabinet Capital Assets Committee to the purchase of bins and boxes for waste and recycling and that, subject to there being sufficient capital within the capital programme, the required funding of £435,000 is allocated in advance of the review of the capital programme.

Relevance to the Council's Business Plan

2. The following action, outcomes and principle apply.

Action 10: integrate public health at the heart of all public services

Outcome 3: everyone in Wiltshire lives in a high quality environment

Outcome 5: people in Wiltshire have healthy, active and high quality lives

Principle 6: our services work well, are joined up and easy to access

Main Considerations for the Council

3. Following the removal of the 2017-18 capital budget for waste containers as part of the budget setting process, the waste services capital budget for 2017-18 is currently made up entirely of section 106 monies. This money is paid to the council by developers of new homes and a portion is identified to cover the cost of supplying containers to these new properties.
4. The council formally adopted a Supplementary Planning Document (SPD) on 21 February 2017, which provides guidance to housing developers, and which details the basis on which the council would seek section 106 contributions towards the cost of providing waste containers for residential developments. The current guidance allows the council to claim contributions for developments of 11 dwellings or more.

5. Ongoing section 106 contributions are not expected to cover the entire requirement for containers in future, but will continue to make a vital contribution to the cost of supplying containers to new properties.
6. Whilst the contribution to funding containers at new properties from section 106 money will continue, the exact amount payable within any given year is variable and will not be known until a reconciliation is undertaken at the end of each financial year. Regardless of this provision for containers for some new properties the requirement to replace aging wheeled bins and boxes and to provide containers for new properties in developments of ten dwellings or less is currently unfunded.
7. The subsidy for food waste digesters available to the public is also funded from the capital budget. The units are sold direct to the customer by a contracted provider, with the council paying a subsidy on every unit sold in order to make purchases cost effective for Wiltshire residents. The units make a return on investment at year three through avoided waste management costs. The requirement for 2017-18 is based on demand remaining at 2016-17 levels and forecast to be 42 units sold per month, on average, at a subsidy rate of £50 per unit. Residents contribute £44 per unit. The provision of these units allows the council to comply with its statutory duty to take appropriate steps to reduce waste and promote waste minimisation.

Background

8. Containers for waste and recycling include wheeled bins for residual waste, garden waste and plastic bottles and cardboard, black boxes for mixed dry recyclables, “no blow” re-useable bags, and larger wheeled containers to serve communal bin stores for multiple properties and commercial waste customers.
9. The standard containers provided to households are set out below.

Waste type	Container type - current service	Container type – future service (post August 2018)
Residual waste	180 litre wheeled bin, grey body, grey lid	No change to container type or use
Plastic bottles and cardboard	240 litre wheeled bin, grey body, blue lid	No change to container type – will be used to collect co-mingled recycling: paper; card; food and drinks cartons; plastic bottles, pots, tubs and trays; textiles; and food and drinks cans
Mixed dry recyclables	55 litre kerbside box, black box, black lid	No change to container type – will be used to collect mixed glass bottles and jars only
Garden waste	180 litre wheeled bin, grey body, green lid	No change to container type or use

10. Waste Services have an ongoing requirement to provide waste and recycling containers as outlined in Appendix 7 of the Transformation of Waste and Recycling Collections report, which was adopted by Cabinet in October 2010.
11. Section 106 monies with a total value of £195,328 identified as being in respect of payments for new waste containers had accumulated within a centralised budget since 2011-12. This funding was drawn down in its entirety into the 2016-17 waste capital budget and was used to purchase containers for waste and recycling.
12. The use of wheeled bins directly influences the amount of residual and recyclable waste the council collects each year, alongside a well-established policy of not collecting excess bags combined with a fortnightly collection frequency. The size of the bin effectively places a limit on the amount of waste each household can have collected at the kerbside, and therefore helps encourage increased participation in recycling services, as well as waste minimisation behaviour in the home.
13. The Waste Service closely monitors its stocks of waste containers in order to ensure continuity of supply. Wherever possible existing bins are repaired rather than replaced, for example by the provision of a new lid or new wheels. Over recent years the service has increasingly taken the opportunity to refurbish 1100 litre and 660 litre bins where able, instead of buying new. This approach is cheaper than buying new so has allowed more of the capital budget to be utilised for essential bin purchases. This approach will continue.

Overview and Scrutiny Engagement

14. The principle of providing containers for waste and recycling was considered and supported by an Environment Select Committee Waste Scrutiny Task Group when service changes were agreed in 2010. There would be Overview and Scrutiny engagement in the wider review of the council's capital programme.

Safeguarding Implications

15. There are no safeguarding implications arising from this decision.

Public Health Implications

16. Amongst the benefits of using wheeled bins are reduced musculoskeletal injuries to collection staff following the eradication of heavy manual lifting, combined with the public health benefits of improved storage of waste which might otherwise be attractive to vermin. This latter benefit is especially helpful when storing waste during a 14 day collection cycle.

Procurement Implications

17. Under new collection service arrangements commencing on 30 July 2018, the procurement of waste containers will become the responsibility of the new service provider. In light of delays in the commencement of the new contracts, the service will now consider purchasing via an established purchasing framework until the new service arrangements are in place.

Equalities Impact of the Proposal

18. There is no equalities impact of the proposal.

Environmental and Climate Change Considerations

19. There are no environmental and climate change considerations arising from the proposal.

Risk Assessment

Risks that may arise if the proposed decision and related work is not taken

20. If the proposed decision is not taken and related work is not carried out the council would only be able to purchase containers from section 106 monies provided in respect of developments with 11 or more dwellings. Other new properties in developments of ten dwellings or less would not receive containers and existing, life expired containers would not be replaced. This would cause significant problems for residents and the waste and recycling collection service.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

21. There is a risk that capital funding may not be identified in the review of the capital programme for the purchase of the containers and the actions to be taken to manage this risk are set out in the Financial Implications section below.

Financial Implications

22. The requirement to supply new waste containers is expected to increase year on year due to a consistent increase in the number of residential properties. The growth in households is reasonably consistent each year at circa 1% or approximately 2,000 properties.

23. The unit price of containers can also fluctuate depending on the cost of raw materials used in the manufacturing process. An annual increase in cost of 2.5% has been assumed.

24. The required funding would be an addition to the approved capital programme so either revenue budget needs to be identified to cover the annual capital financing cost or funding from the capital programme of £0.44m needs to be found.

27. The capital financing costs would be approximately £0.044m in 2017/18. This is based on an average capital financing cost of 10%.

28. The service has reviewed the 2017/18 revenue budget for waste management and is unable to identify budget to cover the capital financing costs. However there are a number of savings proposals to be implemented in waste services during 2017-18 which may reduce the total tonnes of waste treated and further reduce the costs of service delivery. For example, a reduction in total waste of 440 tonnes would be less than 0.2% of the total waste treated and may be sufficient to fund the capital financing costs.

29. There are a number of capital projects within the programme for 2017-18 and should any of these be subject to delay so that the projected expenditure is not

incurred in 2017-18 there may be sufficient capital within the programme to fund the purchase of the required containers.

30. The forecast spend for containers for waste and recycling and for the subsidy for food waste digesters is set out in the table below.

Container type	Forecast spend 2017-18 (£)
Bins (and other containers)	370,000
Food waste digester subsidy	25,000
Black boxes	40,000
Total	435,000

31. The financial year 2018-19 will be a year of significant change for the waste collection service. A new contract for the collection of recyclable materials and waste is due to commence on 30 July 2018. Under this contract the contractor purchases containers and the cost of new and replacement bins and boxes is passed through to the council. The collection system for dry recyclable materials will change so that glass bottles and jars only will be collected from the black box and the remaining materials plus plastic pots, tubs and trays and food and drink cartons will be collected from the blue lidded bin. It is anticipated that there will be an increase in requests for additional capacity for containing the co-mingled dry recyclable materials as, at present, residents only place plastic bottles and cardboard in the blue lidded bins. This increase is likely to be greater in the south of the county as Salisbury District Council issued 180l blue lidded bins prior to Wiltshire Council agreeing a standard size of 240l for the bins for plastic bottles and cardboard.
32. A further report will be presented to Cabinet Capital Assets Committee at its meeting to be held on 12 September 2017 setting out the projections for capital requirement for container replacement for 2018-19 and beyond. The report will provide an update on actual spend and projected spend for 2017-18 against this capital budget.

Legal Implications

33. There are no legal implications arising from the proposal.

Options Considered

34. The options considered are to agree to fund the purchase of waste and recycling containers for new developments of ten dwellings or less and to replace aging containers or to cease providing containers except for developments of 11 dwellings or more when section 106 funding is agreed.

Conclusions

35. The provision of suitable containers is an essential element to enable residents to manage their waste and recycling efficiently and to enable the waste and recycling collection service to operate safely and efficiently. Budget has not been identified for this purpose in the 2017-18 capital programme but options for funding this requirement have been set out in the Financial Implications section of the report above.

Tracy Carter

Associate Director Waste and Environment

Report Author:

Martin Litherland

Head of Waste Management

The following unpublished documents have been relied on in the preparation of this Report: None

Appendices: None

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Wiltshire Council

Cabinet Capital Assets Committee

3 July 2017

Subject: Schools Capital Programme – Additional Projects Report

Cabinet member: Councillor Laura Mayes - Children's Services

Key Decision: Yes

Executive Summary

The Council has a statutory duty to provide sufficient school places to meet the demand arising across Wiltshire, whether from demographic or population change, strategic housing development growth and the planned Army Re-Basing programme.

The Cabinet approved the Wiltshire School Places Strategy 2015-2020 in November 2015 and the current programme of work approved in January 2017, is based on the basic need Priorities for capital investment in the short, medium and longer term.

The Council also has landlord responsibilities for the effective management and ongoing maintenance of the schools estate (community, voluntary controlled and Foundation schools only).

The Council receives annual capital funding allocations from the Department for Education (DfE) to meet basic need (new places) and condition (capital maintenance works) only. Day to day revenue maintenance is funded from school budgets.

Since January 2017, the Council has been advised of

- a. the planned relocation of an Army Battalion into MOD Lyneham in 2019 plus civilian rental of 100 SFA at MOD Lyneham
- b. a Free School bid submitted for a new primary school in Royal Wootton Bassett, has been unsuccessful
- c. additional Special School places are required for Sept 2017
- d. works at Harnham Juniors to replace poor quality temporary classrooms would be more effectively provided if part of a joint project with works at Harnham Infants.

It is recommended that the additional resulting projects highlighted at Appendix A are included in the School Capital Infrastructure Programme.

Proposal(s)

- To approve the School Capital Projects at Appendix A
- To authorise the Corporate Director for Children Services to invite and evaluate tenders for the projects described in this report, and, following consultation with the cabinet member, to award the contract for the project (subject to approval of any necessary statutory proposals) and to authorise, in consultation with the Head of Strategic Asset & FM (or the Asset Portfolio Manager (Estates), in accordance with the relevant scheme of sub-delegation (under paragraph 7 of Part 3B of Wiltshire Council's constitution)), the acquisition of all land (and the completion of any legal documentation) reasonably required in order to facilitate the Schools Capital Investment Programme.

Reason for Proposal

The Council has a statutory duty to provide sufficient school places, both in mainstream and in Special schools to meet the demand arising across Wiltshire, whether from demographic or population change, strategic housing development growth and the Army Re-Basing programme. The Council also has Landlord responsibilities for the effective management and maintenance of the schools (*for which the Council is responsible*) estate and the approval of an additional replacement accommodation project will ensure effective use of resources.

Carolyn Godfrey
Director Children's Services

Wiltshire Council

Cabinet Capital Assets Committee

3rd July 2017

Subject: Schools Capital Programme – Additional Projects Report

Cabinet member: Councillor Laura Mayes – Children’s Services

Key Decision: Yes

Purpose of Report

1. To seek approval to the additional projects at Appendix A

Relevance to the Council’s Business Plan

2. The Council has a statutory duty to provide sufficient school places to meet the demand arising across Wiltshire, whether from demographic or population change, strategic housing development growth and the planned Army Re-Basing programme. The approved School Capital Infrastructure Programme informed by the approved Wiltshire School Places Strategy 2015-2020 and Implementation Plan identifies the priorities for capital investment in the short, medium and longer term. The Council also has landlord responsibilities for the effective management and maintenance of the schools estate.

Main Considerations for the Council

3. As reported in January, the Council receives annual capital funding allocations from the Department for Education (DfE) to meet basic need (new places) and condition (planned maintenance). All other day to day maintenance works and low level cost works are the schools responsibility funded from their delegated or devolved funds.

The capital maintenance allocations are adjusted to take account of schools converting to academy status, as academies then receive funding direct from the Education Funding Agency (EFA). Therefore the capital funding allocated to the Council for maintenance works is reducing annually as the number of schools converting to academy status increases.

The Council also secures wherever possible, S106 developer contributions and will seek CIL planning obligations for essential school infrastructure in areas of new housing development which are usually project or school specific.

Background

4. Wiltshire Council considered and approved a Schools Capital Investment Programme Update Report on 17 January 2017. All of the major projects identified in that report are funded by schools capital allocations and/or S106 contributions.

Since the report in January a number of factors have come to light that require additional projects to be added to the overall School Capital Programme. These are summarised at Appendix A and explained in more detail below.

Basic Need (Sufficiency)

Royal Wootton Bassett (RWB) (primary places)

In support of the government's agenda for creating more new Free Schools, a bid was submitted by the RWB Academy to provide a new primary *free school* in RWB to meet the demand for additional places in the town. Following an announcement in April 2017, it was confirmed that the bid was unsuccessful and that the Secretary of State's decision was final. There will be a shortfall of places in RWB from Sept 2018 and the Council has a duty to provide the additional places.

Meetings have been held locally with all stakeholders to determine the best way of providing the additional places and whether organisational changes may be required to any schools to facilitate the provision. It is proposed that an additional 1FE (210 place) expansion is provided at one of the schools in the town. The estimated cost of providing an additional 1FE is £3.6m.

Lyneham Primary School

In January 2017 the Council was advised by the MOD/DIO that an Army Battalion (REME) is to be relocated to MOD Lyneham in Spring 2019. This will mean that approximately 450-500 armed forces personnel and their families will be accommodated at MOD Lyneham or in the immediate surrounding area. Alongside this, the MOD is leasing out up to 100 empty service family houses at MOD Lyneham for private rental. The combined impact will be the need to provide an additional 5/6 primary classes. There is also additional housing development expected in the Lyneham area. As a consequence, it is proposed that an additional 1FE (210 place) expansion is provided at Lyneham Primary, to be delivered in part by Easter 2019. The estimated cost of providing an additional 1FE is £3.6m.

Larkrise Special School

In response to a sudden increase in the number of applications for Special School places in September 2017, the need has been identified to provide a temporary classroom at Larkrise Special School to accommodate up to 8 additional children needing specialist support. The estimated cost of providing a temporary classroom with link to the main building is £150-£200k.

Condition

Harnham Juniors

The School Capital Investment Programme approved in January 2017, included a project to replace poor quality temporary classrooms at Harnham Infants, in Salisbury. The site is very challenging and at the same time a feasibility (only) to consider the replacement of poor quality temporary classrooms at the Junior's was agreed. The feasibility has now been undertaken and it recommends a joint project to replace accommodation across both schools (on the same site), as the most effective use of resources. It is proposed that the replacement accommodation project at the Juniors be added to the programme now, so that a more cost effective combined scheme can be commissioned. The estimated cost of permanently replacing 6 temporary classrooms is £2.5m - £2.8m.

Funding

In the report to CCAC in January 2017, a budget of £3.6m was allocated towards the new RWB free school proposal, made up of predominantly basic need and £78k of S106 contributions. Further S106 funding of £418k has now been secured and will replace some of the basic need funding required, keeping the overall budget as £3.6m. It is proposed that this funding now be allocated to provide the 1FE expansion of places in RWB (and some temporary accommodation in Sept 2018), any surplus basic need funds will be returned to contingency.

The 1FE expansion of Lyneham Primary School and the temporary classroom at Larkrise Special School are new basic need projects and there is currently no funding allocated to cover the £3.85m. It is proposed that the funding be allocated from the Programme contingency (circa £3m), plus savings secured from projects completed and further S106 contributions from developers across all areas, that can off-set against allocated basic need funding.

The permanent replacement of poor quality old temporary classrooms at Harnham Juniors is a condition related project. At the current time, there is £2.83m unallocated in the 3 year refurbishment/replacement programme which can be allocated towards this scheme.

These additional projects will use almost all the contingency in the current programme, however it is essential that we provide sufficient places where they are needed. At this stage I do not envisage that we will require capital resources from any other source and will manage the funding within the overall School Capital Programme budget.

Safeguarding Implications

5. All school projects are designed to ensure that schools provide safe and secure places for children and young people in the immediate community. If a decision was taken not to extend a school to meet demand in a local area then there is a risk that young people would be transported to

schools a long distance from their locality leaving them more vulnerable due to the distance they are from home.

Public Health Implications

6. The development of quality school buildings and site infrastructure will provide a range of sports facilities for pupils, students, staff and the local community including dedicated sports halls, primary activity halls, hard games courts and grass football/hockey pitches. The investment in school sites provides the opportunity for young people in the community to participate in sports and thereby promote healthy behaviours and practices in the population.

Corporate Procurement Implications

7. Responsibility for commissioning approved capital building projects rests with the Council's Property Services Team. Responsibility for approving related procurement activity rests with the Corporate Procurement and Commissioning Board (the Board). This report is about a number of procurements of works contracts to deliver school places capacity and replacement of temporary accommodation. The service will adhere to corporate governance by providing the forward plan to the Board, identifying options for their procurement and seeking approval of the recommended route(s) to market.

The range of routes to market has three real options: one-off tender exercises managed and advertised entirely within Wiltshire Council; use of by call down of pre-existing framework contracts for building services, these frameworks having being already put in place by Property Services/SPH; use of existing frameworks that have been put in place by external organisations such as the Eastern Shires Purchasing Organisation, or the Yorkshire Purchasing Organisation. The choice depends on the nature and extent of the works required. Whichever approach is chosen it will be compliant with European and domestic procurement legislation.

Equalities Impact of the Proposal

8. Through detailed planning and effective design, officers continue to ensure that all accommodation improvements promote and deliver equality of opportunity and access to facilities including unisex toilets where appropriate.

The Equalities Act 2010 states that reasonable adjustments must be taken into consideration in design. By adopting compliant design principles, and ensuring all schemes meet Building Regulations it should be possible to eradicate disability access difficulties and discrimination in new school buildings. This will be a fundamental objective of any rationalisation and/or expansion works carried out at existing school properties.

The Local Authority has a duty and responsibility to provide sufficient school places both in terms of mainstream and specialist provision to meet

demand arising from all areas of the community including in response to inward migration. The programme of work has also taken into account the needs arising from the Army Re-Basing programme.

Environmental and Climate Change Considerations

9. In all education related capital investment schemes, officers continue to work with establishments to develop and enhance the learning environment taking account of sustainability and environmental impact, including the move towards reducing carbon emissions from schools for the benefit of pupils, staff and the community.

All new build schemes are designed to meet BREEAM 'Good' and the design process provides opportunities for improved energy efficiency and minimising the associated lifetime carbon emissions. Additionally, schools are no longer subject to the Carbon Reduction Commitment (carbon tax payable by large energy consumers), but with ever increasing energy prices, every effort will be made through the design process to use renewable technologies which might be eligible for financial incentives and VAT relief and reduce lifetime running costs of the buildings

Risks that may arise if the proposed decision and related work is not taken

10. The Cabinet has approved the School Places Strategy 2015-2020 and the Special Educational Needs and Disability (SEND) Strategy which identify the need for additional school places and specialist provision across Wiltshire. If these additional projects are not approved then there is a legal risk that the Council will not be able to meet its statutory obligations to provide sufficient school places for children resident in Wiltshire.

The Council works closely with the Military and MOD to ensure that when decisions are taken to move troops to locations in Wiltshire, that the necessary infrastructure is in place to enable service families to access School places and other essential services. If the Council does not deliver additional school places to support troop movements then there is a risk that families will not be able to secure a local school place..

The Council, in its capacity as Landlord, has a responsibility for managing its sites and building assets efficiently and to ensure all school buildings under its control (community, voluntary controlled and foundation) are maintained appropriately. If these assets are not maintained then there is an increasing risk to health and safety of users as buildings fall into disrepair and increasing costs when more extensive work is required to make sure buildings remain operational.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

11. It is important that the Council meets its statutory duty to provide sufficient school places and this ongoing programme of work will ensure that places are provided in appropriate locations and delivered in a timely way. There is a financial risk however than costs could increase and exceed the funding envelope agreed. To mitigate this, project briefs and specifications will be in line with policy and the project management and design teams will ensure that where possible, value engineering exercises are undertaken to reduce costs and keep within budget.

There is a risk that projects could be delayed due to unforeseen circumstances. Project managed timelines will be closely monitored to avoid slippage where at all possible.

There is a risk that a school project, predominantly funded by S106 contributions, is procured and subsequently the developer goes into liquidation. It should be noted however that Council policy to secure up to 50% of the funding at commencement of the housing development and the remainder at the half-way point of the development.

Financial Implications

12. The funding allocations for basic need and maintenance works in schools are shown in the table at para 3 above. There is an expectation that future years maintenance allocations will reduce if more schools convert to academy status and the relevant funding is withdrawn from the Council to be transferred to the EFA. In the event of this happening the maintenance programme would be scaled back appropriately.

In addition to formula allocations, the proposed School Capital Investment Programme is supported by S106 developer contributions allocated to location specific schemes and where appropriate CiL funding secured from major developments.

The School Capital Investment Programme is funded in full by grant and S106/CiL with no WC capital borrowing. The programme is managed within its allocation and actions taken where necessary to ensure it remains within budget.

Legal Implications

13. Wiltshire Council in the exercise of statutory duties and obligations is required to undergo a continuous programme of monitoring and review in accordance with the Wiltshire School Places Strategy 2015 -2020 and Implementation Plan.

The School Capital Investment Programme 2017 – 2020 report does not present immediate legal issues over and above the implementation, monitoring and due diligence obligations associated with the exercise of statutory powers.

Where it is proposed the Council will carry out construction works to foundation, academy or voluntary controlled school site the Council will need to ensure that legal arrangements are in place to secure access to the site for the construction team before the Council enters into any contracts for the works

Depending on the land ownership and the status of the school site the Council may be required to transfer school land to the governing body pursuant to the provisions of the School Standards and Framework Act 1998.

Any proposed construction works will be subject to Legal Services working with the Strategic Assets and Facilities Management team to carry out a full due diligence exercise of the site to identify any site constraints which would have an impact on the proposed works, for example, any rights of way across the site or covenants restricting use of the land.

Recommendations

14. That the projects at Appendix A are approved.

Conclusions

15. The Council has a statutory duty to provide and maintain sufficient school places to meet the demand arising across Wiltshire, whether from demographic or population change, Core Strategy housing development growth and the Army Re-Basing programme. The Cabinet has approved the Wiltshire School Places Strategy 2015-2020 and its Implementation Plan which clearly identifies the priorities for capital investment in the short, medium and longer term and the proposed additional schemes to be included in the Schools Capital Investment Programme will ensure this is achieved.

Proposal

16.
 - To approve the School Capital Projects at Appendix A
 - To authorise the Corporate Director for Children Services to invite and evaluate tenders for the projects described in this report, and, following consultation with the cabinet member, to award the contract for the project (subject to approval of any necessary statutory proposals) and to authorise, in consultation with the Head of Strategic Asset & FM (or the Asset Portfolio Manager (Estates), in accordance with the relevant scheme of sub-delegation (under paragraph 7 of Part 3B of Wiltshire Council's constitution)), the acquisition of all land (and the completion of any legal documentation) reasonably required in order to facilitate the Schools Capital Investment Programme.

Reason for Proposal

17. The Council needs to amend the School Capital Programme 2017-2020 to include the additional projects at Appendix A to ensure it can meet its statutory duty to provide sufficient school places in light of the additional needs identified.

Carolyn Godfrey
Corporate Director – Children’s Services

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3rd July 2017

Background Papers

The following documents have been relied on in the preparation of this report:

- Wiltshire School Places Strategy 2015-2020
- Schools Capital Investment Programme 2017-2020 Update Report – January 2017

Appendices

Appendix A - Additional School Capital Projects July 2017

Additional School Capital Projects July 2017

School	Project	Cost Estimate
Royal Wootton Bassett Primary	<i>(unsuccessful Free School bid)</i> . Replacement project to provide 1FE (210 places) expansion to existing school in RWB.	C/D
Lyneham Primary	Expansion of school by 1FE (210 places)	C/D
Larkrise Special School	Provision of a temporary classroom and covered way	A
Condition Project		
Harnham Juniors	<i>(originally a feasibility only)</i> Scheme to replace 6 poor quality temporary classrooms at same time as similar project at the Infants School (same site).	C

Key to Capital Project Cost Estimates

Project Cost Estimate	Reference
Under £500k	A
£500k to £1m	B
£1m to £3m	C
£3m to £5m	D
£5m to £7m	E
More than £7million	F

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Wiltshire Council

Cabinet Capital Assets Committee

3rd July 2017

Subject: East Wing redevelopment update

**Cabinet member: Cllr Toby Sturgis
Cabinet Member for Planning and property**

Key Decision: No

Executive Summary

At the CCAC meeting in November 2016 an indicative delivery programme to progress the redevelopment of the East Wing site in Trowbridge was set out. This included the submission of an outline planning application for the East Wing site with an estimated timescale for April 2017.

Authority was delegated to the Associate Director Economic Development and Planning, in consultation with the Associate Director Finance and Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property, to progress the project as detailed; to be brought back to Cabinet for key updates and decisions, as required.

This report provides an update on the work the Council has been leading on, including other public sector partner interests, along with the costs, risks and timescales associated with undertaking this piece of work on the site.

This project is now at the point where the team intends to submit the outline planning application in July 2017. This timescale aligns with our NHS partners funding criteria which will assist in bringing forward the site for successful development.

Proposal(s)

That the Cabinet:

- (i) Note the work completed to progress the redevelopment of the East Wing site.
- (ii) Support the submission of an outline planning application for a mixed-use development on the East Wing site.

Reason for Proposal

To provide an update on progress and seek Cabinet's support for the submission of an outline planning application in relation to the redevelopment of the East Wing site.

3rd July 2017

Subject: East Wing redevelopment proposal

**Cabinet member: Cllr Toby Sturgis
Cabinet Member for Planning and property**

Key Decision: No

1. Purpose of Report

- 1.1. To provide an update on progress and seek Cabinet's support for the submission of an outline planning application in relation to the redevelopment of the East Wing site in Trowbridge.

2. Relevance to the Council's Business Plan

- 2.1. The Council's Business Plan commits to continue to rationalise and make better use of its land and property portfolio in order to support the delivery of its priorities.
- 2.2. The redevelopment of a strategic site within council control will contribute towards the core vision of the Business Plan, to *create stronger and more resilient communities*.
- 2.3. Trowbridge is a principal settlement in the Core Strategy and a focus for new development and regeneration in Wiltshire. The East Wing site redevelopment will contribute to the Business Plan priority *to boost the local economy* through the regeneration of a strategic site.

3. Main Considerations for the Council

Project background

- 3.1. Since the Trowbridge Masterplan was produced in 2014, the Council has been exploring the opportunity to redevelop the East Wing site, located in central Trowbridge.
- 3.2. The Trowbridge Masterplan (2014) identifies the East Wing site as a strategically important regeneration opportunity that can deliver high quality, vibrant and mixed use development which supports the vision for the town centre. It sets out the following land use considerations for this site: Community (health) and leisure uses, town centre living (residential), commercial, and access and connectivity improvements.

- 3.3. Funds secured through the One Public Estate Programme have accelerated delivery of this site, providing funding to deliver a range of studies and pieces of work, along with enabling close partnership work with Ministry of Justice (which facilitated land assembly, i.e. the purchase of Rothermere house) and the NHS.
- 3.4. Feasibility and viability studies, soft market testing and appraisal work on a range of options have been undertaken and this information was presented to Cabinet on the 15th of November 2016.
- 3.5. Cabinet Capital Assets Committee approved a project approach for the redevelopment of the East Wing site which recommended, among other tasks, the submission of an outline planning application.
- 3.6. The soft market research suggested the following advantages in securing an outline consent on this site:
 - Enables the council to maintain a level of control over the development scheme whilst allowing the potential to benefit from enhanced land value post-development.
 - De-risks the site, by establishing a development principle and allow potential development partners, including the NHS/CCG to secure funding.
 - Facilitates delivery by creating the potential to divide the site into plots for either sale, development by the council itself or development partners.
- 3.7. Since November 2016:
 - Pre-application advice was sought on several development options, which established that the site could address existing connectivity and town centre functional issues whilst delivering community, retail, leisure and commercial uses as well as, to a lesser degree, suitable town centre living solutions. In addition it clarified the amount of additional information required to be submitted on the Court Street site, given its Conservation status.
 - Rothermere House has been purchased by the Council which has consolidated land ownership, improved partnership work with the NHS and facilitated development.
 - Development opportunities are being explored:
 - The NHS Wiltshire Clinical Commissioning Group (CCG) is concurrently developing a Strategic Outline Case (SOC) regarding the existing use and future requirement of health buildings and estate for the area of North West Wiltshire, including Trowbridge. Due to the time limitations of NHS ETTF funding which has to be used by 2019, the Trowbridge health facility is being brought forward separately. Wiltshire Council and the NHS Wiltshire CCG are working together to scope the viable options available for

delivery and funding of this new facility as well as associated issues.

- Options for the funding of the leisure element are being progressed by Wiltshire Council in conjunction with Sport England.
- Other commercial opportunities are emerging and being pursued.
- To enable the preparation and submission of an outline planning application a team of planning and architectural consultants (DLP Planning and AWW Architects), as well as other technical consultants have been appointed in the sequence of four different restricted tender procedures.

Planning Application key considerations:

- 3.8. The intention set out in the November 2016 report was to submit an outline planning application for both the East Wing and the Court Street sites. However the amount of additional detail required to be submitted on the Court Street site (the site is within the Conservation Area) translates into an additional cost and a delay to the programme. Due to the time constraints associated with the CCG's grant funding there will be an outline application for the East Wing site only. The application for the Court Street site will be pursued at a later stage.
- 3.9. The application will seek an outline consent (all matters reserved barring access) for a new health facility, leisure block, retail and residential, with associated parking, access improvements and landscaping, identifying an improved link (bridge) across from the site to the existing Court Street car park.
- 3.10. The proposed scale and quantum of development is based on known demand, feasibility and a degree of flexibility to set the parameters for subsequent detailed applications for specific buildings. It is set by the appointed consultant team in consultation with a range of different technical experts, the Council's planning team and other statutory stakeholders.
- 3.11. Before submission of the planning application the draft planning submission will be presented to the Trowbridge Area Board on 13th July 2017.
- 3.12. Upon submission of the planning application a period of statutory public consultation will commence, supported by a one-day consultation event to take place at County Hall (foyer) in partnership with the NHS and Wiltshire CCG. This event will be advertised in local newspapers as well as on the Council's website.
- 3.13. Redevelopment of the East Wing site will impact on current staff car parking arrangements. A Council Staff Parking Task and Finish Group led by Parvis Khansari has been set up to consider the implications and

options. Through the outline planning application process, the displacement and implications of car parking will be understood.

Timescales:

- 3.14. In order to enable partnership work with the NHS CCG and to meet local community expectations the planning application should be submitted as soon as possible.
- 3.15. An expeditious planning application will also enable progression of current commercial opportunities and decreases the risk that other development sites (such as the Bowyer site) will impact upon viability of the East Wing site.

Table 1: East Wing Outline Planning Application – indicative delivery programme

Tasks	Timescales (estimated)
Submission of planning application	July 2017
Public consultation	July 2017
Determination of planning application	November 2017
Development of full business case, funding and procurement strategies, securing investment partners	2017-18
NHS detailed planning application	End 2017/early 2018
Site works commence	Mid 2018

- 3.16. Risk assessment (planning application):
- 3.17. There are a number of risks and issues which need to be managed and considered as part of refining the development opportunity for the site and the recommended partnership approach to delivery. These risks were captured within the 2016 report.
- 3.18. The table below captures the risks together with impacts and probability assessments and mitigation measures in relation to the submission of an outline planning application on this site.

Risk / issue	Impact (0-4)	Prob (0-4)	Total	Mitigation
Planning application submission is delayed	3	3	9	<ul style="list-style-type: none"> - Undertake public consultation after planning application is submitted - Agree with planning officer the amount of information required to validate the planning application
Planning application determination is delayed	3	3	9	<ul style="list-style-type: none"> - Agree draft planning strategy with planning officer - Submit a policy compliant application - Agree early on CIL/106c position - Consultant resource post submission has been procured
Significant public and/or stakeholder objections	2	1	2	<ul style="list-style-type: none"> - Significant consultation for the mixed-use development principle for this site has already been undertaken
Planning application is refused	4	1	4	<ul style="list-style-type: none"> - Pre-application advice has established that the redevelopment of this site poses no principle concerns - Pre-application identified areas where further information/revisions are required - Identify potential issues early on and use consultant resource to resolve these issues - Consultant resource post submission has been procured
Planning application conditions render the site unviable	4	1	4	<ul style="list-style-type: none"> - Use consultant resource to negotiate planning conditions and resolve any significant issues
Planning application is obtained but not implemented	2	2	4	<ul style="list-style-type: none"> - Proceed with development work to identify development partners and funding opportunities

4. Overview & Scrutiny Engagement

- 4.1. No Overview & Scrutiny issues have been identified in relation to the submission of an outline planning application on this Council-owned site. Formal consultation will take place once this project moves towards the delivery phase.

5. Safeguarding Implications

- 5.1. Rothermere House is intending to operate as a facility for recovering adults. Whilst the submission of an outline planning application is unlikely to have a direct impact upon this meanwhile use the team is liaising with the Head of Prevention of Harm on the development on any future options and potential impact upon existing services.
Should the eventual development of the site include new facilities to provide services for children, young people and vulnerable adults then safeguarding implications will need to be considered again with the engagement and support of the relevant service areas.

6. Public Health Implications

- 6.1. The provision of new health and leisure facilities on the East Wing site is among the opportunities being explored through the One Public Estate programme in conjunction with relevant partners. The proposed approach for delivery of the site will enable this option to be developed further.
- 6.2. A comprehensive redevelopment of the site, as envisaged by the Trowbridge Masterplan, will provide opportunities for more linked trips within the town centre and enable people to walk and cycle into and through the town rather than drive.

7. Procurement Implications

- 7.1. Procurement activities outlined in 3.8 were undertaken in compliance with the council's procurement rules and with the engagement and support of Legal Services and the Strategic Procurement Hub, who will deliver the procurement projects.
- 7.2. Procurement considerations for the project wider delivery (development partner, land sale, construction activities etc.) have been presented in the report 15th November 2016.
- 7.3. Where any further procurement requirements arise in executing the objectives of this development programme, they will be undertaken in accordance with the Council's Procurement and Contracting Regulations and in consultation with the Strategic Procurement Hub.

8. Equalities Impact of the Proposal (detailing conclusions identified from Equality Analysis, sections 4 and 5)

- 8.1. There are no direct equalities implications at this stage as proposals are still under development. The intention is to undertake an equality analysis alongside the next stages of project development as a firm proposal is brought forward.

9. Environmental and Climate Change Considerations

- 9.1. The outline planning application will cover such matters such as ecology, flood risk, sustainable transport and an energy statement. How these issues are dealt with will be covered at detailed design stage.

10. Financial Implications

- 10.1. The estimated cost for preparing and submitting an outline planning application on the East Wing site is being fully met through the One Public Estate programme.
- 10.2. This estimated total cost of this planning work is £185,000 of which the most significant area of expenditure and potential variation is around the archaeological investigation works which total around £80,000. The project team is liaising with the planning department to explore these requirements.
- 10.3. Options development work and an initial financial appraisal on an indicative scheme has shown that there is potential for capital development values of up to circa £40 million on the site and corresponding positive land values of up to circa £5 million depending on the mix of uses. This is based on rule of thumb estimates for development costs and capital values as it is not possible to derive an accurate figure at this stage.
- 10.4. By moving forward to the next stage in submitting an outline planning application for this site, the team will be building on the partnership work with the NHS and Wiltshire CCG, to realise the potential opportunity for this strategic regeneration site within Trowbridge. This development partnership approach will enable the Council to share in the uplift in value from development of the site. The nature of the scheme and terms of any future agreement are to be determined and therefore it is not possible to predict what this may be at this stage. A cabinet decision will be sought before entering into any such agreement.
- 10.5. **Development of leisure options will be subject to the outcome of work currently being carried out by consultants Alliance Leisure and in conjunction with Sport England.**
- 10.6. Financial considerations for the project wider delivery have been presented in the CCAC report 15th November 2016. Existing and continued revenue spend remains unfunded and presents a cost pressure unless captured against future capital receipt generated.

11. Legal Implications

- 11.1. Legal Services will be engaged in the next stage of project development to inform delivery and partnership options.
- 11.2. The main legal implications will relate to the selection of an appropriate procurement route and selection process through which to engage a development partner.
- 11.3. This will be informed by consultation with Legal Services and the Strategic Procurement Hub and supplemented where necessary with additional specialist advice if required.

12. Conclusions

- 12.1. This report provides an overview of the work undertaken to date on the redevelopment options for the East Wing site and asks for Cabinet support for the submission of an outline planning application.

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Background Papers

None

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