

AGENDA

Meeting: **Cabinet**
Place: **Council Chamber - County Hall, Bythesea Road, Trowbridge, BA14 8JN**
Date: **Tuesday 13 December 2022**
Time: **10.00 am**

Please direct any enquiries on this Agenda to Stuart Figini, of Democratic Services, County Hall, Trowbridge, direct line 01225 718221 or email stuart.figini@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 Richard Clewer	Leader of the Council and Cabinet Member for Climate Change, MCI, Economic Development, Heritage, Arts, Tourism and Health & Wellbeing
Cllr Laura Mayes	Deputy Leader and Cabinet Member for Children's Services, Education and Skills
Cllr Jane Davies	Cabinet Member for Adult Social Care, SEND and Inclusion
Cllr Phil Alford	Cabinet Member for Housing, Strategic Assets and Asset Transfer
Cllr Ian Blair-Pilling	Cabinet Member for Public Health and Public Protection, Leisure, Libraries, Facilities Management and Operational Assets
Cllr Nick Botterill	Cabinet Member for Finance, Development Management and Strategic Planning
Cllr Dr Mark McClelland	Cabinet Member for Transport, Waste, Street Scene and Flooding
Cllr Ashley O'Neill	Cabinet Member for Governance, IT, Broadband, Digital, Licensing, Staffing, Communities and Area Boards

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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.


For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

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**

2 **Minutes of the previous meeting** (*Pages 7 - 22*)

To confirm and sign the minutes of the Cabinet meeting held on 29 November 2022.

3 **Declarations of Interest**


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

4 **Leader's announcements**

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 may also be asked by members of the Council. Written notice of questions or statements should be given to Stuart Figini of Democratic Services stuart.figini@wiltshire.gov.uk 01225 718221 by 12.00 noon on Wednesday 7 December 2022. Anyone wishing to ask a question or make a statement should contact the officer named above.


6 **Proposal to retain and invest in Silverwood School Chippenham and Trowbridge campuses** (*To follow*)

 Report of the Chief Executive


7 **Future Chippenham Update** (*To follow*)

 Report of the Chief Executive

8 **Home Care (Adults) Recommissioning** (*Pages 23 - 34*)

 Report of the Chief Executive

9 **Pathway Two Bed Tender** (*Pages 35 - 58*)

 Report of the Chief Executive

10 **Environmental Mitigation Framework** (*Pages 59 - 104*)

Report of the Chief Executive

11 **Disposal Programme** (*Pages 105 - 114*)

Report of the Chief Executive

12 Appropriation of land between General Fund and Housing Revenue Account (HRA) (Pages 115 - 124)

Report of the Chief Executive

13 Update to Wiltshire Local Development Scheme (Pages 125 - 156)

Report of the Chief Executive

14 Children's Homecare (Pages 157 - 166)

🔑 Report of the Chief Executive

15 Urgent Items

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

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

16 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 17 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).

17 Children's Homecare (Pages 167 - 168)

🔑 Report of the Chief Executive

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Cabinet

MINUTES OF THE CABINET MEETING HELD ON 29 NOVEMBER 2022 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Richard Clewer (Chairman), Cllr Laura Mayes (Vice-Chairman), Cllr Jane Davies, Cllr Phil Alford, Cllr Ian Blair-Pilling, Cllr Nick Botterill and Cllr Dr Mark McClelland

Also Present:

Cllr Clare Cape, Cllr Gavin Grant, Cllr Tony Jackson, Cllr Dr Brian Mathew, Cllr Dominic Muns, Cllr Tamara Reay, Cllr Pip Ridout, Cllr Martin Smith, Cllr Caroline Thomas, Cllr Ian Thorn, Cllr David Vigar, Cllr Suzanne Wickham, Cllr Graham Wright, Cllr Nick Holder, Cllr Derek Walters and Cllr Christopher Williams

104 **Apologies**

Apologies were received from Cllr Ashley O'Neill.

105 **Minutes of the previous meeting**

The minutes of the meeting held on 11 October 2022 was presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 11 October 2022.

106 **Declarations of Interest**

There were no declarations of interest.

107 **Leader's announcements**

The Leader made the following announcements:

- [Cost of Living](#)
- Homes for Ukraine

108 **Public participation and Questions from Councillors**

General questions were submitted from the following members of public:

- Mel Boyle – Barrow farm, Chippenham, Future Chippenham and UK100

- Margaret Willmot – Land north of Netherhampton Road, Salisbury
- Dr Gill Anlezark – Responses to consultations
- Dr Celia Beckett – Local Plan Review
- Colin Gale – Local Highway and Footpath Improvement Group and Community Infrastructure Levy
- Susan McGill – Council finances
- Steve Perry – Transport Schemes for Chippenham
- Dr Jimmy Walker – Safety for cyclists in Salisbury, parking issues in Salisbury and the surrounding area

Cllr Clewer, Leader of the Council and Cabinet Member for MCI, Economic Development, Heritage, Arts, Tourism and Health & Wellbeing explained that 66 questions had received written responses which were published on the Council's website prior to the meeting in the agenda supplement, which can be accessed [here](#).

Supplementary questions were asked by:

- Dr Celia Beckett, Chair of Hilperton Area Action Group asked a supplementary question about the Local Plan and the type of information that can be shared with public.
- Colin Gale asked a supplementary question about Local Highway and Footway Improvement Group funding process compared to CIL funding.
- Steve Perry asked a supplementary question about road options in Chippenham and press coverage in the Wiltshire Gazette and Herald.

Cabinet members responded verbally at the meeting, details of which can be accessed at the recording of the meeting [here](#).

In addition to the above public questions, a number of questions and comments were received from:

- Cllr Martin Smith – Air Quality in Wiltshire
- Cllr Ian Thorn – Parking Policy for Blue Badge Holders
- Cllr David Vigar – Homes for Ukraine programme
- Cllr Nick Murry – Traffic studies, active travel schemes and use of Community Infrastructure Levy funding,

The above questions and comments received written responses which were published on the Council's website prior to the meeting in the agenda supplement, which can be accessed [here](#).

Supplementary questions were asked as follows:

- Cllr Martin Smith – additional questions about air quality in Wiltshire
- Cllr David Vigar – Homes for Ukraine

Cabinet members responded verbally at the meeting, details of which can be accessed at the recording of the meeting [here](#).

109 Financial Year 2022/23 - Quarter Two Revenue Budget Monitoring

Cllr Botterill, Cabinet Member for Finance, Development Management and Strategic Planning presented the report setting out the revenue forecast position for 2022/23 as at 30 September 2022 for the second quarter budget monitoring period.

Cllr Botterill explained that the quarter 2 position provided a clearer picture in relation to the forecasts available for quarter 1. The current forecast indicated an underlying overspend for the year of £13.401m with one off mitigations in place resulting in a net overspend for the year of £3.755m. No proposals were made for this variance however, more certain forecasts would be provided in quarter 3 leading into the final year end position and set out recommendations for any adverse or favourable variance, with the fall back being the utilisation of the reserve held for inflation pressures being experienced during 2022/23.

Cllr Ian Thorn paid tribute to the work undertaken by officers and the Financial Planning Task Group/Overview and Scrutiny Management Committee, and commented on the following:

- Reductions in the Education and Skills budget. In response, officers signposted to paragraphs 32-34 of the report, which detailed the reasons for reductions, which in the main was the reduction, since quarter one, in the forecast overspend on SEND Transport.
- Overspends on the Planning budget. In response, The Leader, Cllr Botterill and officers explained that this was due to the need for agency staff to cover existing vacancies, and increased costs associated with Planning Appeals.
- Holding vacancies as a driver to reduce costs and the impact on the delivery of services. In response, officers reported that a number of services were holding vacancies open in order to balance budgets, and this varied across the organisation. Agency staff were also employed where necessary to provide services.
- The sustainability of a Cabinet member being responsible for two major portfolio areas. In response, Cllr Botterill confirmed that he had successfully dealt with multiple layers of complexity in the past and noted that his portfolio areas were sustainable in the long term, especially with the assistance and support of other Cabinet members and officers.

Cllr Graham Wright, Chair of the Overview and Scrutiny Management Committee and Cllr Pip Ridout, Chair of the Financial Planning Task Group reported that the Committee and Task Group met on the 25th of November 2022 to consider the report. Cllr Pip Ridout reported that Overview and Scrutiny Management Committee would be reviewing future Cabinet reports with input from the Financial Planning Task Group. They recognised that, being halfway through the financial year, that this is an improving position from Q1 in terms of the net overspend 2022/23. They explored the reasons for this decrease and were reassured that revenue budgets were being managed effectively. They also considered:

- The savings forecasts and whether there is confidence that the savings will be delivered
- How increased demand, in some areas, will mean calling upon the Latent Demand Reserve
- Whether the Council were using agency staff and how those costs were being managed
- How the close management of some contracts were holding down costs
- Why any additional funding raised would be used to support corporate costs
- How income forecasts next year will be improved by taking into account current trends

There were no significant concerns raised by the Management Committee and Task Group and they will continue to monitor the progress of the revenue budget.

Cabinet also noted that the Centre for Governance and Scrutiny recently provided training for Overview and Scrutiny members on effective finance scrutiny. The training was well received, and key messages were:

- Financial uncertainty at a national and global level placed greater responsibility on Overview and Scrutiny to scrutinise the council's financial health and planning regime
- Though we have a well-run council, it is vital not to become complacent. "Councils are only three decisions away from financial peril" and the experiences of some other councils that told themselves everything was fine bear this out.
- The need to avoid 'line-by-line' scrutiny and instead focus on scrutinising the robustness of the council's budgeting process and on looking a year or more ahead to ensure the council is prepared for the challenges ahead.

Cllr Gavin Grant commented on the windfall payment from BT in the delivery of fibre broadband and how else it could have been utilised, and a request for additional detail about the alternative approaches to bridge current shortfalls in required savings of £3.290m. In response, the Leader, Cllr Botterill and officers noted that applying the windfall payment to the transformation reserve, as detailed in the report, was a prudent decision, especially as the first option for the Council is to balance its budget. The windfall payment would help to deliver efficiencies in the medium and long term. All proposals would be considered to manage the need for savings and if necessary, these would be considered by Cabinet to achieve a balanced budget.

Resolved:

Cabinet approves:

- a) the transfer of an additional £0.826m from the Transformation Reserve.
- b) the transfer from the Latent Demand reserve, as detailed in the reserve paragraphs, the timing and value of which span this and the next financial year.
- c) the transfer of the £3.330m of BT Gainshare monies to the Transformation Reserve.

Cabinet notes:

- a) the current revenue budget is forecast to overspend by £3.755m by the end of the financial year.
- b) the current forecast savings delivery performance for the year.

Reason for Decision:

To inform effective decision making and ensure sound financial management as part of the Councils overall control environment.

To inform Cabinet on the forecast revenue financial position of the Council for the financial year 2022/23 as at quarter 2 (30 September 2022), including delivery of approved savings for the year.

110 Financial Year 2022/23 - Quarter Two Capital Budget Monitoring

Cllr Botterill, Cabinet Member for Finance, Development Management and Strategic Planning presented the report setting out the Capital Programme for 2022/23 as at 30 September 2022 for the second quarter budget monitoring period.

Cllr Botterill explained that the report included movements from July 2022 and sets out how the programme is forecast to be financed. It provided updates on significant schemes that are planned to be delivered and those that have been reprofiled to future years.

Cllr Ian Thorn commented on the following:

- The reprofiling of the Property Carbon Reduction Programme and Generation and Public Sector Decarbonisation projects and whether these could be prioritised. In response, the Leader indicated that the issue with a number of projects is the speed of delivery.
- Clarification in relation to the transformation review of libraries. In response, Cllr Ian Blair-Pilling commented on improvements in the services being offered and how libraries were evolving into local community hubs. He referred to recent reviews successfully undertaken at Market Lavington and Melksham.

Cllr Graham Wright, Chair of the Overview and Scrutiny Management Committee and Cllr Pip Ridout, Chair of the Financial Planning Task Group reported that the Management Committee and Task Group met on the 25th of November 2022 to consider the report. They noted the reprogramming of capital spend into the following financial year and welcome the focus on re-profiling the forecast spend to bring into in line with actual spend. They considered how the Q2 updates do not include committed spend and therefore understated and the impacts on revenue spend and borrowing. They thanked the Cabinet member and officers for continuing to work on improving the capital budget monitoring.

Cllr Gavin Grant commented on the reprofiling of £78m of capital schemes to future years and the remaining £191m in the Capital Programme for 2022/23. In response, officers explained that Capital Schemes were captured within a new process, which influenced their reprofiling and the new process of assessing schemes would be applied to reviewing the remaining capital schemes. Cllr Grant also asked for clarity about the inclusion of £5m funding for Stone Circle Companies. In response, officers explained that this was part of the £10.8m loan to the Stone Circle Companies.

Cllr Tony Jackson asked about repairs to Warminster squash courts. In response, Cllr Ian Blair-Pilling agreed to discuss this further after the meeting.

Resolved:

Cabinet notes:

- a) the additional budgets added to the programme of £1.748m under Chief Finance Officer delegated powers;**
- b) the movement of £78.816m of budgets into future years under Chief Finance Officer delegated powers;**
- c) the removal of £0.451m from the capital programme under Chief Finance Officer delegated powers;**
- d) budget movements between schemes;**
- e) the revised 2022/23 Capital Programme as at Quarter 2 of £191.908m and**
- f) the capital spend as at 30 September of £47.454m**

Cabinet approves:

- a) the movement of £0.800m budget from the centrally held Corporate budget to Depot & Office Strategy to cover inflationary increases for Hindon Stagger Salt Depot**

- b) to recommend to Full Council to approve an increase in the Capital Enhancement budget of £0.516m to enable the refurbishment of an existing Family Contact Centre to be funded by increased capital receipts.**

Reason for Decision:

To inform effective decision making and ensure sound financial management as part of the Councils overall control environment.

To inform Cabinet on the financial position of the Council on the 2022/23 capital programme as at Quarter 2 (30 September 2022)

111 **Financial Year 2022/23 - Mid Year Treasury Management Review**

Cllr Botterill, Cabinet Member for Finance, Development Management and Strategic Planning presented the report which provided information about the performance of the Council up to 30 September 2022 against the parameters set out in the approved Treasury Management Strategy for 2022/23.

The Cabinet noted the following:

- The Council has not taken out any new PWLB borrowing during 2022/23
- Projected underspend in respect of interest receivable/payable of £1.265m, against budget
- No breaches of any of the Council's performance indicators for the period
- The Council has breached the counterparty monetary limit for an investment held with Handelsbanken (35 day notice account).

Cllr Ian Thorn commented on the current level of borrowing compared to the maximum amount of borrowing allowed. In response, officers raised no concerns about the level of borrowing, approved by Full Council in February 2022.

Cllr Graham Wright, Chairman of the Overview and Scrutiny Management Committee and Cllr Pip Ridout, Chair of the Financial Planning Task Group reported that the Management Committee and Task Group met on the 25 November to consider the report. It was acknowledged that managing the council's investments and borrowing is now more challenging, and the assumptions behind not borrowing further in this financial year and the risks involved in borrowing to lend to Stone Circle were understood. They did not raise any significant concerns.

Cllr Gavin Grant commented on the Council borrowing £80m in March 2022 and asked for the detail of interest rates at that time in comparison to current rates and the impact on the Council. In response, officers explained that there were 4 amounts of £20m borrowed at interest rates of 1.95%, 1.98%, and 2 at 2%. This is in comparison to the prevailing rate of 3.5%. It was noted that the Council was now investing surplus cash at a more favourable rate.

Cllr Dr Brian Mathew and Cllr Clare Cape commented on their concerns in relation to the Council investing £10m in Qatar. The Leader and Cllr Botterill explained that investment decisions had a level of risk and decisions are taken about investments within those clear risk defined boundaries which are annually approved by Full Council under the Treasury Management Strategy.

Resolved:

- a) that the contents of this report are in line with the Treasury Management Strategy 2022/23.**
- b) the performance of the Council's investments and borrowings against the parameters set out in the approved Treasury Management Strategy for 2022/23.**

Reason for Decision:

To give members an opportunity to consider the performance of the Council in the period to 30 September 2022 against the parameters set out in the approved Treasury Management Strategy for 2022/23.

112 **Q2 Corporate Performance and Risk**

Cllr Richard Clewer, Leader of the Council and Cabinet Member for Climate Change, MCI, Economic Development, Heritage, Arts, Tourism and Health & Wellbeing presented a report which provided an update on performance and emerging targets against the stated missions in the Council's Business Plan 2022-32 for quarter two, along with a summary of strategic risk.

The Leader explained that the report provided the current corporate performance framework, with measures used to monitor progress against the 10 missions detailed in the Council's current Business Plan. The Strategic Risk Summary captured and monitored significant risks facing the Council in relation to in-service risks facing individual areas and in managing its business across the authority. Cabinet noted that the targets were flexible and would evolve over time.

Cllr Ian Thorn commented on the following:

- Concerns about the Educational Gap: Phonics and KS4 performance targets. In response, the Leader also stated his concern about the performance of the two targets. There was a need to understand the context and the plans to address these targets, through further detailed scrutiny by the appropriate Select Committee. The Deputy Leader confirmed that representatives of the Council attended the Wiltshire Learning Alliance and reported that expertise from well performing schools is shared to help improve the performance of all Wiltshire schools.

- The regional cluster target was welcomed.
- Voter turnout in Neighbourhood Plan Referendums and Unitary By-Elections and how the Council could influence turnout figures. In response, officers indicated that it was always the wish for more voter engagement although Council influence in these areas was limited, however officers would reflect further on those areas where the Council had an influence.

Cllr Graham Wright, Chairman of the Overview and Scrutiny Management Committee reported that due to the Management Committee meeting earlier in November, it hadn't been able to review the report at a formal meeting. However, he confirmed that the Select Committee Chairs had all considered the indicators within their committee's remit.

Cllr Gavin Grant commented on the 'We have the Right Housing' measure and the figures in relation to the increase in the number of people on the housing register and delivery of affordable housing. In response, Cabinet Members explained that the process for joining the Housing registered had been improved.

Resolved:

- 1. Note the updates and outturns against the measures and activities ascribed against the Council's priorities and agree the initial targets.**
- 2. Observe the Strategic Risk Summary.**

Reasons for decision:

To provide Cabinet with a quarterly update on the current corporate performance framework, which is compiled of the measures used to monitor progress against the 10 missions laid out in Wiltshire Council's Business Plan 2022-32.

For the first time, targets are now starting to be included. The Strategic Risk Summary captures and monitors significant risks facing the Council, in relation to in-service risks facing individual areas and in managing its business across the authority.

This is supported by, and in compliance with, the Council's Corporate Performance and Risk Policy.

113 Socially Responsible Procurement Policy

Cllr Nick Botterill, Cabinet Member for Finance, Development Management and Strategic Planning presented a report detailing proposals to support the introduction and adoption of a Socially Responsible Procurement Policy in the Council's procurement process.

Cllr Botterill explained that the Policy is in response to the Public Services (Social Value) Act 2012 which came into force on 31 January 2013 and requires public authorities to have regard to economic, social, and environmental well-being in connection with public services contracts; and for connected purposes. It was noted that consideration of the Act is embedded in the Council's procurement and commissioning processes and the Policy enabled the Council to adopt a formal approach to social value. The report indicated that the Policy aimed to provide an overarching framework and unified approach and identified five priorities that represented the Council's values and beliefs. This would ensure the Council maximises the social, economic, environmental and cultural well-being that it delivers through its procurement activity.

Cllr Ian Thorn welcomed the initiative and commented on the following:

- Referenced a recent discussion by Cabinet on procurement process for a New Term Highways contract and asked how the objectives of the Policy were factored into the Council's ambitions and impacting decisions made. In response, officers described the processes leading to discussions on these matters and the use of toolkits suitable to the procurement situation which led to appropriate decisions based on the category of spend.
- A concern that the new approach would lend itself towards favouring larger organisations, with local and smaller organisation unable to bid for contracts due to their inability to demonstrate ethical procurement impacts. In response, officers referred to the Wiltshire first approach detailed in the appendix to the report and the prioritisation of local organisations.
- Referred to the five priorities and how they would be employed during the procurement process. In response, the Leader and officers confirmed that all the priorities held equal importance and how they were employed would depend on the type of contract being considered.

Cllr Graham Wright, Chairman of the Overview and Scrutiny Management Committee reported that the Management Committee considered the draft Policy at its meeting on 15th November 2022 and supported the introduction of a Policy to help drive social value into the council's procurement activities. The Management Committee pointed out that there was no information within the policy to specifically outline benefits, timescales, requirements, how the council would buy better or how the potential impact would be measured. There was also some concern raised that the policy might limit the choice of who the Council could outsource to if the policy was over-prescriptive. Given this, the Committee resolved to receive a further item on implementation of the Policy in the New Year, specifically looking at how the impacts of the Policy will be measured and evaluated and the Socially Responsible Procurement Toolkits.

Cllr Dr Brian Mathew commented on the time difference between the Act coming into force and the adoption of the Policy. In response, Cllr Botterill confirmed that consideration of the Act has been embedded in the Council's

procurement and commissioning processes for many years and the Policy enables a formal approach to social value.

Cllr Clare Cape referred to the interpretation of the Policy aims as detailed in the report. In response, Officers confirmed that the Policy is overarching and would have regard to the aims during the procurement process.

Resolved:

- a) Support the introduction and adoption of a Socially Responsible Procurement Policy in our procurement processes**
- b) Endorse the five key priorities identified in the Policy, which include:**
 - **A Wiltshire first approach**
 - **Local training and employment**
 - **Partners in the community**
 - **Green economy and sustainable environment**
 - **Ethical procurement and well-being focus**
- c) Note the proposed governance arrangements within Appendix 1**
- d) Endorse that the Director of Procurement, in consultation with the Corporate Director Resources/Deputy Chief Executive, can make appropriate amendments to ensure smooth implementation of the policy in line with changes in business needs**
- e) Agree that the Portfolio Holder for Finance – Commissioning and Procurement acts as the Council’s social value champion**
- f) Note the development of a Social Responsibility Toolkit to support both suppliers and commissioners to maximise the delivery of social value**
- g) Endorse awareness of the Council’s social responsibility objectives to ensure that suppliers and contractors are clear about what we want them to deliver**
- h) Support the development and implementation of a Socially Responsible Procurement Delivery Plan for inclusion in tender documents so that suppliers, providers, and contractors can set out how they will support implementation of the policy**
- i) Endorse the adoption of a social value impact reporting system to measure and evaluate the qualitative and quantitative benefits delivered through procurement activity**

Reason for Decision:

The policy is in response to the Public Services (Social Value) Act 2012 which came into force on 31 January 2013 and requires public authorities to have regard to economic, social, and environmental well-being in connection with public services contracts; and for connected purposes. Consideration to the Act is embedded in our procurement and commissioning processes at Wiltshire Council, however, this policy will ensure a formal approach to social value.

The policy places a particular focus on the three National Procurement Policy drivers; creating new business, new jobs, and new skills; tackling climate change and reducing waste; improving supplier diversity, innovation, and resilience.

By delivering this Socially Responsible Procurement Policy, Wiltshire Council intends to meet its requirements of the Public Services (Social Value) Act 2012 and the National Procurement Policy Statement by setting out Wiltshire Council's overarching framework for the delivery of the policy, taking into consideration the wider associated legislative and policy driven requirements and importantly, delivery of the Council's own commitments set out in the Business Plan Principles 2022 - 2032.

Wiltshire Council's vision is to create strong communities. Social Value is how we, the council, in collaboration with our supply chain partners, can actively add benefits to our community and measure the positive impacts on the wellbeing of our economic, social and environmental activities, in order for the county of Wiltshire to thrive and prosper.

This policy ensures that Wiltshire Council maximises the social, economic, environmental, and cultural well-being that it delivers through its procurement activity.

114 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.00 am - 1.25 pm)

The Officer who has produced these minutes is Stuart Figini of Democratic Services, direct line 01225 718221, e-mail stuart.figini@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114 or email communications@wiltshire.gov.uk

Briefing for Cabinet – 29 November 2022

Cost of Living Update

As detailed in the update to Full Council in October, we are focusing on three principal areas to meet the Cost of Living crisis, namely support for: Businesses, Our Staff and the People in our communities.

As stated in previous updates, this is a rapidly moving situation. For example, the government announced yesterday that under the expanded ECO+ scheme, people whose homes have an energy efficiency rating of D or below, and who have not yet been supported by an existing scheme, will be able to get help whether they are in private, rented or social housing.

The government has [published proposals](#) for consultation with a view to having the appropriate legislation in place after Christmas to allow the scheme to start in the Spring 2023.

Information and Support

To help staff, the public and partners to keep up to date with the latest support, the Council has created an extensive list of resources on our [dedicated Cost of Living page](#). This includes links to information for sources of national and local support.

Additionally, officers have proactively worked with colleagues and community groups, to create an [interactive community directory](#) that allows people find out what warm spaces and community food providers are in their immediate local area.

The directory has been created using information collected by the council to establish what support is already up and running in the county and will be regularly updated.

The directory also includes information on what additional facilities and services are provided at each location with the aim of ensuring people feel welcome and enable more people to overcome barriers to them accessing information and support.

Wiltshire Council libraries will themselves officially become warm spaces for people this winter, providing a warm and friendly welcome to support anyone who needs help. In addition, our dedicated friendly library staff will be working with Warm and Safe Wiltshire and The Rural Communities Energy Support Network to assist residents seeking basic energy advice and make referrals to experienced energy advisors in all but its smallest libraries.

All libraries will be able to signpost people to community partners and agencies that can support people through the rising cost of living. Libraries will also be collection points for Warm Packs, which includes a hot water bottle and blanket, for anyone who would benefit from some free essentials. This is an extension of the crucial role that our librarians already play in helping people access information and services.

As well as existing customer contact channels, the Council is planning how to use the existing Wellbeing Hub line to help people find the right support and will be further promoting this soon.

Support for Businesses and Schools

The Enterprise Network (set up by the Council) is hosting a series of webinars designed to provide start up and small businesses with the right help, support and advice to guide them through the current economic challenges. You can find out more about the Take TEN series and to join the webinars or watch the recordings at their website: www.theenterprisenetwork.co.uk/support/cost-of-doing-business

The Council is working with the Federation of Small Businesses, the Swindon and Wiltshire Local Enterprise Partnership, Business West, local Chambers of Commerce and other business representative groups, to ensure available advice and support is well communicated and aligned. In addition, the Council is continually monitoring the impact of current cost pressures to identify particular sectors or businesses at risk.

The Council has been notified of a further support scheme for residents and businesses that use alternative fuels, such as heating oil. Non-domestic (business) premises will be included, and work is underway to identify where this support may be required.

As part of the carbon reduction work, School Leaders are being encouraged to sign up to the [Energy Sparks](#) programme which can help them get on top of their energy bills and find ways to reduce costs. We are also supporting council-maintained schools with a grant to access their half hourly smart meter data for a year to give them the data they need to make informed choices. This is on top of existing financial and energy efficiency advice we providing to our educational partners

Support for Staff

As well as ensuring staff have access to wellbeing and support resources, including new Mental Health Advocate scheme, the Council will review policies and processes as appropriate, and will consider how staff can be flexibly deployed to meet emerging need.

Targeted Support in the Community

The Council has been administering the Government's national Household Support Grant Scheme (HSF) designed to support those most in need across England, to help with the significantly rising living costs in the period up to the end of March 2023. The money can be used to support households in the most need who would otherwise struggle with energy, food and water bills, particularly those who may not be eligible for the other support that the Government has recently made available but who are nevertheless in need.

The council was awarded £2,728,656 in total and has worked with partner agencies to allocate the money and ensure it gets to those who need it most. Payments began in October and are continuing to be made. People do not need to apply to Wiltshire Council as those eligible will be identified and contacted.

The Council was also award £877,050 for a discretionary energy rebate scheme that ran until November. The number of applications to the scheme was lower than

anticipated, just under 1200 awards were made originally, so officers proactively identified a further 9500+ low-income pensioners who had received the original energy rebate scheme but had not received any additional support e.g. from the HSF. 6500 of these pensioners will be paid £70 direct, as we have their bank account details, and the remaining will receive a credit in their council tax accounts.

The Council has been notified of a further support scheme for residents and businesses that use alternative fuels. We await further details on how this will be implemented.

Wiltshire Council has also provided funding to support Wiltshire Community Foundation and partners to deliver the Surviving Winter campaign which provides practical and financial help for people living in fuel poverty. From 1 November, people who are in receipt of means-tested benefit and are aged over 65 or suffer from a long-term health condition, may be eligible for assistance including fuel vouchers and a range of advice. For more information about eligibility and the help available contact Warm and Safe Wiltshire on 0800 038 5722 email warmandsafe@cse.org.uk

Funding is also being provided to Age UK Wiltshire for provision and delivery of hot meals to isolated elderly residents who are unable to meet the cost of this service themselves; for further information contact Age UK Community Meals on 01793 279606

Support during the holidays

Wiltshire Council will be delivering its successful Holiday Activity and Food (FUEL) programme again this winter. The programme provides children eligible for benefits related free school meals, refugees, those currently in the care system and those referred by a professional service with access to free high quality activities, nutritious meals and food education during the school holidays.

The FUEL programme is delivered with funding from the Department for Education and will run from Monday 19 December – Thursday 22 December. Eligible families will be able to sign up by following the application link listed on our website: [FUEL programme - Wiltshire Council](#)

The application window is open now until December 11, so please sign up early to avoid disappointment.

The camps provide the opportunity for all participants to take part in a range of enriching activities including structured sports, arts and crafts, STEM activities, laser tag, circus skills, robotics and much more. Participants also will take part in nutritional workshops and be provided with a hot lunch each day.

Two FUEL Christmas camps specifically for young people with special educational needs and/or a disability will also place at Springfield Community Campus in Corsham and at Five Rivers Health and Wellbeing Centre in Salisbury and individuals will be able to take part in activities such as dodgeball, dance, new age kurling, cricket and boccia. Further information and sign-up details are also available

on the FUEL webpage. There is more on the council's YouTube page: [HAF summer case study 2022 - YouTube](#)

For further information about the Holiday Activity and Food Programme in Wiltshire please email fuelprogramme@wiltshire.gov.uk

Working with Partners

As part of our continuing work with our Voluntary, Community and Social Enterprise partners, Wiltshire Council is helping to promote the Wiltshire Community Foundation's [Cost of Living Appeal](#) through our networks.

Building on the work of previous appeals where people who can afford to are encouraged to donate any surplus winter fuel allowances, the wider community is being asked to help generate vital funds to help grassroots voluntary groups and charities in Swindon and Wiltshire who are supporting families and individuals in the face of escalating rent, food and energy prices.

The money raised through this joint appeal will fund a new grants programme to support projects which are keeping people fed and warm and provide additional practical support and advice to help people cope throughout this period of great hardship

You can donate to the appeal [here](#) or call the donation line on 01380 738989 from 9am to 5pm, Monday to Friday.

This opportunity came out of dialogue with leaders in the sector, and we will continue to meet with our partners, including through the Wiltshire Public Service Board and the Military Civil Integration Board, to share information with the aim of coordinating our efforts.

Wiltshire Council

Cabinet

13 December 2022

Subject: Home Care (Adults) Recommissioning

Cabinet Member: Cllr Jane Davies, Cabinet Member for Adult Social Care, SEND and Transition and Inclusion

Key Decision: Key

Executive Summary

Adult's home care services have been purchased through the Help to Live at Home (HTLAH) Alliance since October 2018. Due to the current market challenges, an extension of the current HTLAH Alliance has been put in place until the end of March 2023. As well as the challenges described below, there has been a national cost of care exercise undertaken for the older people's market. This and the uncertainty of the amount and terms and conditions of the market sustainability grant to Local Authorities has meant that it has not been possible to develop a long-term pricing model at this point in time.

A Cabinet report on 26 April 2022 made recommendations which were approved to adopt a Strategic Provider model and increase the number of geographical zones from three to fifteen. However, since then Wiltshire has faced unprecedented challenge in providing care at home for people who need it. Through market engagement it has become increasingly apparent that providers will not, in the current environment, be able to recruit a workforce to meet the sufficiency required of a single Strategic Provider per zone.

There are increased numbers of hand backs where providers give packages of care back to Wiltshire Council as they are unable to continue for a variety of reasons e.g. staff leaving, failure to recruit, financial sustainability. This is caused by a range of issues being experienced nationally including the legacy of the pandemic, workforce supply issues, the lack of a career pathway within the home care sector, the salary and terms and conditions of care workers compared to other professions, and the impact of high fuel costs. This means that supply is not currently meeting demand.

Due to the increased fragility of the home care market the recommendation is to take a revised approach to support and stabilise the market. This will give additional time to co-produce with communities, providers, and voluntary and health sector partners and pilot different concepts in a planned way, taking into consideration the challenges and informed by the 2022 Cost of Care exercise launched nationally by central government and the accompanying Market Sustainability Plan.

Transforming home care is a long-term objective which will require us to listen to customers, carers and communities, engage with the market, and demonstrate our ambition, even in the most challenging circumstances.

The new approach of a one-year Flexible Framework with the possibility of a one-year extension will achieve our aim to undertake co-production as set out earlier in this document, to develop a vision and model to enable people with eligible care needs to live safely in their own homes for as long as possible.

Proposal(s)

This report recommends Cabinet agree the following proposals:

1. That adult's home care services are purchased through a one-year Flexible Framework with the possibility of a one year extension.
2. That officers continue to undertake to prepare and complete the tender programme, award and implement a new Flexible Framework contract for adult's home care by 1st April 2023.
3. To delegate authority to approve the new pricing model and associated uplift mechanisms, award a new contract, extension option and future mini competitions/pilots and all associated documents to the Director Procurement & Commissioning in consultation with the Cabinet Member for Adult Social Care, SEND and Transition and Inclusion, the Corporate Director People and Corporate Director Resources/Deputy Chief Executive.

Reason for Proposal(s)

The purpose of this paper is to provide an update to Cabinet on the Wiltshire Council procurement process for adults' home care and sets out the revised approach that is being taken.

Cabinet is asked to agree:

- the method outlined to complete a tender process that enables the purchase of adults' home care provision through a Flexible Framework
- a one-year Flexible Framework contract with the possibility of a one year extension contract to help stabilise the home care market and test approaches to inform future long-term home care developments

Terence Herbert
Chief Executive

Wiltshire Council

Cabinet

13 December 2022

Subject: Home Care (Adults) Recommissioning

Cabinet Member: Cllr Jane Davies, Cabinet Member for Adult Social Care, SEND and Transition and Inclusion

Key Decision: Key

Purpose of Report

1. This report outlines the proposal for adults' home care services to be purchased through a one-year Flexible Framework with the possibility of a one-year extension.
2. The paper outlines the reasons why it is recommended that a revised approach is taken to the recommissioning of adults' home care. The tender aims to support and stabilise the market in the short term and provide a test environment to review and pilot different concepts in a planned way to inform future long-term home care developments.
3. The tender approach will take into consideration the challenges currently faced by the market and will be informed by Wiltshire's 2022 Cost of Care exercise and Market Sustainability Plan, although it must be noted that this has to be affordable for the Council and to date, we do not know what funding is available from Government
4. Cabinet is asked to agree the method outlined to complete a tender process that enables the purchase of adults' home care provision through a Flexible Framework.

Relevance to the Council's Business Plan

5. The proposal is relevant to the following mission statements laid down in the Council's [Business Plan 2022 to 2032](#):
 - The people of Wiltshire are empowered to live full, healthy and enriched lives
 - Our local economy thrives and is supported by a skilled workforce
 - We lead the way in how councils and counties mitigate the climate challenges ahead.
6. To support the working themes in the Council's Business Plan 2022 to 2023, commissioning priorities are to:
 - Priority 1** - ensure services are in the right place at the right time
 - Priority 2** - ensure right people receive services in the right place i.e. increasing services delivered in the community and in people's homes

Priority 3 - ensure right service, right price

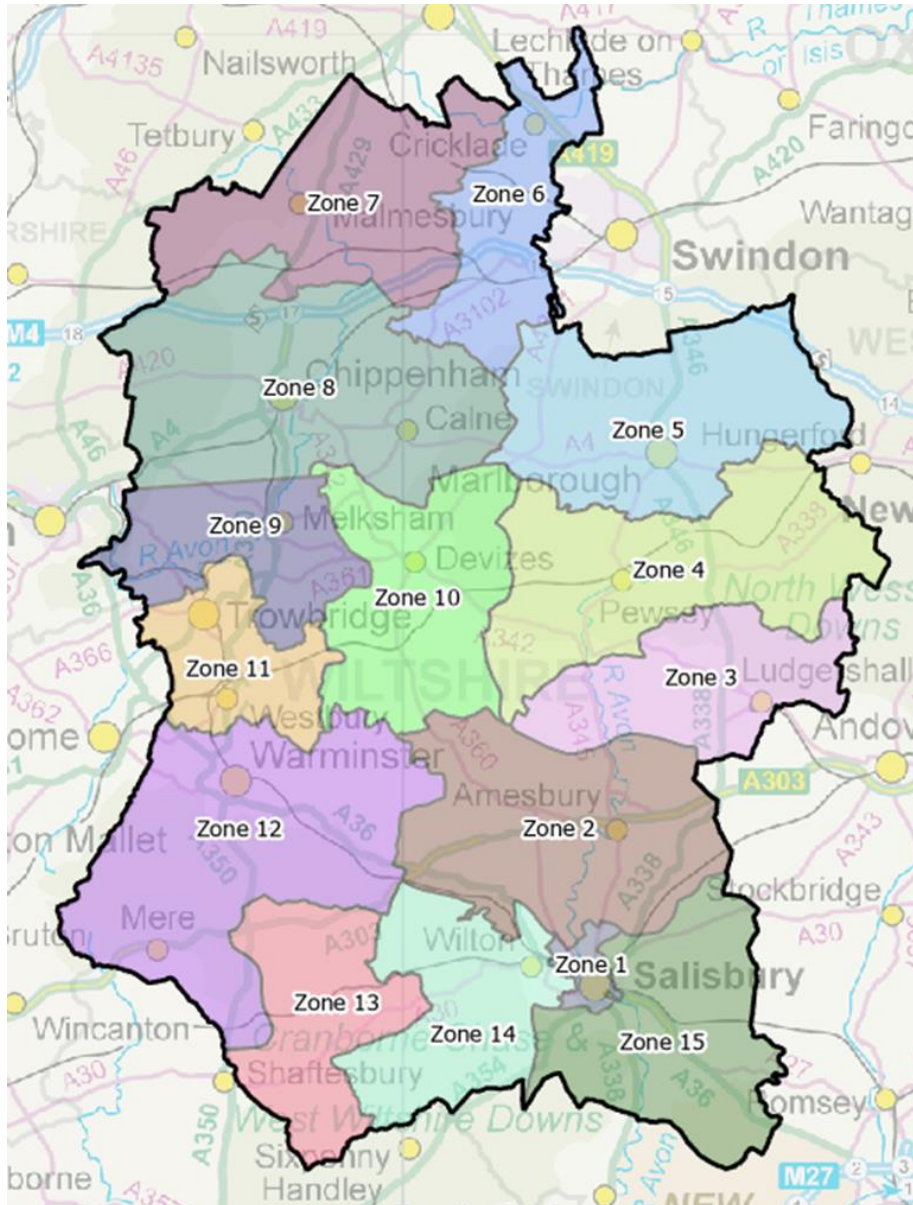
Background

7. **Current Supply arrangements** - Wiltshire's current Help to Live at Home (HTLAH) Alliance was established in October 2018 and ends on 31 March 2023. The HTLAH model, level of demand and issues with supply were laid out in the 26 April 2022 Cabinet paper.
8. **Previously Proposed Solution** – The April 2022 Cabinet paper made recommendations to adopt a Strategic Provider model and increase the number of geographical zones from three to fifteen, however, since then Wiltshire has faced unprecedented challenge in providing care at home for people who need it. Through market engagement it has become increasingly apparent that providers will not, in the current environment, be able to recruit a workforce to meet the sufficiency required of a single Strategic Provider per zone.

Main Considerations for the Council

9. The Council has a statutory duty to ensure that people requiring financial support to meet their care needs are able to access good quality services. The Care Act also requires councils to shape the care services market sustainably in collaboration with providers and to retain local oversight of that market.
10. The Health and Care Bill sets out key legislation to reform the delivery and organisation of health services in England, to promote more joined-up services and it is anticipated greater responsibilities in respect of self-funders.
11. Adult Social Care (ASC) supports people to live independently, with a focus on preventing, reducing, and delaying the need for specialist services. Home care is an essential service to meet people and their family/carers' eligible needs in their own homes.
12. **Proposed Home Care Model** – Only those providers who are in the Flexible Framework can bid for any 'Drawdown Competitions' for example, general home care and pilot service models for home care. This will enable commissioners to maximise the opportunity to manage the supply of home care and spend.
13. The Flexible Framework will include the following drawdown services:
 - General home care
 - Night provision home care
 - Live-in-Care
 - Pilot service models for home care
14. The one-year Flexible Framework with the possibility of a one year extension will support an approach to help stabilise the market and test approaches which maximise independence yet reduce overall demand on the health and care system alongside effective short-term interventions such as reablement.

15. Retaining the smaller more manageable zones from the previously proposed Strategic Provider model, as detailed in the map below, will enable commissioners to run local pilots and help brokerage and providers to create more efficient runs, decreasing travel times and support more effective recruitment.



16. It will allow for the future provision of registered home care to those who will most benefit and support collaborations with voluntary and community organisations and improved use of technology to provide digital solutions.

17. **Price Model** – The price model will be established ready for the tender to be launched in February. Due to the timing of the cost of care exercise and linking this where possible, fee rates are not ready to be published at the time of this report going to Cabinet. Delegated authority to approve this new price model is requested.

18. **Annual Price Review Mechanism** – The annual price review mechanism will be agreed as part of the price model. However, this will take into consideration the national living wage increase and CPI.

19. **Market Engagement & Indicative Tender Timetable** – Market engagement has continued through provider forums with commissioners and POST gathering intelligence. Providers have also been sharing their experiences in the co-development of the Market Sustainability Plan and Fair Cost of Care exercises. This has been during a time of market pressures in the care sector especially around the recruitment of care staff. The table below details the tender timetable:

Date	Task
November 2022	Market Surveys
December 2022	Market Engagement Event – service model
January 2023	Round 1 Go Live
February 2023	Evaluation Period End Date
March 2023	Award Decision Notification
01 April 2023	Alliance Commencement Date

Interdependent projects

20. The Flexible Framework will support an environment to undertake co-productive approaches with the market, communities and the voluntary sector. Working in collaboration with the home care transformation project, the Flexible Framework will help develop our vision and strategy to deliver home care in Wiltshire and give evidence to inform our future home care model.

21. The children’s home care services recommissioning will be under a separate two-year framework arrangement. This will have no impact to adults’ services as a separate market already exists and adults’ providers do not currently provide support for children.

Overview and Scrutiny Engagement

22. A briefing on the proposals was provided for the Chair and Vice-chair of Health Select Committee and Chair of Financial Planning Task Group on 31 October 2022.

Safeguarding Implications

23. Current contract arrangements with the HTLAH Alliance contain robust safeguarding measures in line with Council policy. Contracts give clear direction on how and when to raise a safeguarding alert to avoid any confusion about who will do this and/or assumptions that someone else will raise the alert.

24. Contracts also ensure that any issues relating to child protection are identified and appropriate referral made to children’s services. Any new service specifications under the Flexible Framework will continue to include these robust measures.

Public Health Implications

25. The service specifications are underpinned by public health data and evidence from [Wiltshire Intelligence - Bringing Evidence Together](#) - Joint Strategic Needs Assessment (JSNA). With relevant Key Performance Indicators commissioners ensure the services being designed are able to meet the anticipated demand within the contract time frames, and are effective and efficient to meet the needs of the people of Wiltshire.
26. The Flexible Framework will benefit the overall health and wellbeing outcomes of people in terms of service continuity and reducing the risk that their health and care outcomes could be compromised if the service was not in place.

Procurement Implications

27. A compliant procurement process will be followed in line with Public Contract Regulations 2015.
28. The procurement process will be designed and run, in conjunction with the Commercial and Procurement team. The specification of future services will state that providers are expected to demonstrate social value.

Equalities Impact of the Proposal

29. The recommissioning of home care will support equitable access for any individual to health and social care and impact positively on equality by reducing or removing inequalities and barriers that exist for people with eligible needs. Consideration to Social Value will be given when developing the specification, which will be reflected within our tender documentation.
30. Commissioners will require the provision of services which take account of and are committed to ensuring that the organisations value diversity and promotes equality and inclusivity on all aspects of their business.
31. The performance of the Flexible Framework will be monitored through quality systems and performance management, monitoring and reporting. Providers will report on Key Performance Indicators and lead commissioners will be responsible for monitoring and reviewing reports and ensuring any improvement actions are completed by providers.
32. Joint management boards will be attended by commissioners and key stakeholders across the health and care system for the continual development of the Flexible Framework.
33. Healthwatch Wiltshire and other service user engagement organisations will work with commissioners and providers to identify and implement opportunities to develop a vision and model for delivering home care in Wiltshire in the short and longer-term.

Environmental and Climate Change Considerations

34. The tender evaluation criteria and contract terms and conditions will include sections on environmental and climate change impact to ensure this is

appropriately considered. The specification of future services will state that providers are expected to demonstrate social value.

35. Energy consumption associated with the service area will remain roughly at current levels due to the scope of the service unchanging. Annual reviews of the providers operations will place requirements on the provider to make ongoing improvements in this area and in the day-to-day environmental management of the service.
36. Carbon emissions will be managed through energy efficient options, some of which are:
- Reducing home care workers travelling by car to provide care in peoples' homes and potentially reducing emissions from fossil fuel vehicles by increasing use of low carbon alternatives.
 - Reduction of home care services through improved use of alternative support, such as technology enabled care, voluntary and community organisations and outcomes-based approaches.
 - Encouraging carbon offset projects for any unavoidable carbon emissions or increase a renewable energy or green tariff for avoidable carbon emissions, such as electricity consumption in registered offices.

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

37. The report's proposals offer the most effective mitigation to the following known risks:
- Home care being delivered outside of a formal contract once current contract arrangements for home care (Help to Live at Home (HTLAH) Alliance) end in March 2023, increasing use of spot provision and increasing home care costs
 - Undertaking an emergency procurement, which would lack the required time to create a robust opportunity
 - Capacity of the home care market not having the ability to meet the demand for home care services. Home care staffing issues are being experienced nationally, due to pandemic, cost of living, Brexit and increased fuel costs
 - Additional costs incurred by the council when seeking home care to support customers in difficult to resource areas e.g. through use of incentives which is generally higher fee rate/paid travel/additional time

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

38. A risks and issues log is in place and regularly reviewed through the project operational and oversight groups; enabling potential risks and mitigations to be identified and implemented. This is a live document which allows risks and mitigations to be continually revised as the project develops.
39. There is a risk of challenge from providers to the tender process and outcome. However, the impact and likelihood of these risks will be reduced by continued and transparent engagement with providers. This same engagement offers an opportunity to assess providers' appetite and readiness for a new tender as well as the potential impact of current challenges
40. As with all projects of this nature, securing consistent project and oversight resources from across Council functions to take forward project activity will be important to delivering the project to the required standard within the indicative timeline. The Project Oversight Group oversees the procurement of the commissioning of home care services

Financial Implications

41. Total expenditure on home care services equated to £26.990m in 2021/2022. This was delivered through the HTLAH Alliance, spot provision and Good Lives Alliance. The table below shows the expenditure for 2021/2022 and an estimate for 2022 /2023 broken down by service block:

<i>Service block</i>	<i>Estimate 22/23 £</i>	<i>Cost 21/22 £</i>
<i>Learning Disabilities Total</i>	<i>1,516,430</i>	<i>983,724</i>
<i>Mental Health Total</i>	<i>2,490,556</i>	<i>2,104,604</i>
<i>Older People Total</i>	<i>23,560,562</i>	<i>23,902,025</i>
<i>Grand Total</i>	<i>27,567,548</i>	<i>26,990,353</i>

42. All spend under service block Older People will be managed under the new Wiltshire Home Care Flexible Framework and a proportion of LD and MH spend.
43. The annual cost of the new contract will be broadly similar to the current contract but taking into account the increased demand due to population increase and inflationary pressures. This will be informed by the new price model and will remain within the financial envelope available.

Legal Implications

44. Legal advice has been sought and will continue to be sought on this project. The procurement of the Flexible Framework will need to be undertaken in accordance with the Constitution and Procurement Law. The proposed arrangements will ensure the Council meets its duties as described more fully above.

Workforce Implications

45. These proposals relate to a continuation of current activity which is delivered through external suppliers. So, there is little-to-no direct impact on council employed staff.
46. If the incumbent providers are not successful in the new tender, then TUPE may apply. However, while the council would be an interested party, any transfer of staff would be a matter between the incumbent and new provider.

Options Considered

47. Option One: Increased number of zones with a single Strategic Provider and several Approved Providers per zone (6+2-year contract):
- continue with tender for new model – this would be extremely high risk due to the Market facing unprecedented challenge in providing care at home for people who need it.
 - Through market engagement it has become increasingly apparent that providers will not be able to recruit workforce to meet the sufficiency of a single Strategic Provider per zone.
 - Providers submitting higher, front loaded, fee rates to ensure their rates are financially viable for up to 8 years.
48. Option two: Increased number of zones (1+1-year contract) (Recommended Option):
- Smaller geographical zones should help to alleviate difficulty in sourcing providers to deliver packages of care in areas where there is a small volume of villages identified as hard to access care.
 - This option would allow officers to test new approaches and undertake co-production with the market to develop a vision and model for delivering home care in Wiltshire in the long-term.
 - Smaller more manageable zones will help providers create more efficient runs, decreasing travel times and support more effective recruitment.

Proposed Zones

Zone	Areas
Zone 1	Salisbury
Zone 2	Amesbury
Zone 3	Tidworth
Zone 4	Pewsey
Zone 5	Marlborough

Zone 6	Royal Wootton Bassett & Cricklade
Zone 7	Malmesbury
Zone 8	Chippenham, Corsham and Calne
Zone 9	Bradford on Avon and Melksham
Zone 10	Devizes
Zone 11	Trowbridge and Westbury
Zone 12	Warminster and Mere
Zone 13	Tisbury
Zone 14	Wilton
Zone 15	Southern Wiltshire

Recommendations

1. Officers recommend that Option 2 is the preferred option.
2. That adults' home care services are purchased through a one-year Flexible Framework with the possibility of a one-year extension
3. That officers continue to undertake to prepare and complete the tender programme, award and implement a new Flexible Framework contract for adults' home care by 1st April 2023.
4. To delegate authority to approve the new pricing model and associated uplift mechanisms, award a new contract, extension option and future mini competitions/pilots and all associated documents to the Director Procurement & Commissioning in consultation with the Cabinet Member for Adult Social Care, SEND and Transition and Inclusion, the Corporate Director People and Corporate Director Resources/Deputy Chief Executive.

Conclusions

49. All of the above information has been taken into account in establishing this report's proposals.

Helen Jones (Director - Procurement and Commissioning)

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Date of report 23 November 2022

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Wiltshire Council

Cabinet

13 December 2022

Subject: Pathway 2 Bed Procurement

Cabinet Member: Cllr Jane Davies-Cabinet Member for Adult Social Care, SEND, Transition and Inclusion

Key Decision: Key

Executive Summary

This report sets out the rationale for purchasing new block contracts for the provision of bedded pathway 2 hospital discharge beds. The service will be provided under a new 'hub' model which is currently being piloted in the south of the county.

Patients are discharged from hospital on pathways 0 to 3 (see figure 1). A range of services are commissioned across the pathways to support patients in their onward journey. The Council's Business Plan is clear that the aim is to enable people to remain independent of formal services and to live and age well in their own homes wherever possible. Pathway 2 discharges are focussed on those patients who need a little extra support to return to their usual level of independence. This might be through a period of rehabilitation or simply time to recuperate and address any issues preventing a return home.

Current pathway 2 provision are classed as either Discharge to Assess (D2A) or Intensive Rehabilitation (IR) and experiences several issues:

- Inequitable access to therapy - As the national requirement for discharge moved at pace during the pandemic, D2A and IR beds were sought at various locations across the county. The resulting provision is a piecemeal collection of beds in homes across the county which is not an efficient use of therapy or social care resources, given the travel time between homes and inevitably results in an inequitable service for patients.
- Excessive lengths of stay – from June 2022 to September 2022 the average length of stay in a D2A or IR bed was 56 days. Some stays were over 100 days. These lengths of stay indicate that an individual would have been better suited to another placement, for example a long-term bedded care or end-of-life placement. It also reduces discharge capacity across the system.
- The beds are not meeting patient needs - The change in access criteria because of the Hospital Discharge and Community Support Policy and Operating Model¹ has created a cohort of patients with higher complexity and clinical need that current beds are unable to meet. The analysis of outcomes

¹ Hospital Discharge and Community Support Policy and Operating Model. [Hospital discharge and community support guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/hospital-discharge-and-community-support-guidance) This guidance sets out how NHS bodies (including commissioning bodies, NHS trusts and NHS foundation trusts) and local authorities can plan and deliver hospital discharge and recovery services from acute and community hospital settings that are affordable within existing budgets available to NHS commissioners and local authorities.

(see Table 1 and Appendix A) showed excessive lengths of stay, hospital readmissions and end-of-life cases that indicates a level of complexity that is not usually compatible with intensive, short-term therapy.

- Home closures due to infection outbreaks – whole home closures are a significant risk to patient discharge and flow as it removes beds from the system and requires spot purchases elsewhere.
- Effective use of support services - The current model has become unsustainable, with therapists and social care staff having to travel large distances between individual care home beds to deliver therapy and social care support. This does not make the most effective use of these resources.

The number of beds currently available for pathway 2 discharges are managed through block contracts, funded from several sources which has been in addition to recurrent Better Care Funds. This funding will cease on 31st March 2023 (figure 3). When non-recurrent funding stops we will need to manage within the recurrent funding available in the BCF and want to ensure that we have an efficient delivery model to maximise capacity review carried out in August 2021 proposed a new model of delivering the pathway 2 beds which, if successfully delivered, will increase the capacity per bed, make more efficient use of therapy, social care and provider resources and result in increasing independence and a return home for more patients.

A pilot started on 1st September to ‘test’ the hub model. Initial feedback from staff is positive, as is the Length of stay and outcomes for those patients admitted under the new model.

The nature of patient needs in these beds requires several supporting contracts to be in place (table 7). These cover GP support, social care and therapy input. These are recurrent contracts and we do not recommend any changes to these at this stage though we recognise there may be scope for future efficiencies. The new model of delivery will make the resourcing of the support contracts more effective through the reduction of staff travel time and the right facilities for collaborative working across organisations.

Options for the number of beds to be purchased are based on current average D2A and IR bed costs and other benchmarking evidence, including feedback from providers at the first market engagement event. The beds will be split across up to 3 hubs in the county (one will be in the south). The report recommends a total of 52 beds are purchased though final amounts will depend on bid values.

The reduction in bed provision from 1st April 2023 is a potential risk to hospital discharge flow. While there is reduced bed availability, if the model works well the throughput per bed will be increased and will therefore mitigate this risk to some extent. We are working closely with health and social care colleagues to mitigate the risks posed by a reduction in beds.

Proposal(s)

The report makes the following recommendations:

1.1 That a competition is conducted under the Wiltshire Care Home Alliance to award contracts for the provision of pathway 2 beds in accordance with the indicative timeline in this report, to establish contracts commencing on 1st April 2023.

1.2 To delegate authority to make decisions connected with the procurement and award new contracts and all associated documents to the Director Procurement &

Commissioning, in consultation with the Cabinet member for Adult Social Care, SEND, Transition and Inclusion.

Reason for Proposal(s)

1. The Council's current arrangements for 'discharge to assess' and 'intensive rehabilitation' beds finish on 31st March 2023.
2. The recent pandemic and national changes to hospital discharges has resulted in a model of delivery that is neither the best fit for patients nor financially sustainable.
3. There will continue to be a need for pathway 2 beds, which support residents in gaining their independence following a hospital admission. The ceasing of current contracts provides an opportunity to act on the recent pathway 2 review and create a more efficient, cost-effective and outcomes-based model in Wiltshire.
4. The beds will be funded by an existing Better Care Fund (BCF) budget.

Terence Herbert
Chief Executive

Subject: Pathway 2 Bed Procurement

Cabinet Member: Councillor Jane Davies- Cabinet Member for Adult Social Care, SEND, Transition and Inclusion

Key Decision: Key

Purpose of Report

This report concerns proposals for the procurement of pathway 2 (PW2) bed capacity on the Wiltshire Care Homes Alliance (WCHA) platform.

PW2 beds are a short-term, time-restricted, goal-based period of care that calls on a mixture of health and social care assessments and interventions to support people to maximise their potential to live as independently as possible by recovering or continuing to improve skills because of those interventions. PW2 beds are required for people who no longer meet the NHS criteria to reside in hospital, but who are not able to return home without further recuperation or assessment in a bedded facility. These beds are not for people who clearly require long term care from hospital, are end-of-life or are likely to be readmitted to hospital. The aim is to enable people to return home.

The value of the PW2 model needs to be assessed against a measure other than just releasing hospital beds. The investment in therapy and enhanced clinical and social care support should demonstrate high levels of customers being able to return home, low readmissions to hospital, and low permanent transfer to placement in care homes

Relevance to the Council's Business Plan

Discharge services support the business plan aim to enable people to remain independent of formal services and to live and age well in their own homes. By reviewing the pathway 2 services in a timely way, the Council can make contracting decisions that deliver best value for money and ensure the right services are in place at the right time.

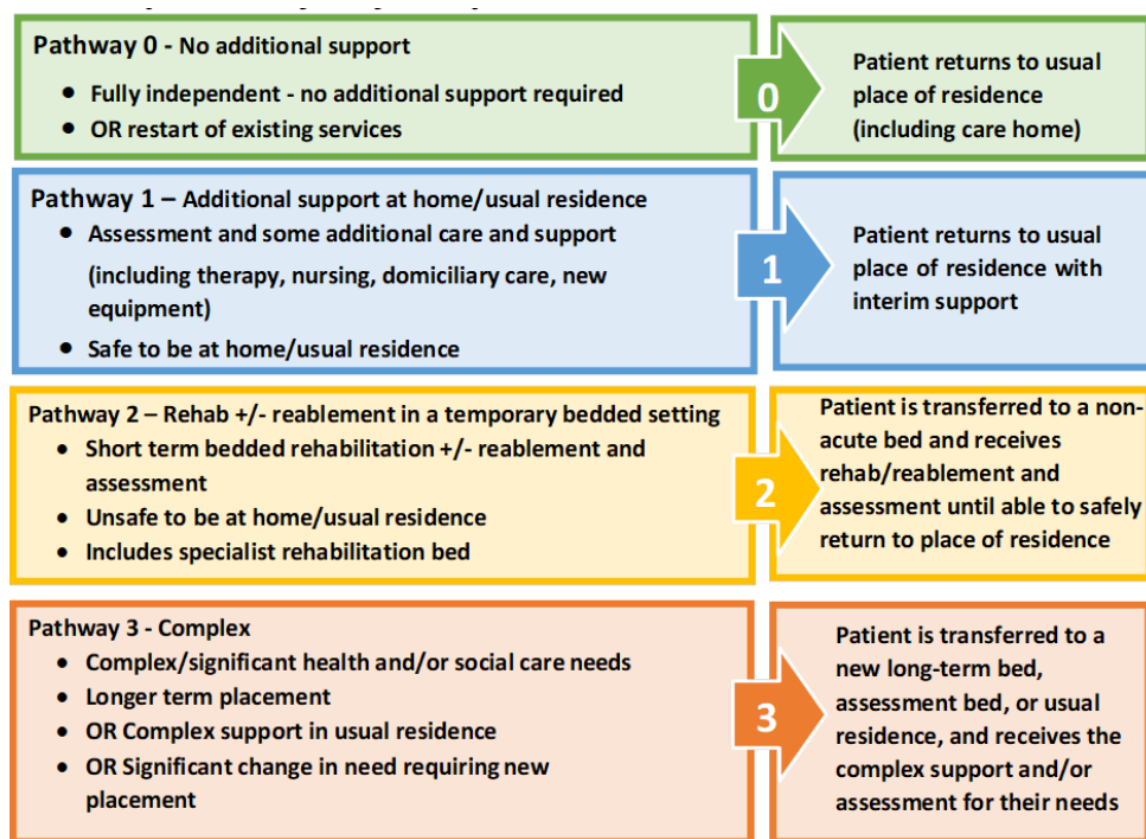
Thriving Economy - Officers have consulted with providers to ensure that these recommendations meet realistic commercial priorities for the local market while still supporting the Council's requirement to deliver best value.

Decisions that are evidence based – These proposals are informed by comprehensive supply and demand modelling, spend and activity analysis and further analysis of best practice in managing demand for care services and shaping care markets sustainably.

Background

When a patient is well enough to leave hospital there are several pathways the discharge follows, depending on the needs of the patient. Figure 1 explains these pathways.

Figure 1: Hospital discharge pathways²



This report is concerned with **pathway 2**.

Since March 2020, the Wiltshire health and social care system has been operating within the context of the COVID 19 pandemic and the national DHSC emergency response.

The Hospital Discharge and Community Support Policy and Operating Model released on 7 July 2021 set out the aim to embed the Discharge to Assess (D2A) model actioned during the COVID 19 response. There is an expectation that performance continues to reduce the length of stay for people in acute care, to improve people's outcomes following a period of rehabilitation and recovery and minimise the need for long-term care at the end of a person's rehabilitation.

Pathway 2 (PW2) bed provision for hospital discharge and admission avoidance are part of the service model within the Wiltshire Care Alliance, whose ambition is to ensure that people with health and social care needs are supported to live independently at home and to return there following hospital admission.

The pandemic brought urgency and priority to hospital discharge, but the focus now needs to shift to the value that these services bring to the individuals using them as well as the health and social care system. A review of the pathway 2 provision was carried out in August 2021 and its findings reported to the Governance structures of the CCG (now the Integrated Care Board – ICB) through the Alliance Board, the Locality Commissioning group, and within the BCF plan for 2021-22 which was presented to Health Scrutiny and Health and Wellbeing Boards in December 2021.

The review involved key stakeholders such as GPs, providers and acute providers. They are in support of the recommendations arising from the review. It recommended a move

² [1 Hospital Discharge Pathways 0, 1, 2, 3 Graphic - Library \(bsuh.nhs.uk\)](https://www.bsuh.nhs.uk)

from the current, piecemeal provision across the county to a 'hub' model of delivery. The service will be procured and delivered with an outcome-based approach.

There are several issues with the current provision

Inequitable access to therapy - As the national requirement for discharge moved at pace during the pandemic, D2A and IR beds were sought at various locations across the county. As of October 2022, there were 135 pathway 2 beds across Wiltshire (figure 2), across 10 care homes. These are all block contract beds (see figure 2). New locations were needed to accommodate demand where homes were closed for infection control or other reasons. The resulting provision is a piecemeal collection of beds in homes across the county. This is not an efficient use of therapy, reablement or social care resources, given the travel time between homes and inevitably results in an inequitable service for patients.

Figure 2: Current IR/D2A beds in Wiltshire



Excessive lengths of stay – from 2022 to September 2022 the average length of stay in a D2A or IR bed was 56 days. Some stays were over 100 days. These lengths of stay indicate that an individual would have been better suited to another placement, for example a long-term bedded care or end-of-life placement. It also reduces discharge capacity across the system.

The beds are not meeting patient needs - The change in access criteria because of the Hospital Discharge and Community Support Policy and Operating Model³ has created a cohort of patients with higher complexity and clinical need. The outcomes of the current D2A and IR beds demonstrates the level of complexity of the patients being admitted. The outcomes recorded against D2A and IR beds were analysed using a NHSE stratification tool⁴ (see Appendix A for full detail and table 1 for summary results). The analysis is based on an average of 26 new referrals for D2A/IR beds per week, 104 every 4 weeks. Many of the patient outcomes such as, readmission to hospital, end-of-life or being admitted to a nursing home is an indication that they were not suited to a period of rehabilitation or had more complex needs than could be addressed during a short period of convalescence. It is often the complexity of longer-term health or social care issues that result in excessive lengths of stay and the need therefore for a high number of beds. When those patients deemed unsuitable for a pathway 2 discharge are removed from the figures, it gives an indication of the number of beds required for proposed therapy model. This analysis, in effect removes those patients who would be better suited to specialised end-of-life care, discharge to a long-term care home placement etc.

Table 1 shows that if the correct patients are admitted into a therapy based bed model, the Wiltshire system would require between 53 and 61 beds, depending on the option taken. Included in the stratification tool is a '15% capacity' addition which is recommended to aid system flow. It is unlikely, however, that this will be an affordable option.

Table 1: Outcomes for current beds

PW	Definition	Current outcomes (Oct 21-Mar 22) As % of demand	Beds required	Beds required plus 15% capacity to aid system flow
2a	Medically stable cognitively and physically able to participate in rehabilitation activities Current dependency, rehabilitation or cognition mean not yet able to be managed in community	21%	22 PW2 Hub Model	25
2b	As per 2a plus: Higher rehab complexity (but not reaching requirement for NHSE&I Level 1 and 2 rehabilitation ⁵)	20%	21 PW2 Hub Model	24

³ Hospital Discharge and Community Support Policy and Operating Model. [Hospital discharge and community support guidance - GOV.UK \(www.gov.uk\)](#) This guidance sets out how NHS bodies (including commissioning bodies, NHS trusts and NHS foundation trusts) and local authorities can plan and deliver hospital discharge and recovery services from acute and community hospital settings that are affordable within existing budgets available to NHS commissioners and local authorities.

⁴ Reference to the stratification tool

⁵ Refers generally to 'specialised' rehabilitation services (Level 1 and 2). These are high cost / low volume services, which provide for patients with highly complex rehabilitation needs that are beyond the scope of their local and district specialist services. Examples include specialist neuro rehabilitation following serious brain injury. [Microsoft Word - Specialised Neurorehabilitation Service Standards 7 30 4 2015-forweb.doc \(bsrm.org.uk\)](#)

2c	Clinical risk is too high to go home at this stage. relatively low rehab e.g., end of life care	16%	18 Nursing beds	21
2d	As per 2a plus; Both clinical risk and rehab requirements are high (but not reaching requirement for NHSE&I Level 1 and 2 rehabilitation) delirium and complex MH with clinical complexity	10%	10 PW2 Hub Model (Complex)	12
2e	Residing in P2 due to lack of P1 capacity	6%	6 HomeFirst Service	
2f	Residing in P2 due to other reasons (e.g., P3, Specialist capacity, other	11%	12 PW3	14
-	Hospital readmissions from PW2	20%	21 Community Hospital or clinical optimisation	24
Totals of PW2a, 2b and 2d			53	61

Table 2: Outcomes for current beds

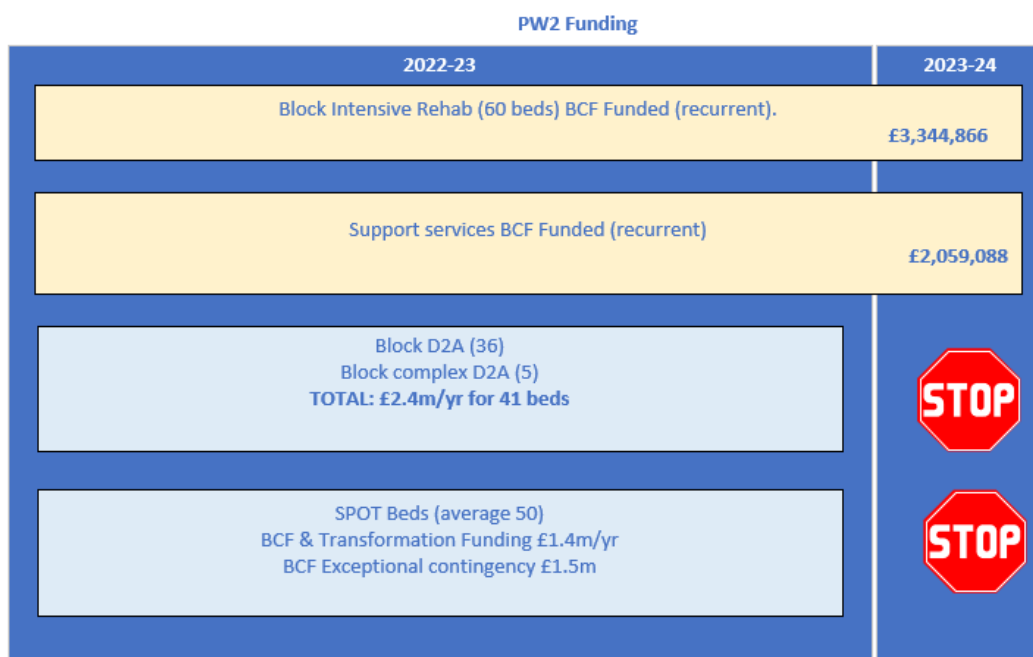
PW2 discharge outcomes	Average % (Oct 20-Mar 22)	Notes
Hospital readmission	17%	This is likely due to a worsening of an existing condition – whatever the reason, PW2 bed are not appropriate for this level of need.
Nursing home	18%	These customers would have been better suited to PW3 rather than a therapy-based bed
Residential home	14%	
Home independently	10%	This is the aim for most people being admitted to a PW2 therapy-based model
Home with Package of Care	16%	
Home First	12%	For those discharged with Home First it is assumed this could have been an option in the first instance. The bed review showed a high proportion of PW2 customers who, on clinical reassessment, were deemed to have been appropriate for Home First rather than a bedded facility.
End-of-life	13%	On many levels, this is not satisfactory, and alternative bedded provision should be found.

Funding for current beds will end in March 2023 - The current beds are funded by several sources including recurrent and non-recurrent Better Care Funding and BSW winter funding. All funding bar the recurrent BCF funding end on the 31st of March 2023 and associated contracts with the homes providing D2A and IR beds will also cease on

that date. As figure 2 shows, the recurrent funding will remain the same, but we will no longer have access to non-recurrent funding, resulting in **funding available for PW2 beds being significantly lower from the 1st of April 2023.**

The Therapy, Social Care and GP support services are also funded by the Better Care Fund. The social care support is commissioned and managed by Wiltshire Council and the Therapy support is part of Wiltshire Health and Care and commissioned by the Integrated Care Alliance. GP support is provided by agreement with practices though work is under way to bring this under more formal terms.

Figure 3: PW2 Funding



Home closures due to infection outbreaks – whole home closures are a significant risk to patient discharge and flow as it removes beds from the system and requires spot purchases elsewhere. The new model proposes using only venues that can be safely ‘zoned’ to contain outbreaks so only partial home closures are required, having a significantly smaller impact on service provision and system flow.

Effective use of support services - The current model has become unsustainable, with therapists and social care staff having to travel large distances between individual care home beds to deliver therapy and social care support. This does not make the most effective use of these resources. A ‘hub’ model where all support staff have a base together will support collaborative working and increase efficiency.

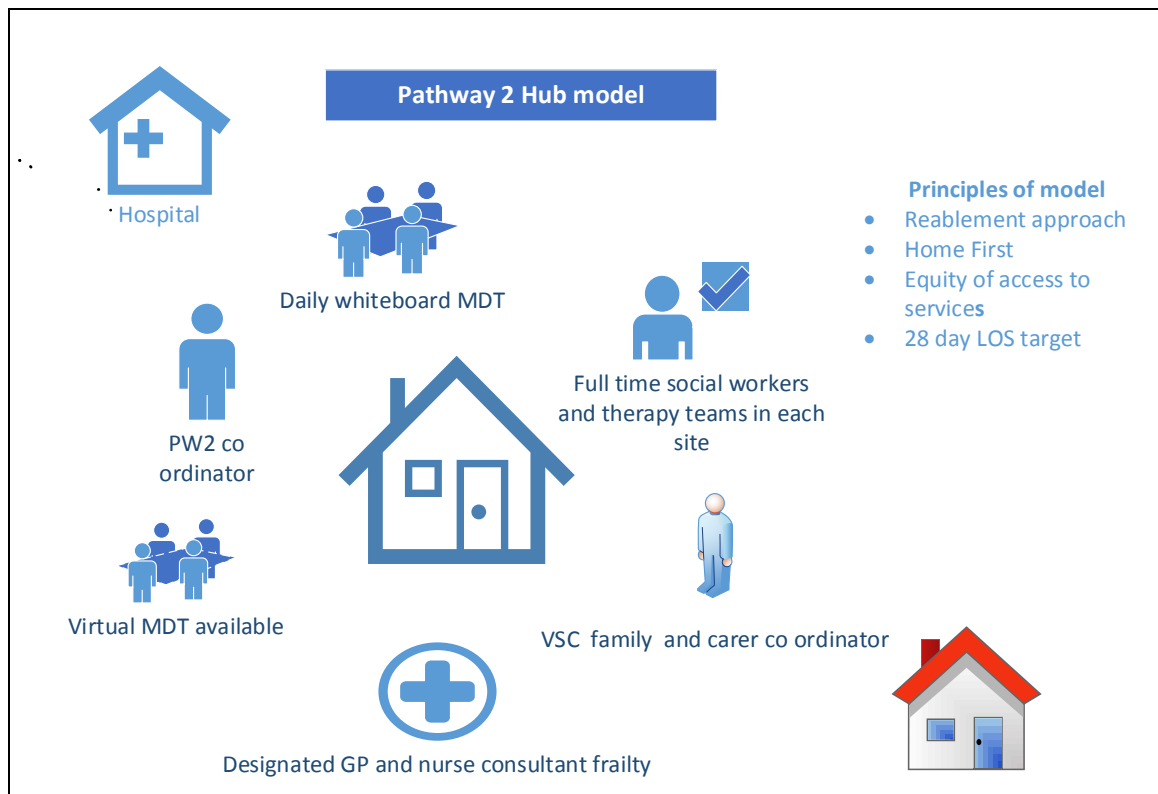
How we propose to tackle the issues.

The review further identified areas where efficiencies could be made both to pathway 2 admissions and across other discharge pathways to enable a reduction in the overall number of pathway 2 beds. We propose to deliver these beds through a new ‘hub’ model (see figure 4). It is considered the best option to address the issues of the current provision while remaining within the funding available.

The proposed organisational model is to establish specialist hubs – adaptable, equitable and able to deliver a short term, rapid, high-quality level of assessment and rehabilitation if required. A hub model provides economies of scale – enabling GPs, Social Care and therapy staff to concentrate support in one place.

Each PW2 hub unit will either be in the centre, south and north of the County, but will not number more than 3 units. These hubs will deliver a discharge to assess bed model and have the capability to assess and then deliver complex care and rehabilitation. The units will have a requirement to be able to separate into pods or separate areas for infection control purposes, reducing the risk and impact of whole home closures due to infection outbreaks.

Figure 4: Proposed new hub model



System Improvements

Table 3 below sets out the key performance indicators for the hub beds. If the KPI for length of stay is consistently met then the turnover rate per bed increases from a turnover the current 7 to 13 patients per bed, per year. This means a higher capacity per beds. This can only be achieved by admitting the right patients.

Table 3: Key Performance Indicators for proposed model

KPI	Definition	Reporting Period	Tracked & Reported By	Minimum Standard %
Respond to referrals within 2 hrs	The Supplier will be sent the assessment (via secure email). The Supplier must respond to the referral within 2hrs hour of receipt – informing the Brokerage team of: Acceptance to admit Request for further information or Declining to admit the person, reason why not admitting will need to be given	Monthly	Supplier	85
percentage of people accepted following the completion of an assessment	Total number of referrals received, broken down by the number accepted on the information provided on the trusted assessment and the number of face-to-face assessments that were required, with reasons why.	Monthly	Supplier	80%
Number of Care home discharges at, or under 28 days	The number of customers discharged from the facility at, or under 28 days	Monthly	Tracked and recorded on administrative whiteboard	85%
The number of customers returning to their usual place of residence	Usual place of residence will include own home, care home (if previously a resident).	Monthly	Social Worker records	Improvement on baseline (30%)
The number of customers with improved customer directed goals	Customers to agree personal goals.	Monthly	Therapists and supplier	No current baseline 50%
The number of customers satisfied with		Annual and Monthly	Healthwatch (annually) and	85%

KPI	Definition	Reporting Period	Tracked & Reported By	Minimum Standard %
the pathway and care			Provider (monthly)	

We will need to provide the right support to those care homes providing the pathway 2 beds. There is existing contractual commitment from therapy and social care providers to support these beds (see funding figure) and medical support will be available via contracted GP support.

Revised eligibility criteria for the beds and clear exit pathways when patients reach a maximum of 28 days stay will be in place at the start of the contract.

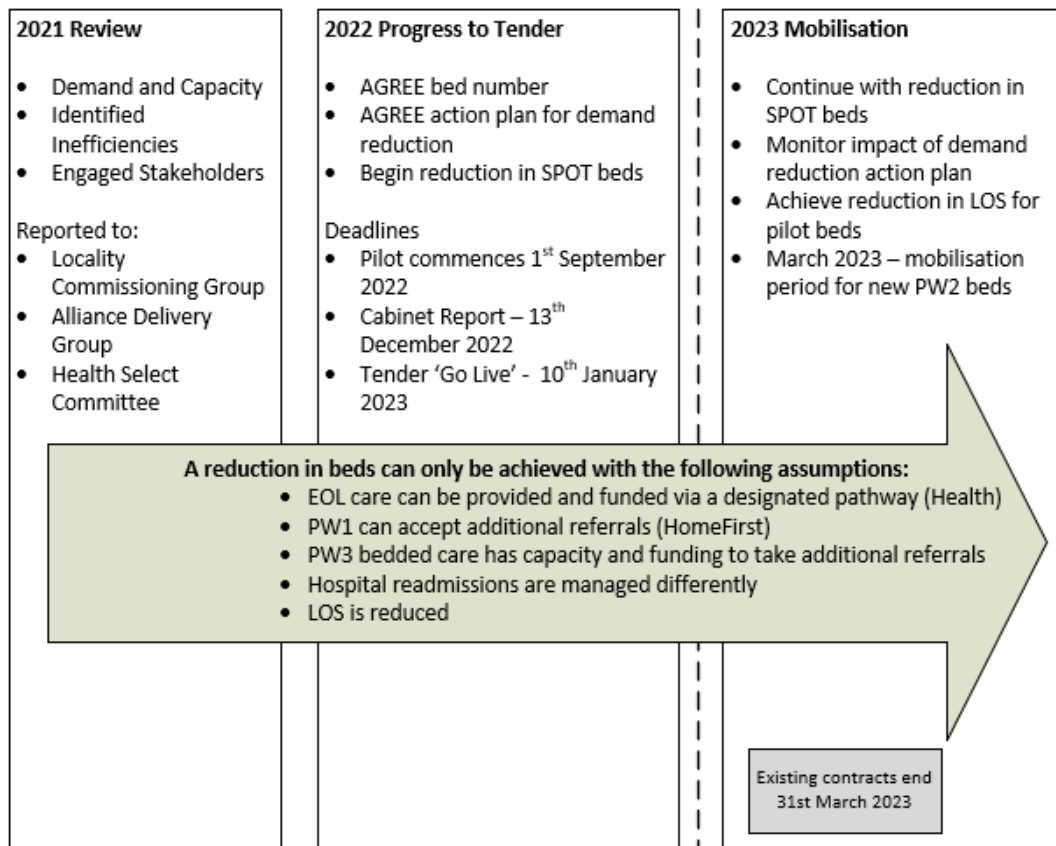
Providers will be supported in service provision as set out in table 4.

Table 4: Support for proposed model

1. GP Support	We will use existing support services to ensure medical support to the beds
2. Therapy Support	Qualified occupational therapists and physiotherapists will be available as part of the 'hub' team so access to this support is equitable across all the beds, including the more complex dementia and delirium cases.
3. Social Care support	Social workers will be part of the 'hub' teams and therefore able to be more reactive in terms of timely assessments etc.
4. Training to support a cultural shift toward reablement	Training for care home staff on the ethos and approach to reablement and increasing independence will be provided to support the service.
5. Revised eligibility criteria	To ensure only those with rehabilitation or reablement potential are admitted to the beds.
6. Reducing Length of Stay	Length of stay in Wiltshire across all D2A and IR pathways are on average more than twice the national standard of 28 days. In some instances, there are stays in D2A and IR of over 180 days. This has the biggest impact on current capacity. Delays in discharge from these beds will be addressed through the pathway 1 review. A hub model will also result in the right expertise, such as social care on site to enable timely assessment of individuals. Any reduction in length of stay, even on an incremental basis, to allow the system to calibrate and increase resources where needed, will be transformative.
7. Access to a consultant geriatrician and a virtual MDT	Support of a weekly virtual MDT and consultant geriatrician will support providers in making decisions on residents' care and ensure appropriate support of individuals.

The move to a 'Hub' model and a reduction in the overall number of beds is dependent on the success of various improvement projects across the system. The planned system improvements span all pathways and are led by colleagues across health and social care and are funded in different ways. Their success is essential to managing the demand in pathway 2 (figure 5).

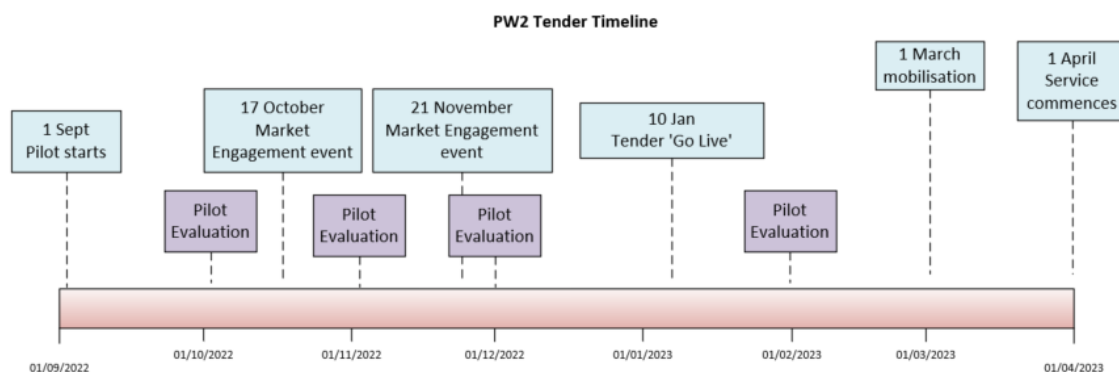
Figure 5: Pathway 2 implementation



Indicative Timeline

The indicative timeline is as follows:

Figure 6: PW2 Tender Timeline 1



The PW2 Pilot

The Locality Commissioning Group requested that the proposed model was tested prior to tender. A pilot model was created in partnership with Little Manor Care Home via an exemption from their existing IR contract. Commissioning worked in collaboration with the provider, social care, therapy teams, the patient flow hub and brokerage colleagues

to create a pilot that will run from 1st September 2022 – 31st March 2023. The pilot has the following aims:

- To understand what needs to be in place to successfully deliver the 28-day LOS ambition.
- To test how to identify those patients that will benefit most from a therapy-based model.
- To 'test' ways of collaborative working.
- To understand how we effect a cultural shift in the provision of therapy to improve independence and increase the number of people returning to their own homes.

The pilot is monitored daily, with performance information gathered weekly.

Outcomes

At the time of writing the PW2 pilot has been in running for a period of 12 weeks and the long-term outcomes are therefore unavailable. However, there have been some positive outcomes to date centred around the number of discharges that have taken place and the length of stay within the pilot.

- Since the pilot began there have been 44 discharges, an average of 14 a month, compared to an average of 7 per month prior to the start of the pilot. These discharges include patients who were admitted into the home prior to the pilot commencing on 1st September 2022.
- Prior to the pilot, admissions to the beds averaged 4 per month. During the pilot this has averaged 10 per month.
- The average length of stay for patients admitted during the pilot is 28 days. Some patients have exceeded the 28-day target. Of 15 patients to exceed the 28-day length of stay, only 2 is due to the patient requiring further rehabilitation. The other patients are held up by issues such as awaiting a package of care, home adaptations, or onward placements.
- The pilot is having a positive impact on those patients already resident in the home prior to the pilot starting. Many of these already have excessive lengths of stay. Of these 'legacy' patients discharged 60% returned home compared to 32% in other IR and D2A beds combined.

Service-user and staff feedback has been positive

Patients were very complimentary of the service they received, that they were aware of their rehabilitation goals and most were very motivated and intent on recovering as soon as possible to get home. All appreciated the amount of rehabilitation they were receiving.

Staff were clear that being able to work closely across teams (social care, therapy and care home) had a positive impact on care. More staff have input to the goal setting, providing a more holistic picture of the patient. This was cited as an improvement on the usual way of working. Being on site gave professionals the ability to see patients both frequently and easily so questions and issues could be addressed face to face rather than through time-consuming emails. Several care home staff commented on how the different way of working resulted in a quicker turnover of patients. While this could be a challenge in terms of familiarising themselves with patients and the additional paperwork, they cited they appreciated working with patients who were able to make a recovery and be discharged home. This was very satisfying for staff.

The pilot is influencing discussions about the number of beds required and the impact of the admission criteria. The pilot will continue past the tender timeline and will continue to shape the future service operating procedure.

Two Market Engagement events have been held, with a good level of interest from providers across the County. The events were held on the 17th October and the 21st November. An average of 20 providers attended both sessions and we have been able to share detail about how the service works in more operational detail. This helped providers to give more detailed feedback on ability to deliver and likelihood of tendering.

Main Considerations for the Council

Options

The table below shows the options considered for the procurement of the PW2 beds. Option 1 includes the costs for maintaining the current bed base. If PW2 beds are required as a speedy discharge from hospital whatever the cost, then current outcomes must be seen as within remit, acceptable and an appropriate number of beds commissioned. While it has already been acknowledged that the 2023-24 funds available are some way off affording this option, it demonstrates the costs involved if we do not attempt a different delivery model.

Options 2, 2a and 2a(i) are variations to the hub model and option 3 would require no change to service delivery except a push for a length of stay of 28 days or less.

Table 5: Options

Option	Bed No	
1. 'Do Nothing' - cater for the highest number of beds used.	150	<ul style="list-style-type: none"> • Highest cost option • Difficult to manage LOS • Difficult to manage flow • Unsustainable for Social Care and therapy input • Variance to national model
2. Base bed numbers on outcomes of the stratification <u>with 15% flow</u> but breakdown as 10 complex and 51 standard. Operating at 28 days LOS 85% of the time. Assumes support contracts cannot be amended.	61	<ul style="list-style-type: none"> • Excluded activity needs to be met elsewhere • Easier to deliver LOS defined bed population • Easier to manage discharge and flow
2a. Base bed numbers on the stratification results <u>without the 15% flow</u> broken down as 10 complex and 42 standard. Operating at 28 days LOS 85% of the time. Assumes support contracts cannot be amended	52	<ul style="list-style-type: none"> • Lower cost option • Lower Excluded activity needs to be met elsewhere • Easier to deliver LOS defined bed population • Easier to manage discharge and flow cost option
2a(i) As per option 2a. Assumes reduced associated support contract costs.	52	<ul style="list-style-type: none"> • Lowest cost option • Excluded activity needs to be met elsewhere • Easier to deliver LOS defined bed population • Easier to manage discharge and flow
3. Based on reducing LOS to 28days to increase capacity on current demand. No stratification	120	<ul style="list-style-type: none"> • Higher cost • Difficult to manage LOS • Difficult to manage flow

		<ul style="list-style-type: none"> • Unsustainable for SW and therapy input • Variance to national model
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Costs

When factoring the support contract costs the following shows the total costs for the beds. The table references the support contracts as shown in the funding table. The contracts were set up to support 60 beds, so if less beds are purchased there may be scope for efficiencies within these contracts. This will be managed by the respective lead commissioners in health and social care.

Table 6: Costs

Option	Bed No.	Bed cost (£1246 std, £1412 cx) ¹	Support costs	Total Cost	Total Budget available	Shortfall/ Surplus
1	150	£9,718,800	£5,209,153	£14,927,953	£5,444,319	£-9,483,634
2	61	£4,038,840	£2,118,389	£6,157,229	£5,444,319	£-712,910
2a	52	£3,455,712	£2,118,389	£5,574,101	£5,444,319	£-129,782
2a(i)	52	£3,455,712	£1,805,840	£5,261,552	£5,444,319	£182,767
3	120	£7,800,000	£4,167,322	£11,967,322	£5,444,319	£-6,523,003

¹. The bed cost used is an average of current costs for standard and complex beds across Discharge to Assess and Intensive

Rehabilitation beds. Actual prices could be higher or lower following the tender. The prices used do, however, correlate with responses from the market engagement event and other benchmarking exercises.

Option 2a(i) is the preferred option. The reduction in support contracts shown is that already achieved with the GP support contracts. While option 2 would give the system some flex in terms of the additional 15% capacity, given feedback from the market we don't believe the beds can be purchased within the funding available. So, although the table is showing a surplus, we are not anticipating a surplus. Dependent on the tenders received, 52 beds is the maximum we expect to achieve but this will reduce to remain within the financial envelope.

Support Contracts

Table 7 and figure 3 reference the support contracts. Any changes to these contracts will be managed by the lead commissioners. It is unlikely that contract costs can be reduced in the immediate term but is something that the BCF team will review with health and social care colleagues. A more detailed breakdown of the support contracts is shown in table 7.

Table 7: Support Contracts

Contract	Budget (2023-24) Recurrent	Purpose
Social Care	£591,696	To provide dedicated social care support to patients to expedite onward discharge
Therapy	£962,082	To provide dedicated therapy support for patient rehabilitation
GP Cover ¹	£545,655	To ensure care homes are supported with dedicated GP support for patients on this pathway.
Total	£2,099,433	

Pricing and value for money

The price/quality split will be 60% price, 40% quality.

It is proposed that the Council uses price bandings. The banding for the standard PW2 beds is between £1480 and £1550, per bed, per week. The tenderer who submits the lowest price within that band will be awarded 100% of the available marks. Prices that are greater than that will receive a percentage of the available score until they reach the maximum price. Anything submitted that is greater than the maximum price will have their submission rejected deeming it non-compliant.

We propose to purchase beds in up to 3 hubs. These hubs must be based around where the highest demand is. This is currently the south and north/west of the county. Final locations will depend on bids, but it is vital to service delivery that providers are based in locations that match demand.

Procurement

The current contracts for D2A/IR beds come to an end on 31st March 2023. It is possible that current providers will bid for the new contracts. There is a risk that providers feel the tender is biased toward the pilot provider and we are following procurement team advice regarding the tender.

The procurement will be published to members of the Wiltshire Care Home Alliance (WCHA) and any member will be able to bid. Market engagement events will also be held which will encourage providers not already on the alliance to join.

Complex Care

We propose to purchase 10 block 'complex' beds as part of the total number of beds. These beds will be designed to meet the very complex needs of people suffering from delirium. It ensures the right environment is available to keep this cohort of patients safe while providing access to therapy and reablement in a temporary setting.

Overview and Scrutiny Engagement

The PW 2 review was included within the BCF plan 2021/22 presented to the Health Select and Health & Wellbeing Board. It is also referenced in the 2022/23 BCF plan (Section 8, page 14) which is due for sign off at the Health and Wellbeing Board in December 2022. A briefing will also be provided for the Health Select Committee.

Equalities Impact of the Proposal

An initial EQIA risk assessment was undertaken to support the implementation of the WCHA which concluded that the potential impact on service users did not meet the requirement for a full Equalities Impact Assessment (EQIA).

These proposals support equitable access for any individual who has assessed needs and will be provided free to all those that need the service. Contract opportunities and service specifications for the service will require providers to demonstrate social value.

WCHA members must demonstrate that they have policies and procedures in place that are compliant with Equality Act 2010.

Service specifications under the Wiltshire Care Home Alliance state that providers must demonstrate use of local resources, take account of customer’s religion and culture, value diversity and promote equality and inclusivity.

Public Health Implications

The new model will result in an increase in people receiving therapy-based support. The model will free up resources and enable the beds to benefit more people. There will be more suitable arrangements made for those that the stratification analysis showed could be better managed elsewhere (eg, end-of-life).

The tender will encourage applications from homes that are able to ‘zone’ their bedded provision. This helps to mitigate the risks posed to hospital discharges when homes are closed for infection control reasons. It will help to maintain the capacity needed to ensure people are discharged from hospital in a timely manner.

Staffing terms and conditions and working practices will not change but there will be wellbeing benefits to staff in terms of reduced travel time and closer collaborative working with colleagues. It is hoped that this will also bring benefits in terms of recruitment and retention across all organisations involved.

Environmental and Climate Change Considerations

The tender evaluation criteria and contract terms & conditions include provision on environmental and climate change impact to ensure this is appropriately considered.

By ensuring a range of good quality local provision in the county, residents are enabled to remain living in Wiltshire. Travel and associated fuel costs and usage for families are reduced along with related fuel emissions.

The hub model being adopted will decrease support staff travel time, further reducing associated fuel cost and related fuel emissions.

Associated Risks

Table 8: Associated Risks

Risk	Impact	Mitigation
Wider system efficiencies are not realised in a timely manner and are not in place to support the reduced number of beds.	System flow is negatively impacted by the reduction in beds and people are delayed in being discharged from hospital and other settings. Length of stay in the beds remains higher than 28 days, further negatively impacting system flow.	Working closely with health and social care colleagues to track and ensure impacts from workstreams are embedded by March 2023.
Home closures for IPC reasons	The ‘Hub’ model increases the impact as more beds are involved at the home.	The specification is written to ensure the service is provided from a venue suitable for ‘zoning’ to reduce the number of beds closed at any time due to IPC needs.

There is a risk of appeal if providers feel the tender is unfairly biased toward the pilot provider.	May delay the start of the new service	We are working closely with procurement colleagues as we develop the tender and are following their advice to mitigate this risk .
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Financial Implications

The costs for the PW2 beds are met from the Better Care Fund (BCF) so there is not a direct impact Wiltshire Council budgets for this bed provision. However, the BCF has its own budgetary constraints and as such any pressure must be met from reductions in other areas of the BCF which could impact on Council services.

There is a risk that there could be financial implications on adult social care budgets as the new model is not suitable for those with long-term bedded care needs. It is therefore likely that this cohort of patients will be discharged to PW3 provision without first spending time in a PW2 bed. However this is how the pathways should be working and as long as assessments are done in a timely manner this should mitigate any increased length of stay in a PW3 bed and therefore any financial impact.

Legal Implications

Any procurement must be undertaken in accordance with the Public Contracts Regulations 2015 and the Constitution.

The recommended proposal is that the procurement will be undertaken under the Wiltshire Care Home Alliance. This means the tender will need to be undertaken in accordance with the terms and conditions of the Wiltshire Care Home Alliance Agreement. All members of the Wiltshire Care Home Alliance will have an opportunity to bid for this contract.

Legal advice has been sought on this project and will continue to be until contract award.

Workforce Implications

These proposals relate to a continuation of current activity which is delivered through external providers. There is no direct impact on the Council's own workforce.

The implications for therapy and social care support staff have been considered and both services have been involved in the co-production and delivery of the pilot. There will not be any significant change to working practices for staff in terms of locations or working hours.

Recommendations

Cabinet is recommended to: approve the purchasing of new block contracts for the provision of bedded pathway 2 hospital discharge beds.

Helen Jones (Director - Procurement & Commissioning)

Report Author: Helen Mullinger Commissioning Manager BCF

Date of report December 2022

Background Papers

Pathway 2 Review. August 2021

Appendix A – PW2 Outcomes Stratification Tool

	PW2a	PW2b	PW2c	PW2d	PW2e	PW2f	Readmissions
Definition	Medically stable, cognitively and physically able to participate in rehabilitation activities. Current dependency, rehabilitation or cognition mean not yet able to be managed in community	Medically stable, able to participate in comprehensive rehabilitation program. Higher rehab complexity (but not reaching requirement for NHSE&I Level 1 and 2 rehabilitation)	Clinical risk is too high to go home at this stage. relatively low rehab e.g., end of life care	Both clinical risk and rehab requirements are high (but not reaching requirement for NHSE&I Level 1 and 2 rehabilitation) delirium and complex MH with clinical complexity	Residing in P2 due to lack of P1 capacity	Residing in P2 due to other reasons (e.g., P3, Specialist capacity, other	Hospital readmissions from PW2
Workforce requirements	Nursing, SW, AHP	Nursing, SW, AHP	Nursing, SW	Complex specialist nursing, SW, AHP	Nursing, SW, AHP	Nursing, SW	
Current average outcomes PW2 June 22-September 22⁶	21% of demand	20% of demand	16% of demand	10% of demand very delayed	6% of demand	11% of demand	20% of demand
Bed equivalent required and numbers against 4 weekly av demand of 104	PW2 hub 22 beds	PW2 hub 21	End of life nursing beds 18 beds	Complex beds PW2 hub 10 beds	Home First 6 beds (equivalent)	PW3 beds 12 beds	Community hospital or clinical optimisation 21 beds
Plus 15% bed capacity to enable flow	22 + 3 Total 25 beds	21 + 3 Total 24 beds	18 + 3 Total 21	10 + 2 Total 12		12 + 2 Total 14 beds	21 + 3 Total 24 beds

⁶ Data from April and May 2022 was skewed by Omicron (covid) cases and was therefore omitted from the outcomes data.

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Wiltshire Council

Cabinet

13 December 2022

Subject: Environmental Mitigation Land Asset Management Framework

Cabinet Member: Councillor Phil Alford - Cabinet Member for Housing, Strategic Assets, Asset Transfer

Key Decision: Non Key

Executive Summary

The Council has a significant land holding and with an increase in pressures on the use of the land for environmental purposes, a structured approach to the review and potential reuse of land needs to be adopted. This report provides detail of an Environmental Mitigation Land Asset Management Framework, including an approach to the review of land and governance structure to determining the most effective and efficient use of the Council's assets.

Proposal(s)

- That Members agree and adopt the Environmental Mitigation Land Asset Management Framework, as including in Appendix 1.
- Authorise the Director for Assets and Commercial Development to determine the most appropriate use of assets when considered through the Framework, via the Asset Gateway & Capital Programme Board, after consultation with the Cabinet Member for Housing, Strategic Assets, Asset Transfer.
- Authorise the Director for Assets and Commercial Development to make any changes to the Framework in circumstances where criteria for assessment, legislation or land ownership changes, via the Asset Gateway & Capital Programme Board Cabinet Member for Housing, Strategic Assets, Asset Transfer

Reason for Proposal(s)

To provide a clear review and governance approach to the assessment and allocation of Council land for environmental mitigation opportunities.

Terence Herbert
Chief Executive

Subject: Environmental Mitigation Land Asset Management Framework

Cabinet Member: Councillor Phil Alford - Cabinet Member for Housing, Strategic Assets, Asset Transfer

Key Decision: Non Key

Purpose of Report

1. The purpose of this report is to introduce an Environmental Mitigation Land Asset Management Framework which enables a robust and structured approach to the assessment of Council land for environmental bases schemes. The Framework details the approach to review and details the different ways the Council, as landowner, can contribute towards mitigation opportunities.

Relevance to the Council's Business Plan

2. The Environmental Mitigation Land Asset Management Framework establishes a route to understand how the Council's land can be used to achieve the Business Plan theme of Sustainable Environment, through enhancement of the natural environment and working towards the path to carbon zero.

Background

3. The Council have a range of strategies and policies that set out that the natural environment is at risk, including:
 - Climate Strategy and associated delivery plans
 - Green & Blue Infrastructure Strategy and associated delivery plans
 - Emerging Local Nature Recovery Strategy
 - Emerging Local Plan
4. The Environmental Mitigation Land Asset Management Framework is required to respond to the climate emergency and make best use of the Council's land to develop initiatives for intervention, whilst ensures that all opportunities including those longer term are considered when initiatives are being developed.
5. It will provide consistency of approach across the estate for development of initiatives, subject to local conditions and a mechanism to select suitable sites and ensure robust challenge and audit exists through initiative development to implementation.

6. Through direct intervention the financial stability of the Council are intended to be improved, where schemes are self-financing, either through generation of income or cost mitigation.

Main Considerations for the Council

7. The Frameworks sets out the detail of a range of mitigation opportunities that may exist on council land, including:
 - Nutrient Neutrality – focusing on nitrogen and phosphorus neutrality
 - Biodiversity Net Gain (BNG) – detailing the classifications in the national metric of:
 - Woodland
 - Wetland
 - Grassland
 - Hedgerows
 - Rivers
 - Nature-based carbon offsetting – focusing on woodland creations
 - Water management (Natural Flood Management) – setting out how natural solutions can assist with flooding
 - Renewable energy – the ability to use land to generate carbon-free energy including:
 - Solar energy generation
 - Wind energy generation
 - Battery storage, independent of other energy generation
 - Bio-mass fuel growth – for sale in the market
 - Nature based air quality improvement – aiming to mitigate the impact of vehicle emissions on residents.
8. It details the characteristics required for each of the schemes to be successful, enabling a review of the Council's land to take place. In addition, the principle of "stacking" is set out, whereby an initiative may deliver more than one of the opportunities above both financially and non-monetised.
9. The Framework details the approach to the assessment of opportunities, from land review to implementation. It allows for a number of differing, potentially competing, uses to be compared to ensure that the best use of the land is promoted, reflecting both financial, non-monetised benefits and Council priorities.
10. The focus is on the self-financing schemes, i.e. those that will not have a financial burden on the Council for maintenance through the life of those schemes. The review will also identify opportunities that required Council funding to be used or a choice exists to use self-financing schemes for cost avoidance purposes but will not detail how purely internally funded scheme are taken forward. The Framework does, however, seek to use income as earmarked reserves to enable other mitigation opportunities.
11. The Framework details the governance and finance approach to the opportunities, reflecting the differing roles the Council holds. In addition, detail of stakeholder engagement and communications is set out.

12. At the time of this report whilst a review of the land has been carried out, as set in Stage 1 of site selection, the detail has not been reviewed and the number of opportunities will not be stated. This is due to the likelihood of further stages reducing the number significantly and not all opportunities will be self-financing, together with an assessment of resource and priority to bring any opportunities forward.

Overview and Scrutiny Engagement

13. The proposal to create an Environmental Mitigation Land Asset Management Framework has been discussed with the Climate Emergency Task Group, who report into Environmental Select Committee, on 16th September 2022.

Safeguarding Implications

14. There are no direct safeguarding implications with this proposal.

Public Health Implications

15. The potential health benefits and impacts are considered in the framework through the supporting policies such as the Green and Blue Infrastructure Strategy.

Procurement Implications

16. The decision to use land in a different way does not have any direct procurement implications. However, when the appointment of suppliers to assist with the development of opportunities is required, their procurement is carried out in accordance with the Council's procurement rules and policies.

Equalities Impact of the Proposal

17. There are no direct equalities implications with this proposal.

Environmental and Climate Change Considerations

18. Environmental and climate considerations is at the heart of the Framework, as it promotes a review of its land use to create opportunities to improve the conditions of both.
19. Until the review set out in the Framework has concluded the impact on these cannot be determined and it would be inappropriate to set any targets or objectives on the basis of the Framework alone. The review allows for all possible options to be considered, allowing for a robust view that the most appropriate use of land (existing, environmental or other) is determined.
20. Examples of the considerations are:
 - Nature-based carbon offsetting - there is the opportunity to either use for the Council off-setting or disposal of credits in the market
 - Renewable energy – this can either add to grid capacity or may yield direct or in-direct supply to the Council, the latter reducing the need to purchase from the market

Workforce Implications

21. There are no direct workforce implications with this proposal.

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

22. There is an increasing need for the Council to directly intervene in environmental mitigation and the Framework sets out how it should assess the opportunity to use its land for the most efficient and effective purpose. Not having such a Framework will result in a higher reliance on third parties, land or providers, to deliver mitigation and may result in increases costs for the Council. In addition, opportunities to create self-financing opportunities as the wider market for environmental scheme matures and captures latent demand.

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

23. There may be a risk of challenge for any initiative, but the Framework sets out risks will be factored into site selection and engagement with stakeholders ensures that parties are contributing to the successful implementation of opportunities.

Financial Implications

24. There are no direct financial implications to the Framework. The Framework sets out the requirement for a detailed business case to be undertaken before any investment in initiatives to ensure the financial implications and funding are understood and relevant approvals taken. In some cases funding will be generated through planning agreements or CIL payments, as above a business case will be undertaken to ensure that they are self-financing and funds are accounted for over the full life of the project.
25. The existing use of land and all alternate uses will be factored into the site selection process, thus ensuring that best value is being obtained from the land.

Legal Implications

26. There are no direct legal implications with this proposal, but the ability for any sites to be used for an evidenced initiative will be reviewed by Legal Services to ensure that covenants or other statutory duties are not either barriers or at risk.

Options Considered

27. The other option available to wait until either external market forces or initiatives come forward, but this may not give rise to a robust review approach and may miss other opportunities that exist or factors that have long term implications.

Conclusions

28. To proceed with the Environmental Mitigation Land Asset Management Framework to enable a robust review of land to be undertaken.

Simon Hendey; Director for Assets & Commercial Development

Report Author: Mike Dawson, Head of Estates & Development,
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5 December 2022

Appendices

Appendix One - Environmental Mitigation Land Asset Management Framework

Background Papers

None

Estates & Development - Document No. 130

Environmental Mitigation Land Asset Management Framework



Estates & Development Document

Environmental Mitigation Land Asset Management Framework

Contents:

1. Purpose and Statement
2. Related and Supporting Policies and Asset Management Approaches
3. Mitigation Opportunities
4. Site selection
5. Governance
6. Finance arrangements
7. Stakeholders
8. Communications
9. Monitoring and Review

Estates & Development Document

Title:	Environmental Mitigation Land Asset Management Framework		
Document Number:	SA&FM130		
Approved date/date of issue:		Version No:	V1.1
Effective date:			
Owner:	Estates & Development		

For release under Freedom of Information?	<i>Yes/No</i>
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Supporting procedures:	Wiltshire Council Business Plan
	Medium Term Financial Plan
	Capital Strategy
Contact for advice:	Estates

1. Purpose and Statement

This document outlines the Council's overall approach to the development of environmental mitigation on Operational portfolio land held by Wiltshire Council. This document does not apply to property and land in the Council's Investment Estate and does not relate to building based solutions within the Operational Estate, including direct feed renewable energy solutions.

An Environmental Mitigation Land Asset Management Framework is required:

- To respond to the climate emergency and make best use of the Council's land to develop initiatives for intervention.
- To ensure that all opportunities including those longer term are considered when initiatives are being developed.
- To provide consistency of approach across the estate for development of initiatives, subject to local conditions.
- To provide a mechanism to select suitable sites and ensure robust challenge and audit exists through initiative development to implementation.
- To improve the financial stability of the Council where schemes are self-financing.

2. Related and Supporting Policies and Asset Management Approaches

Summary of relevant policies to include and how this connects:

- Wiltshire Council Business Plan
- Asset Management Frameworks, including Rural Estate

- Climate Strategy and associated delivery plans, including emerging Offsetting Plan and Climate Adaptation Plan, as updated from time to time.
- Green & Blue Infrastructure Strategy and associated delivery plans
- Emerging Local Nature Recovery Strategy
- Emerging Local Plan

3. Mitigation Opportunities

The Council's assets may be able to deliver a range of opportunities, with distinct characteristics required for them to be realised.

The initiatives have been developed for each of the following themes:

- Nutrient Neutrality – focusing on nitrogen and phosphorus neutrality
- Biodiversity Net Gain (BNG) – detailing the classifications in the national metric of:
 - Woodland
 - Wetland
 - Grassland
 - Hedgerows
 - Rivers
- Nature-based carbon offsetting – focusing on woodland creations
- Water management (Natural Flood Management) – setting out how natural solutions can assist with flooding
- Renewable energy – the ability to use land to generate carbon-free energy including:
 - Solar energy generation
 - Wind energy generation
 - Battery storage, independent of other energy generation
- Bio-mass fuel growth – for sale in the market
- Nature based air quality improvement – aiming to mitigate the impact of vehicle emissions on residents.

For each proposed initiative the following has been provided, all included in Annex 1:

- Description of Environmental Initiative – A brief description of what is involved
- Qualifying Features – Issues that are relevant to achieve this opportunity, minimum or essential requirements
- Ideal Land Allocation – Details of the size or features of land that would need to be present for this option
- Funding – Outline funding opportunities - income generation, invest to save or grant funding options
- Alignment to council objectives – Non-monetised benefits

- Community engagement – Summary of the role the community may play in delivering and managing any schemes, including funding.

Ability to stack opportunities

When seeking funding to support environmental initiatives, it is important that two sources of funding are not funding essentially the same works. Indeed, for many grants or schemes, providers are explicitly restricted from double funding certain works. It is important to understand where funding sources can be combined to deliver environmental outcomes.

Conversely, a scheme designed to meet one environmental outcome will also deliver other environmental outcomes or can be designed to do this. For example, woodland planting can sequester carbon, provide habitat for biodiversity, reduce air pollution, reduce flooding and provide a recreational resource, if designed in such a way as to meet all of these benefits. In doing so there may be compromises and trade-offs, which mean that a scheme may not be able to maximise all environmental outcomes. In site selection the process will prioritise one outcome while also delivering against the other outcomes.

Within Annex 2 a summary of the stacking options is presented for both funding and environmental outcomes. As set out the focus is on initiatives that are self-financing, tradeable units are created for which there are markets and for which more than one income source could be derived for a scheme, namely:

Initiative	Potential stacking opportunity
Nutrient neutrality	Biodiversity Net Gain Carbon offsetting
Biodiversity Net Gain	Renewable energy
Carbon offsetting	Biodiversity Net Gain

For environmental outcomes, the detail in Annex 2 provides information about the multifunctional benefits of creating habitats across the initiatives.

A section at the end of Annex 2 sets out how new farming support payments could be stacked with BNG, nutrient neutrality and carbon offsetting, where that information is known, plus detail of other initiatives being promoted and developed including comment on the compatibility of the Council's land for these schemes.

4. Site selection

This Framework sets out a range of opportunities that in theory may be achievable of Wiltshire Council land, however, the criteria for each initiative needs to be tested against the land parcels themselves then a business case established to determine its viability and likelihood of being brought forward.

A staged approach will be applied to site selection for opportunities as follows:

Stage 1 – Land review

The first stage will determine which mitigation initiatives may be possible on Council land, creating a long list of sites carried out map based review. This initially relates to land within the Rural Estate and amenity land, plus the public highway for Nature based air quality improvements only. The review will not take into account existing uses of land, nor potential uses for the sites (e.g. development), but it will take into account the ground conditions and the requirements for a successful initiative. The outcome of Stage 1 will be a list of all available physical opportunities, not considering the practical or financial implications. This stage will not be repeated on a periodic basis, unless there are additions to the Councils land holding, the criteria for assessment changes or mitigation opportunities to consider.

Stage 2 – Site shortlisting

The outcome of Stage 1 will be used to assess other factors that have an impact on the ability to deliver mitigation initiatives, including existing tenancies (relevant to the Rural Estate), covenants associated with the land, future land uses including development. The purpose of this is to understand the potential return needed to prove that an initiative is in the best financial interest of the Council.

Developing a short-list of sites will be carried out through internal review with the Council Stakeholders. The review will focus on the self-financing initiatives, as the Council will have a choice between either an externally or internally focused proposal. They will be asked to comment on whether any proposal have either a direct or indirect impact on their service area, including alignment to council objectives (e.g. non-monetised benefits). These benefits may also assist with the ability to generate and dispose of credits especially where it links to strategic planning or environment objectives. The review will also be an opportunity to consider whether schemes can be externally or internally focused proposal.

From an Estates perspective it will factor in any existing uses, availability of land and alternate opportunities, including physical development.

Shortlisted sites will be presents to Asset Gateway & Capital Programme Board (AGCPB) to determine the preferred use of the site, considering:

- The long term impact on alternate uses
- Align with Council objectives
- Whether proposals could be either/or externally or internally focused
- The role the Council's land will take in deliver (as set out in section 6)

The sites will not all be delivered at the same time, as an opportunity to make use of the land may not be available until some time in the future, and a broad programme of delivery will be established and presented to AGCPB.

Stage 3 – Business Case

The development of a business case for self-financing and/or externally focused sites selected / approved at Stage 2 will have several aspects:

a) Stakeholder support

To have a successful scheme it is important that external stakeholders and, where public access is involved, the local community are supportive of proposals. To understand the willingness of stakeholder / community support engagement sessions and consultation will be conducted. This will include a range of stakeholders, including (where appropriate for the scheme) local elected members, town/parish councils, local resident community groups and environmental groups with an interest in the land.

This engagement will not only consider the views and ideas of the community but will also explore their role in the implementation and/or management of the initiative, where appropriate.

b) Financial

Whilst the site will meet a number of Council objectives and align with service aspirations, the financial implication needs to be carefully considered to not become a burden on the Council's finances.

Through the use of both external and internal expertise the Council will develop a financial business case to determine the likely return from any initiative, thus ensuring that the number of credits sold will cover the creation, management and monitoring of the improvements.

Where an initiative is on Rural Estate land the impact of rent will be factored into the Business Case, as will the possibility of using the tenant to carry out either or both the creation and management of the improvements, with the Council retaining the monitoring role.

c) Market assessment

Whilst a scheme may look on paper as being cost effective, it will only be successful if enough credits are sold to ensure they are self-financing. A review of the likely demand and pipeline of potential need will be carried out, with a further piece of work to

understand the likely competition from alternate schemes. This will involve potential engagement with the Council's planning teams and spatial planners and may need engagement in the development market to find suitable purchasers.

d) Legal requirements

For credits to be sold it is likely to be necessary to have them protected by covenant or legal agreement, which will be established at this stage. In addition, the regulatory / statutory body responsible for keeping a register of land will be determined and engaged.

e) Risk

Through bringing change to the existing land use there will be a number of risks to be considered and each scheme will have a dedicated risk assessment to capture the range of risks and potential mitigation strategies available.

Any sites identified that are internally focused schemes will be brought forward to AGCPB, for approval, when the responsible service area has established a proposal, including any cost avoidance value. The proposals for these schemes will be for the responsible service area to establish, including determining any capital and revenue implications.

Stage 4 – Initiative delivery

The implementation of initiatives will be established, together with the statutory consents required. This will be discussed with the stakeholder groups established in Stage 3 to ensure all parties are aware of the impact both during implementation and afterwards.

The delivery will have to consider the most appropriate time to carry out works on site and may require funding in advance of the sale of credits; this can result in greater returns from credit sales. The ability to secure funding will have to be established as will the most appropriate party to carry out the works.

Given the range of initiatives being considered under this Framework specific detail of delivery will not be detailed as the specifics of the land, proposal and potentially the community will influence this.

5. Governance

Authority to sign formal property agreements (leases and transfers) will rest with Estates, as directed by the scheme of sub-delegations. The majority of the decisions taken for operational assets will sit within the service, although on a case by case basis, sign-off may be required from Cabinet who then delegate Estates to complete the transaction. This includes the grant of tenancies within the Rural Estate, which may be utilised for a range of mitigation initiatives.

The Asset Gateway & Capital Programme Board (AGCPB) has the responsibility for making decisions for changes to the use of Council land, including re-use by Council services, disposals and investment. AGCPB will have overall responsibility for determining whether an initiative is taken forward, having considered all alternate options for a site. In some cases AGCPB will not be asked to make a decision to approve an initiative, but these occasions are limited to Rural Estate assets where there is no detrimental impact on the rent received. If necessary the Rural Estate Asset Management Framework will be updated to reflect the opportunities to make use of land for environmental mitigation schemes.

The overall programme will be managed by a Programme Executive with the Head of Estates & Development as the Senior Responsible Officer (SRO). Internal officer involvement, including internal stakeholder engagement, will be set out in a Programme Governance as approved by the SRO.

6. Finance arrangements

This Framework has the opportunity to identify both self-financing schemes and those that need Council funding, both for implementation and ongoing maintenance/management.

Whilst this is the case, the Framework will not set out a specific approach taken towards Council funded schemes as service areas responsible for these activities (for example air quality or flooding) will have to establish their own approach, except where we use “land as an enabler” the principles set out below will apply. The Framework output will inform those services area where the Council land could be included in solutions. This includes schemes where funding has been sourced through Government sources, for example woodland planting.

In respect of self-financing and/or externally focused schemes, the proposal of the Framework is to create schemes that cover both implementation and ongoing maintenance/management costs by the sale of credits. Those credits will have to be sold in any emerging market places and at the prevailing rate at the time of their sale, potentially through third party market engagement services, and after they have been formally confirmed by the relevant statutory body / code. A suitable market engagement tool will be sourced, and it is recognised that some of the credit value may be lost through engagement of a broker to maximise market opportunities.

In respect of proposals on Council land, its role as landowner and Local Planning Authority needs to be understood together with the different financial / audit requirements for both roles.

There are several ways the Council's land can be used to facilitate mitigation initiatives, and each will need a slightly different internal approach to the finances, reflecting the different roles of the Council:

a) Land as an enabler

Council land is already in use, say within the Rural Estate, is offered to a different Council Team (Client) for development of a mitigation initiative. Any income generated by the Rural Estate will have to be factored into the business case to ensure the scheme is cost neutral and cost efficient. The Client will establish funding to implement the initiative and, for externally focused schemes, sell units / credits in the market place, or secure via planning agreements. The Client will be responsible for paying for all outgoings (management, utilities, insurance payments, etc), monitoring and reporting of site during the life of the mitigation initiative.

If a Farm Business Tenancy (FBT) is needed to manage the site/habitat, then Rural Estate will receive the rent from the tenant and the Client budget to adjusted accordingly. The Client will determine the quality and specification to be included in the FBT and may ask Estates to enforce FBT, should there be any concerns over the Tenant's performance against their obligations.

b) Delivery via Farm Business Tenancy (FBT)

Council land is already in use through an agricultural tenancy and within the Rural Estate. A new tenancy will include mitigation initiative in the FBT and the Rural Estate will receive rent from the Tenant. Should there be a shortfall in rent between the market rent with and without the inclusion of environmental obligations, the Client promoting the scheme will reflect this in the business case. The Client will establish funding to implement the initiative, paying this direct to the Tenant enabling them to create the improvements, and make annual maintenance sums available to the Tenant. The Client will monitor the site, including any improvements and will use this to make annual payments to the tenant, as necessary. The Client will determine quality and specification to be included in the FBT initially and may ask Estates to enforce FBT, should there be any concerns over the Tenant's performance against their obligations.

c) Rural Estate land as direct delivery

Council land will be subject to a fundamental change where an alternate use to non-agricultural will be implemented. This will include renewal energy schemes, where the existing use is all but removed. Both the responsibility for land and any alternate revenues generated will stay within the Assets & Commercial Development Directorate, the latter compensating for the loss of any previous rent. On this basis the financial burden of no rent and costs incurred whilst void or the development process completing will sit within the Directorate. An assessment of return will be conducted

before any significant revenue or capital investment occurs to ensure that it produces a suitable return over and above any existing uses.

d) Non-commercial land as direct delivery

Council land will be subject to a degree of change where an implementation is likely to include habitat enhancement and possible changes to public access. This may include current public open space or amenity land - the Client will establish funding to implement the habitat scheme and sell unit / credits in the market place, or secure via planning agreements. The Client will be responsible for paying for all outgoings (management, utilities, insurance payments, etc), monitoring and reporting of the site during the life of the mitigation initiative.

In addition to the use of Council land there may be circumstances where the Council will need to purchase land to directly deliver mitigation initiatives:

- Private land identified by the Council Client for development of a mitigation initiative. The Client will already have secured a funding source, potentially via planning agreements or other funding sources, to purchase the site (freehold or leasehold) and implement the initiative. The Client will be responsible for paying for all outgoings (management, utilities, insurance payments, etc), monitoring and reporting of the site during the life of the mitigation initiative. If a Farm Business Tenancy (FBT) is needed to manage the site/habitat, the Rural Estate will receive the rent from the tenant and the Client budget will be adjusted accordingly. The Client will determine quality and specification to be included in the FBT and may ask Estates to grant and enforce the FBT, should there be any concerns over the Tenant's performance against their obligations.

For all proposals a Client will be established and they will be budget holders; responsible for the funding of any proposals and disposal of credits. As an example, in respect of Bio-diversity Net Gain (including habitat loss) and Nutrient Neutrality, the Natural & Historic Environment Team will be budget holders, making direct payments associated with the schemes and arrange for monitoring / audit requirements for each scheme. As funds will be received either via s106, unilateral undertaking or CIL payments, a clear audit trail for expenditure on an initiative by initiative basis will be needed.

This Framework confirms that in respect of Biodiversity Net Gain, Nutrient Neutrality and Carbon Credits there will be no direct sale of credits between Assets & Commercial Development Directorate and developers / consumers for credits, unless brought forward as "direct delivery" defined above.

The Client budget will allow for both direct and indirect salaries to be charged to projects and overall, allowing for internal teams to cover costs of enabling, procurement, management and monitoring.

7. Stakeholders

- Third Party providers – specialists and national bodies involved in environmental mitigation activities
- Stakeholders will include a range of Council services, including:
 - Energy & FM
 - Natural and Historic Environment
 - Highways Operations
 - Local Highways, Countryside and Rights of Way
 - Climate Team
 - Public Protection
 - Highways Asset Management
- Council's Cabinet Members and Local Elected Members
- Town and Parish Councils
- Community groups and local interest groups
- Rural Estate Tenants

8. Communications

It is recognised that changes to the use of land will result in the need for consultation, outside of any required to obtain statutory consents. Ensuring both internal and external stakeholders are engaged and involved from an early stage is essential to ensure the success of any initiative.

Where an initiative is considered appropriate and to be explored, a communication plan will be developed on a case by case basis that will include all stages of the schemes including promotion of successes. Where the engagement flags any significant risk due to stakeholder feedback, the risk will be assessed and mitigations found. Should those mitigations not be suitable to the stakeholders the AGCPB will be consulted on whether to proceed or withdraw the proposal.

Communications will include the full range of media available, from face to face workshops to digital connectivity, depending on the individual communication plan established.

Elected Members and internal Overview & Scrutiny Groups will be updated on a regular basis, with the Climate Emergency Task Group have been asked to comment on this Framework before its approval.

9. Conflict of Interest

The Council has a number of roles in the implementation and delivery of Environmental Mitigation opportunities, including as:

- enabler – through use of its land or purchase of land
- implementer – establishing the specification of the schemes and either directly or indirectly delivering the opportunity
- activity monitor – monitoring the activity of the contractor to ensure habitats thrive or schemes progress as planned
- banker – holding the funds from planning agreements, making payments (including internal) for use of land, management, monitoring etc
- statutory monitoring authority – roles placed on the Council for statutory returns

Through development of this Framework, the different roles are acknowledged and demonstrate that the Council, as landowner, are not seeking a competitive advantage through promotion of its own land only. The Council has a role to fulfil its statutory duties yet it is acknowledged that the use of Council land is only one option available.

10. Monitoring and Review

Progress on the initiatives identified as a result of this Framework will be monitored on a quarterly basis with Estates & Development and reported to the AGCPB as required.

The Framework will be reviewed after 3 years of approval, to allow some initiatives to be taken forward and the impact understood, plus any changes in the criteria for assessment of land.

Annex 1 – Technical detail

Nutrient Neutrality

Description of Environmental Initiative
<p>There are four catchments within Wiltshire that need nutrient neutrality. These are –</p> <ol style="list-style-type: none">1. Hampshire Avon (phosphorus neutrality)2. River Test catchment (nitrogen neutrality)3. Somerset Levels and Moors Ramsar (phosphorus neutrality)4. The River Lambourne (phosphorus neutrality) <p>The Hampshire Avon catchment offers the greatest opportunity for phosphorus mitigation projects. The types of projects that are sought include opportunities for riparian buffers and wetlands.</p> <p>Land use change from very intensive agricultural use e.g. pig or poultry farm may also offer mitigation opportunities, especially if additionality and stacking from other environmental offsets can apply. Other agricultural land use tends not to deliver high levels of phosphorus benefit and as such may offer only limited benefits for phosphorus mitigation. There may be some opportunities for land use change in the upper Nadder catchment, and a very small part of the Upper Avon where the soils have impeded drainage e.g. clay rather than chalk.</p> <p>The main mitigation option that is being secured is for wetlands – either constructed wetlands downstream of Wastewater treatment works or river / stream wetlands - and riparian buffers. The Rivers Trust has produced a wetland framework to advise on design for nutrient neutrality. We are also expecting guidance from Natural England on riparian buffers in two to three months. Examples of other projects include - River Ingol Project brochure.indd (norfolkriverstrust.org) Creating new ponds with opportunities for floating wetlands, or adding floating wetlands to existing ponds are further mitigation options to be considered. Short rotation willow coppice can also remove phosphorus when situated to intercept surface run off pathways. Other technological options are possible for mitigation are possible, for example linked to package treatment plants or septic tanks (Council owned or linked to Council farms) and, possibly water efficiently in Council-owned properties.</p> <p>River Test catchment</p> <p>Wiltshire Council has a strategic mitigation scheme in place for the River Test catchment. These has capacity for immediate and future housing growth, and no further mitigation opportunities are likely to be required.</p> <p>River Lambourne and Somerset Levels and Moors</p> <p>Only very small parts of the Somerset Levels and Moors Ramsar and River Lambourne catchments fall within Wiltshire. Given this, and the lack of development opportunities in these areas, there are limited mitigation opportunities.</p> <p>Natural England guidance on this issue is included on our website - Phosphorus and nitrogen mitigation - Wiltshire Council</p>
Qualifying Features
<p>Given the Hampshire Avon is the catchment where mitigation is still sought, the area of search is within this river catchment, as demonstrated by the plan below:</p>



Ideal Land Allocation

Proximity to rivers

Land adjacent to the Hampshire Avon tributaries and water network.

Location

Any land in the upper Hampshire Avon catchments is sought. For example, upper Avon (upstream of Upavon), upper Wylde (upstream of Warminster), upper Nadder (upstream of Tisbury), upper Bourne (upstream of Idmiston).

Soil type

Land on soils with impeded drainage eg blue, green or dark brown categories on map below.



[Soilscapes soil types viewer - National Soil Resources Institute. Cranfield University \(landis.org.uk\)](http://landis.org.uk)

Size

The amount of land needed for different mitigation projects will vary. Wetlands could be between 1ha to 4 ha in size. Riparian Buffers will be a depth of around 15m from the river or stream, but the length can vary and will depend on topography and surface water overland flows. Ponds and short rotation coppice fields could be less than 1 ha.

Schemes for land use change from agricultural land to nature reserve or country park can be any size, though larger schemes, greater than 15 - 20 ha have more scope for multiple benefits.

Funding

The River Test mitigation scheme is being run as a pilot. The price for the nitrogen credits have been set by the Council at £2,500 per 1 kg /Nitrogen.

The Strategic Approach for the Hampshire Avon is funded by ringed fence pot for £850,000. A new NE Strategic Mitigation Fund is being progressed which will look at options but any mitigation (loss of rental income, habitat creation and long-term management) on Council land will be funded by the strategic approach (CiL at present, with other funding sources being investigated).

Nutrient neutrality schemes can be self-funding by the sale nutrient credits to developers. However, they do require significant capital expenditure to generate these credits.

Alignment to council objectives

Nature based solutions such as wetland, nature reserves and country parks, would need meet objectives set out in the Business Plan, Green and Blue Infrastructure Strategy and Climate Strategy.

Community engagement

Nature reserves and wetlands have scope for public access and community engagement, although maintenance may require specialist services that may only be deliverable by established community organisations.

Public access and health & well-being

Wetlands can provide opportunities for access to and appreciation of nature. Wetlands need to be designed to facilitate access without creating impacts that affect the functioning of wetlands systems. For example, access by dogs needs to be controlled to prevent erosion or nutrification of clean water bodies. Recreational access, particularly any interaction with water bodies (e.g. fishing, pond dipping) also needs to be managed.

Biodiversity Net Gain

Description of Environmental Initiative

Biodiversity net gain (BNG) is a process whereby development leaves biodiversity in a better state than before. BNG is a habitats based assessment which requires the calculation of baseline biodiversity 'units' and post-development (or other intervention) units. The aim for any project is to result in a net gain in those biodiversity units.

Mandatory biodiversity net gain was introduced with the Environment Act 2021. At the time of writing, the Secretary of State for the Environment is drafting regulations which will set out how mandatory BNG will work. These regulations are due to come into force late in 2023. In due course, most developments and Nationally Significant Infrastructure Projects will be required by law to deliver a 10% net gain in biodiversity.

The National Planning Policy Framework includes the need for development to deliver biodiversity net gain. As such many developments are already required to deliver a net gain, but not at a specified level.

Some Local Plans also include BNG policy and set out net gain targets, some of which are above the nationally mandated 10%.

In practice BNG will mean developments will need to be designed so as to reduce their impacts on the most important habitats. For many sites, especially small ones or those on relatively high quality habitat, will not be able to deliver a net gain on site. For these sites, developers will be required to offset their impacts by paying for biodiversity enhancements on other land. This land will either be purchased by the developer for that purpose, or developers will purchase units from habitat banks owned by third parties.

Habitat banks are where landowners enhance their land to improve it for biodiversity and then sell the units generated to developers that need them. These habitat banks will need to meet target habitats and condition and will need to be managed for a minimum of 30 years. In addition, there is going to be a requirement to register sites with a regulatory; likely to be Natural England, and the potential for conservation covenants to be placed on the title.

Wiltshire Council, as landowners, will be in a position to create habitat banks and sell biodiversity units to developers requiring units in Wiltshire. The regulations will also set out how this can be achieved while not creating a monopoly.

Qualifying Features

BNG works best when enhancing land of low biodiversity value to land of high biodiversity value, or improving the condition of existing habitats.

Habitat creation or restoration should also be targeted in those locations that will make the greatest contribution to wider nature conservation targets. This includes sites with the Nature Recovery Network as well as Wiltshire Nature Map Strategic Nature Areas.

Many of the UK's most valuable habitats for biodiversity rely on grazing animal to maintain them (lowland meadows, chalk grassland, heathland, wood pasture and parkland). The successful creation or restoration of these habitats is therefore likely to require livestock as part of the management system. Alternative management systems are possible and these should be considered where livestock are considered impractical. Therefore when planning BNG schemes, management plans need to consider the practicalities of including livestock in the management system.

BNG should enhance landscape character not transform it. Therefore proposals for BNG schemes will need to fit within the existing landscape. Largely this means enhancing the biodiversity value of existing habitats, not creating completely new ones. Some limited transformation may be acceptable, but it should be an exception. Restoration of past habitats is encouraged.

Ideal Land Allocation

BNG works best at scale. This is because the capital and maintenance costs are scale dependent, meaning small sites are more costly per hectare than larger sites. Therefore, as a general rule it is recommended that sites have a minimum area of 5 hectares, and larger sites should be prioritised.

Sites will only be considered for BNG if they are within:

- Natural England's Nature Recovery Network; or
- Wiltshire Nature Map Strategic Areas

Woodland

- Only existing woodland should be considered for BNG.
- Creating woodland under BNG does not generate many units per hectare. Therefore, improving the condition of woodlands should be prioritised, by bringing them back into active management.

Wetland

- Wetland sites can only be created on impermeable soils/geology.
- Wetlands can only be created within Flood Zones 1 and 2.

Grassland

- Where possible, grassland enhancement for BNG should target the restoration of degraded priority grassland.
- Target habitat for grassland will partly depend on the geology / soils, as well as past land use.
- Soil properties need to be measured to determine the most achievable outcomes.

Hedgerows

- Where possible hedgerows should connect other habitats, such as woodland or other hedgerows
- Hedgerows should be native and species rich, and should include standard trees.

Rivers

- River enhancement can only be carried out where Wiltshire Council is the riparian owner.

Funding

Funding for biodiversity net gain will come from the sale of generated biodiversity units to developers that require units to offset their development impacts.

Some capital funding may be required to set up habitat banks.

Any income will need to cover these capital costs, plus 30 years of management and monitoring of the habitat bank, but **BNG schemes should be self-financing if delivered at an appropriate scale.**

Alignment to council objectives

BNG will underpin the Local Plan by providing a solution to those allocated sites that cannot deliver an on-site net gain for biodiversity.

BNG will also channel funding into habitat creation and restoration in priority locations for nature conservation.

BNG funding should not replace existing budgets to manage parks and open spaces with high biodiversity, as this would lead to an overall loss of biodiversity in Wiltshire.

BNG delivered on the Council's farms supports the Rural Estate Asset Management Framework objective to *'promote sustainability, biodiversity, climate change resilience and public access across the Estate by encouraging and supporting, as appropriate, a full range of innovative measures and activities.'*

Community engagement

BNG schemes need to be managed and monitored for a minimum of 30 years. Any organization entering into BNG agreements needs to be able to demonstrate that they are able to commit to and deliver a 30 year scheme. As such, the communities may find it difficult to demonstrate this ability. However, community groups may be able to enter into partnerships with other organisations in taking on responsibility for some aspects of habitat banks. For example, the community could play a role in monitoring the site for changes in biodiversity.

Where a Council farm tenant is asked to deliver the BNG measures as part of their farm tenancy they will commit to deliver the scheme for the duration of their tenancy agreement which may be for 10 or 15 years. Following this period the Council will need to re-let or dispose of the property to another party who is prepared to commit to delivering the scheme for the remainder of the 30 year period.

Public access and health & well-being

Public open space is not a priority for BNG. This is because disturbance and eutrophication from recreational uses of open space place a ceiling on the habitats and their condition that can be created in open spaces. There is also often conflict between recreation uses of open space and livestock that are often required to manage semi-natural habitats. As BNG works best when public access is limited, public access will not be increased through BNG.

Health and well-being benefits of BNG are likely to be limited as a result of the restrictions in public access. However there may be opportunities to facilitate limited public access to some sites for the observing and appreciation of nature.

Nature-based Carbon Offsetting

Description of Environmental Initiative
<p>Nature-based carbon offsetting is a process whereby carbon dioxide is removed from the atmosphere through natural processes. The carbon dioxide removed is quantified and the CO₂ captured can then be sold to offset another organization or individual's carbon emissions. In theory, an organisation's emissions are offset by the sequestration in biomass leading to net zero emissions. However, in reality, CO₂ emissions are increasing year on year and there is relatively low sequestration rates due to intensive land management.</p> <p>Natural processes can be used to sequester some of the CO₂ in the atmosphere, which coupled with drastically reducing emissions would help mitigate the effects of climate change.</p> <p>Currently in the UK there are two verified nature-based carbon offsetting schemes – The Woodland Carbon Code and the Peatland Carbon Code. Both of these schemes are run by the Forestry Commission. Verified carbon standards for other habitats are emerging (e.g. Wilder Carbon), but as yet these are not widely available.</p> <p>Therefore, the criteria set out below will need to be revised as other schemes become established as other land may become suitable for nature-based carbon offsetting. Carbon offsetting by removals is therefore restricted to the woodland and peatland carbon codes.</p> <p>Many other semi-natural habitats sequester carbon. Grasslands and wetlands also sequester carbon, but at present, no mechanism exists for verifying the carbon sequestered by these habitats. It is possible however to measure carbon sequestered by natural habitats. This should be considered as part of any scheme that creates new habitat, so that future opportunities can be captured.</p>
Qualifying Features
<p>Peatland</p> <ul style="list-style-type: none"> • Unlikely to be relevant to Wiltshire as this scheme is for peatland restoration. There are no peatland sites in Wiltshire that would qualify for this scheme. <p>Woodland</p> <ul style="list-style-type: none"> • New woodland needs to be accessible to forestry machinery and vehicles and therefore existing or new access tracks will be required. • Consideration of risks associated with trees need to be considered, especially in proximity to residential dwellings. New woodland creation therefore should be located largely in rural areas. • New woodland should be of native species to deliver other environmental outcomes. • In applying for the Woodland Carbon Code, woodlands will need to be approved by the Forestry Commission.
Ideal Land Allocation
<ul style="list-style-type: none"> • For woodland creation, land should be of a low ecological value. Any sites with priority habitat or those designated for nature conservation will be excluded. • New woodland planting should strengthen landscape character. Sites in landscapes where new woodland planting would not be appropriate in a landscape will be excluded. • Sites within 50 metres of residences may be excluded, subject to impact on those residences. • Sites with underground utilities will be excluded to preclude the risk of damage to infrastructure. • Sites should have a minimum area of 1 hectares to comply with the Woodland Carbon Code. Woodland over 0.5 ha will require an EIA. • Sites should have either (a) existing access, or (b) be within 200 metres of an existing access

Funding
<p>Registration under the Woodland Carbon Code does not preclude landowners from applying for funding from other schemes including the Woodland Creation Planning Grant and the English Woodland Creation Offer. However, these schemes have eligibility criteria independent of the Woodland Carbon Code and capital costs for woodland creation will be required where sites are not eligible or funding is insufficient to meet the requirements of the site.</p> <p>Once approved, carbon credits can be sold via the Woodland Carbon Code market place. Carbon credit prices are approximately £70 per kilo of carbon sequestered.</p> <p>These schemes are likely to be self-funding through a combination of grant funding and carbon credit sales. They do require potentially significant capital sums to create carbon offsets.</p>
Alignment to council objectives
<p>Wiltshire Council may be able to use some of the carbon credits generated through woodland planting to offset their own emissions on their path to carbon neutral and net zero.</p>
Community engagement
<p>Communities could be involved in tree planting and possibly woodland management.</p> <p>It may be possible to set up community share offers so that individuals can invest in carbon offsetting for their own emissions.</p>
Public access and health & well-being
<p>Woodland created for carbon offsetting can be designed so as to create a recreational resource.</p>

Water management (Natural Flood Management)

<p>Description of Environmental Initiative</p> <p>Natural Flood Management (NFM) is when natural processes are used to reduce the risk of flooding. It involves implementing measures that help to protect, restore and emulate the natural functions of catchments, floodplains and rivers.</p> <p>The aim of NFM is to reduce the maximum volume of water during a flood or increase the time it takes for flood water to move downstream, providing more time to take action during flood events.</p> <p>There are three main ways for reducing flood water volumes and delaying floods:</p> <ul style="list-style-type: none">• Increase flood water storage capacity by creating temporary storage which will fill up during a flood event and empty slowly. This is achieved by reconnecting functioning floodplains and creating storage ponds.• Increasing catchment and channel roughness. This 'slows the flow' by increasing the time it takes for flood water to move through the catchment. Approaches include planting trees and hedgerows, restoring meandering rivers and installing leaky dams.• Increase the amount of water that drains (infiltrates) into the ground or is lost back into the atmosphere via evapo-transpiration. This can be achieved by changing agricultural practices to improve soil structure and reduce soil compaction, or installing sustainable urban drainage systems (SUDS). <p>Some interventions, such as tree planting, can have more than one benefit. Trees increase surface roughness and therefore 'slow the flow' as well as increasing evapo-transpiration rates. NFM approaches will not solve all flooding issues, and other measures such as engineered solutions or community resilience measures will also be required to reduce the impact of flooding.</p>
<p>Qualifying Features</p> <p>Constraints:</p> <ul style="list-style-type: none">• Some works, especially those to rivers, may need consent from the Environment Agency, and their advice should be sought on any proposals.• Works should not be carried out on land designated for biodiversity, or on priority habitats, unless the works will only result in a biodiversity enhancement.• Tree planting should strengthen landscape character.• All proposals should carry out a heritage search to avoid disturbing archaeological or heritage assets.• Works should be located away from residential development so as not to increase flood risk from some activities. <p>Flood water storage</p> <ul style="list-style-type: none">• Ponds should be located in the river flood plain to maximise flood water storage. These can be a combination of shallow scrapes or deeper ponds that hold water all year round• Flood plain reconnection can only take place within the floodplain <p>'Slow the flow'</p> <ul style="list-style-type: none">• Woodland can be planted anywhere in the catchment, but must not harm landscape character. Ideally woodland should be planted at the top of the catchment to slow the flow before it reaches the watercourse.• Works to river banks and re-meandering rivers should avoid loss of habitat already valuable for biodiversity.• Leaky dams will require adjacent land to be either permanent grass or woodland to avoid loss of arable crops or other sensitive land uses.

<p>Ideal Land Allocation</p> <ul style="list-style-type: none"> • Any land in flood zone 2 and 3 which is not excluded for other reasons • Any land in riparian ownership • Any identified 'Working with Natural Processes' options as identified by the Environment Agency
<p>Funding</p> <p>From the 'Catchment Based Approach' website: https://catchmentbasedapproach.org/learn/find-funding-for-natural-flood-risk-management-projects/</p> <p><u>Grant in Aid (GiA) DEFRA funding</u> Risk management authorities (RMAs) can apply to Defra for Grant in Aid (GiA) to deliver flood risk management schemes. For every possible Flood and Coastal Erosion Risk Management scheme around the country RMAs must make the case to Government to provide the money to cover the scheme costs. Before giving any money the Government require RMAs to go through an appraisal process and demonstrate that money spent on managing flood risk benefits the nation as a whole rather than just locally or specifically for a homeowner.</p> <p><u>Local Levy (Regional Flood and Coastal Committees RFCC)</u> Projects are selected by committee. The local levy can fund all types of flood risk management projects, both traditional and natural approaches, but only those not funded by GiA. Funds are raised by a levy on local authorities and committee members are appointed from Lead Local Flood Authorities and the Environment Agency to plan and invest in flood and coastal erosion risk management.</p> <p><u>DEFRA Natural Flood Management Funding</u> Following the 2016 Autumn Statement, Defra announced £15 million of government funding for natural flood management schemes across England. The Environment Agency, Natural England and Forestry Commission, identified a number of projects at a catchment or coastal zone scale, and following consultation with the Flood Minister, have allocated funding to 24 projects. £1m of funding was also set aside for an 'open competition' for community projects.</p> <p><u>Countryside Stewardship</u> Countryside Stewardship provides financial incentives for land managers to look after their environment through activities including: flood risk management; conservation; woodland creation and management and reducing water pollution from agriculture. The funding is highly competitive and favours projects addressing regional priorities and delivering multiple objectives.</p> <p><u>Community Infrastructure Levy</u> Community Infrastructure Levy is charged by local authorities on new developments and the funding raised can be spent on a range of infrastructure including transport, flood defences, schools, hospitals, recreation, and open spaces. There is a high demand for funds and local funding priorities will vary. Funds are allocated by local authorities.</p> <p>These schemes are unlikely to be self-funding, as there are no saleable credits or other sources of income generated.</p>
<p>Alignment to council objectives</p> <p>Reducing flood water volumes will benefit residents by reducing the risk of homes and businesses flooding.</p> <p>Natural Flood Management will also deliver other environmental benefits such as increased biodiversity, improved water quality, and carbon sequestration (from woodland planting and pond creation).</p>

Community engagement

Stakeholders, such as Bristol and Avon Rivers Trust, Wildlife Trust and local groups may have identified projects which could deliver natural flood management benefits.

Public access and health & well-being

Reducing the impact of flooding has significant health and well-being benefits, but these are related to flooding itself. The interventions to achieve these outcomes can be designed for recreational access, such as catchment woodland planting. However, overall, natural flood management does not create many recreational opportunities, as they are often limited in scope. There is however a general improvement to the riparian environment which, where access is already provided, will create better experiences.

Renewable Energy

<p>Description of Environmental Initiative</p> <p>Renewable energy is energy derived from natural sources that are replenished at a higher rate than they are consumed. They also create far less emissions than burning fossil fuels and are a key part of addressing the climate crisis.</p> <p>The UK government has set a target of achieving net zero emissions by 2050. The UK Net Zero Strategy sets a target that all electricity will come from low carbon sources by 2035, subject to security of supply, whilst meeting a 40 – 60% increase in demand.</p> <p>Challenges for renewable energy include:</p> <ul style="list-style-type: none"> • Uncertainty in the long-term laws, policies and incentives relating to renewable energy. • Intermittency of output in providing a stable power supply. • Technology for renewables projects is rapidly evolving and investment in the technology can be costly. • Constraints within the grid network.
<p>Qualifying Features</p> <p>There are several factors that must be taken into consideration when scoping out sites for renewable energy- Sites for renewable energy will require careful consideration due to landscape and visual impacts, especially in designated or sensitive areas, such as:</p> <ul style="list-style-type: none"> • Sites within any landscape designations (AONB, National Park, greenbelt) • Sites within or near any environmental designations (SSSI, SPA, SAC, RAMSAR, LWS) • Sites related to any heritage assets <p>Additional considerations include impacts on biodiversity, the transport network, residential amenity, best and most versatile agricultural land.</p> <p>The minimum size site requirement varies dependent on the type of energy, based on current assumptions relating to commercial viability.</p> <p>Solar – minimum of 6 acres Wind – minimum of 25 acres Battery storage – minimum of 2 acres. If looking at existing buildings these should be circa 10,000sq ft.</p> <p>Sites must be close to a grid connection (details of types of ideal grid connection distances for each type of energy can be found in the following section), as the further away from the grid, the higher the cost of connecting.</p>
<p>Ideal Land Allocation</p> <p>Solar</p> <ul style="list-style-type: none"> • Land Type: Agricultural land grade 3b or below, or brownfield, contaminated and industrial land. Not in a flood zone. No PROWs. • Connection to the grid: be within 3km of a 33kV or 11kV line and within 5km of a substation (unless all power is being fed directly into building use). • Topography: land should have a slope less than 5 degrees. • Irradiance: site should ideally be south facing. • Proximity to dwellings: no buildings or trees causing shade.

Wind

- **Connection to the grid:** be within 10km of a substation and within 3km of a 33kV line.
- **Aviation:** not in an aviation zone.
- **Wind speed:** an average wind speed of 6m/s (though lower speeds may be viable in future).
- **Proximity to housing:** not be within 500m of a residential property.
- **Access:** have access to a road for works vehicles (lorries, cranes).

Battery Storage

- **Land Type:** Agricultural land grade 3b or below, or brownfield, contaminated and industrial land. Not in a flood zone 2 or 3. Could also be situated within existing buildings. No PROWs.
- **Connection to the grid:** be within 1km of 11kV, 33kV, 66kV or 132kV of cables (overhead or underground).

Funding

CfD (contracts for difference) is the government's main mechanism for supporting renewable energy generation where a strike price is agreed for the power generated. They are competitive auctions which provide efficiency and cost reduction but participating in a CfD round is costly and competitive therefore is more suitable for large-scale well-funded projects. To date these auctions have been sporadic, but from 2023 auctions will be held annually.

Other models for renewable energy include:

1. Direct development and ownership of renewables

The best returns under this model are where renewables can be co-located with buildings or a source of demand. The renewable energy goes directly into the site of demand and offsets the higher cost of imported electricity. The CfD mechanism could also be used here for the right type and scale of project.

2. Private wire renewables or micro-grid developments

Linking generation through a private wire or a micro-grid bypassing the UK grid network. This can provide cost savings through not requiring a supply licence and reduce upfront development costs. An example of this could be where the local authority could generate electricity and supply it directly to a social housing site.

3. A sleeve PPA Agreement

A sleeve PPA (power purchase agreement) is a structure that can link renewable energy generation with demand where the electricity is transported through the UK grid network with an energy supplier acting as a 'go between'. The PPA provides a contractual link between the demand customer and generator – there are no physical links. The benefit to this is fixing a price for the electricity generated over a long period.

More detail on these and some more emerging models for local authorities for development renewable energy can be found in this Regen paper - <https://www.regen.co.uk/publications/local-authority-models-for-developing-renewable-energy/>

Overall these schemes should be self-financing either through sale of energy to third parties, include the National Grid or through cost savings by the Council purchasing energy. This is subject to a target rate of return that would be set by the Council.

Alignment to council objectives

Renewable energy aligns with the overarching objectives of the Council Climate Strategy 2022 with the aim for Wiltshire and Wiltshire council to be carbon neutral by 2030.

Community engagement

Renewable energy generation can provide many opportunities for communities including:

- Increase in jobs in construction and operation.
- Lower energy prices for local households and businesses.
- Greater local energy security and resilience.

There is also potential for community energy groups to buy projects or become a delivery partner which then could lead to groups retaining profits and using within a community. There are already several community energy groups within Wiltshire including Salisbury Community Energy, Nadder Community Energy, Wiltshire Wildlife Community Energy and Bath & West Community Energy. Community Energy England provide support for both existing and potential new community energy groups - <https://communityenergyengland.org/>.

Public access and health & well-being

Energy generation schemes do not provide any recreational or health and well-being opportunities, as they are potentially dangerous environments and need to be kept secure.

Bio-mass fuel growth

Description of Environmental Initiative
<p>Utilising some of the council owned land to grow perennial energy crops (PECs) that can be harvested, pelletised, and burnt in biomass boilers. This would not be an opportunity that the council could utilise for its own biomass boilers, as the quality of pellet that is produced is not of sufficient quality.</p> <p>However there is a market for using the pellet at more agricultural boiler sites and there is an opportunity to produce pellet to sell into this market.</p> <p>The opportunity is to grow the crops and supply a current processor/manufacturer (ideally within Wiltshire), who would then sell into this market.</p>
Qualifying Features
<p>A recent analysis concluded that the majority of farmland in Wiltshire is suitable for growing PECs, having looked at climate, soil types and land characteristics. Land that falls into Soilscape 18 and Soilscape 8, being heavier clay soils with greater moisture retention and fertility are well suited to PECs. Specifically, the Avon Vales and Salisbury Plain and West Wiltshire Downs areas were highlighted as being very suitable. The 30-year average rainfall, mean temperatures and sunshine for Wiltshire are deemed average to good conditions for growing PECs.</p>
Ideal Land Allocation
<p>Whilst there is no specified land requirement for crop growth, the nature of it being an arable product the opportunity is limited to the county farms only, rather any change of use from open space or recreation purposes. The type of crop chosen as the PEC would also dictate the land required, see detailing the different product details:</p> <p>Short Rotation Coppice (SRC)</p> <ul style="list-style-type: none"> • SRC involves the planting of fast-growing willows at very close spacings (15,000/hectare). • Poplar can also be grown as SRC, but this is less common in the UK. Currently there is around 2,000 – 4,000 hectares of SRC planted, mostly in Cumbria, Yorkshire and the East Midlands. There is currently very little in the south west of England. • Harvesting takes place every 3 years. • SRC will reach a height of 7-8 metres after each 3-year cycle. • Planting should take place between March and May. • After establishment SRC is usually cut back to its base to promote coppicing. • The best option would be to plant equal amounts over a three-year period so every year a similar amount is harvested. • Rabbits are an issue – shooting is an option but only reduces the problem by 30%. Fencing is 100% effective but expensive. • SRC involves an intimate mixture of six varieties with different genetic backgrounds. Most varieties are rust resistant. Some varieties are more prone to beetles than others. Mixing varieties reduces this threat. • SRC is a very good habitat for insects and birds. • SRC is harvested wet (50-55% MC). It is best to harvest in spring. Harvesting in summer is an option but is less advantageous as this produces poor quality chip and undermines biodiversity benefits. • Planting and harvesting of SRC involves bespoke equipment and there are only a few machines and contractors currently active in the UK (mostly in the North of England and Northern Ireland). • SRC willow roots tend to be very fibrous, with the majority being located in the top 30 cm of the soil. • Future crop removal should be a simple enough task although this is fairly expensive .

Short Rotation Forestry (SRF)

- SRF involves planting single stemmed trees over rotations of 8-20 years depending on the species chosen.
- Stocking rates can vary according to species. Typically, exotics would be planted at 1,650/ha whilst natives would have closer spacings of 5,000/ha.
- There are an estimated 2,000 hectares of SRF in the UK.
- The fastest growing trees (e.g. eucalyptus) can reach a height of over 10m in 5 years and up to 20m after 20 years.
- The stem diameters can reach 10-20cm at breast height (1.3m).
- Fast growing trees with potential for SRF include native and honorary native trees such as poplar, hybrid aspen, sycamore, ash, birch, alder and spruce and exotic species such as Eucalyptus spp. and southern beech (Nothofagus spp).
- All operations are performed using conventional forestry equipment and the quality of woodfuel produced should be superior to SRC.
- After harvesting, stools can be allowed to regenerate as coppice or new plants can be established in gaps between existing stumps.

Miscanthus

- Miscanthus is a woody rhizomatous C4 grass species which originates in SE Asia.
- Miscanthus rhizomes should be planted in the spring between March and May at very close spacings (20,000/hectare).
- Harvesting takes place every year in March-April.
- As it's a perennial crop with an annual harvest, miscanthus is an easier crop to get farmers to grow. There are currently around 10 – 15,000 hectares planted in the UK. The main areas are the South West, the East Midlands, the East of England and Yorkshire.
- A reasonable crop can be harvested after year 2 but the crop doesn't reach full maturity until years 4-5.
- Mature miscanthus plots reach a height of 3 metres each year.
- Miscanthus performs best on former arable land. If the crop is to follow grass it is advisable to plant a cereal break crop to reduce the possible predation of rhizome roots by wireworms and leatherjackets.
- Miscanthus cultivation uses readily available machinery – there are lots of planters and many options for harvesting.
- Miscanthus is planted as a monoculture of one variety.
- Rabbits are an issue during establishment.
- Miscanthus does not respond to nitrogen fertiliser.
- Miscanthus can be harvested dry (~16% MC) but this relies on good (i.e. dry) spring weather conditions. In wet springs, the moisture content of chip can be ~30% MC.

Funding

The main income opportunity is the sale of PECs to the pelletising industry, where they can be used to produce pellets for burning. The amount of income that could be gained for this is not known.

There is also a potential for income from Carbon Trading through a scheme like the Woodland Carbon Code, however this does not currently cover PECs, although this is under review and may develop in the future.

Alignment to council objectives

Other benefits could include self-sufficiency of fuel supply and less volatility in pellet costs, should suitable quality pellets could be produced in the future; potential for improved control over fuel quality; long term commitment for council farms; potential to improve water quality by reduced run off; potential flood mitigation; some PECs are promoted for attracting specific bird types, pollinators, and invertebrates, hence adding to biodiversity.

Community engagement

These proposals are unlikely to create any additional jobs unless rolled out on a large scale. There is potential for working with existing farmers to switch to PECs on current arable land.

Public access and health & well-being

Bio-fuel crops do not provide any recreational or health and well-being opportunities, as they are potentially dangerous environments and need to be kept secure.

Nature-based Air Quality Improvement

Description of Environmental Initiative
<p>Poor air quality is the largest environmental risk to public health in the UK, as long-term exposure to air pollution can cause chronic conditions such as cardiovascular and respiratory diseases as well as lung cancer, leading to reduced life expectancy. Air pollution is a complex mix of particles and gases of both natural and human origin. Particulate matter (PM) and nitrogen dioxide (NO₂) are both major components of urban air pollution.</p> <p>DEFRA currently requires every district and unitary council to submit an annual report on air quality within their area called an Annual Status Report. This details whether Air Quality meets UK legal requirements in their area. Air Quality Monitoring Areas (AQMAs) have been identified within Wiltshire where air quality is known to be an issue.</p> <p>Air quality in Wiltshire is predominantly good with the majority of the county having clean unpolluted air. There are however a small number of locations where the combination of traffic (the primary source of the pollutants is vehicle emissions), road layout and geography has resulted in exceedances of the annual average for nitrogen dioxide (NO₂) and fine particulates (PM₁₀).</p> <p>Nature-based Solutions (NBS) address societal challenges through the protection, sustainable management and restoration of both natural and modified ecosystems, benefiting both biodiversity and human well-being. NBS are underpinned by benefits that flow from healthy ecosystems.</p> <p>NBS represent a key approach to improving air quality. The use of vegetation, and notably trees and hedgerows, has been shown to be highly effective for air pollution mitigation, either by particles being deposited on the leaves and from gases being absorbed (through stomata). This assessment considers Council land that may have potential for tree and hedgerow planting to improve air quality.</p> <p>Although not included within the scope of this assessment, it is important to note that other NBS such as green roofs and walls with herbaceous perennial species can also help improve air quality, especially in very dense areas where the use of hedgerows or trees is not possible e.g. due to lack of space¹.</p>
Qualifying Features
<p>The underpinning principle for any new tree or hedgerow planting is ‘the right tree, in the right place, for the right reason’. Ensuring the right trees are planted in the right places will:</p> <ul style="list-style-type: none"> • Complement landscape character and protect important views • Avoid damage or loss of ecological habitats and species and heritage features. • Avoid loss of the most productive agricultural land and soils. • Contribute to national, regional and local tree & woodland aspirations e.g. The Great Western Community Forest. <p>There are a huge number of species and varieties of trees that grow in the UK. Every species or variety has its own characteristics and tolerances which determine the best locations for it to grow and its practical use. In selecting tree species for planting it is important to take into consideration the environment into which the tree is being planted, what contribution it needs to make (in this case the primary focus being improving air quality) and the tolerances of the tree to these environmental conditions e.g. shading, drought, waterlogging and salt levels (from winter road salt spreading).</p>

¹ European Commission, Directorate-General for Research and Innovation, Calfapietra, C., *Nature-based solutions for microclimate regulation and air quality : analysis of EU-funded projects*, Publications Office of the European Union, 2020, <https://data.europa.eu/doi/10.2777/383904>

Air quality can impact the growth and phenology of plants. Damage to the physiological status can drastically decrease the mitigation potential and ecosystem services provision. In some cases plant based solutions can provide ecosystem services in terms of air quality, and therefore the species of plant should be chosen with care e.g. considering pollen emissions and biogenic volatile organic compounds (BVOCs).

Leaf shape, area and surface texture are important aspects of a tree's ability to remove fine particulate pollution from the air. Primarily rough leaf surfaces and volume of surface area equates to maximum trapping benefit. Spreading crown types provide greater shading and cooling functions but may restrict the dissipation of pollutants in the air; this is particularly an issue where tightly spaced buildings create 'canyons' of poor air flow. More upright (fastigate) forms tend to be more suitable for street trees, while they provide less of a shading or cooling function and can be of lower value to wildlife, they can still trap fine particulates, allow air passage and tend to be less conflicting in close proximity with passing traffic and residents.

Detailed guidance to selecting street trees has been produced by the Trees and Design Action Group (TDAG) in their guidance 'Tree Species Selection for Green Infrastructure'².

Tree and hedgerow planting to improve air quality should seek to optimise wider benefits to society and the environment where possible, such as providing shade in dense urban areas, and being connected to green corridors to improve biodiversity.

Monitoring the possible contribution of new tree planting in air pollution mitigation could utilise the i-Tree model.

Ideal Land Allocation

Given that the primary source of the pollutants (NO₂ and PM₁₀) is vehicle emissions, the Wiltshire Air Quality Monitoring Areas (AQMAS) should form the basis of selecting council land for potential tree and hedgerow planting.

Adopted highways land (both verges and pavements – identified using Council GIS data and OS Mastermap) and amenity green spaces (identified in the Wiltshire Open Space Assessment) are likely to have some of the highest potential for tree planting. Other types of open spaces such as parks and recreation grounds may also have potential to accommodate trees in low numbers, but these spaces have not been considered as part of this desktop assessment.

Adopted highways land within AQMAS

Potential for street tree planting (and/or hedgerow planting) will be identified within the AQMAS on adopted highway grass verges and pavements. Verges and pavements at least 2.5 meters wide, and at least 4m from a building will be identified, and existing tree canopy data (where it exists) will be used to scope out areas where there are existing trees (a 7m buffer will be applied to the existing tree canopy).

Amenity green spaces within AQMAS

Amenity green spaces are informal areas for recreation, which often consist of large areas of short mown amenity grass of poor botanical diversity. This lends many amenity green spaces to having good potential for tree planting, although this needs to be balanced with existing recreational use e.g. the space may be providing an area for informal football. In the same way as adopted highways, amenity green spaces will be identified, of at least 2.5 metres width, and with 4m buffers around buildings and 7m buffers around existing tree canopy scoped out.

² <https://www.tdag.org.uk/species-selection-for-green-infrastructure.html>

Before any tree/hedgerow planting scheme can take place, an assessment of the potential planting site is required (ground truthing). This requires considerations such as the rooting environment, built structures, utilities, future space and pollution. Full guidance is provided by the Tree and Design Action Group (TDAG) 'Trees in Hard Landscapes' guide³. Community engagement and support is also vital.

Funding

Funding and resources for tree planting can come from a number of sources including:

- Online sponsorship platforms such as Trees for Streets or the National Tree Sponsorship Scheme
- Levelling Up Fund
- Trees for Climate grant administered through the Great Western Community Forest.
- Woodland Trust Free Tree Packs e.g. for schools and community groups
- Countryside Stewardship, and various woodland creation and maintenance/management grants for landowners.

<https://tcpa.org.uk/resources/funding-sources-for-green-infrastructure/>

These schemes are unlikely to be self-funding, as there are no saleable credits or other sources of income generated.

Alignment to council objectives

Tree and hedgerow planting to help address poor air will support the delivery of the Air Quality Strategy for Wiltshire (2019-2024), and also links to wider council priorities around being carbon neutral and net zero and biodiversity.

Community engagement

Any successful tree planting scheme requires the community's support, and their direct engagement can also increase the chances of street tree planting being successful e.g. from championing trees to helping with maintenance such as watering in the first 3 years of planting. Consultation for tree planting should be started at an early stage in the process with local residents and stakeholders.

The Council has established local air quality steering groups to spearhead local initiatives to improve air quality where AQMAs have been declared. These groups could play a key role in engaging the community.

Public access and health & well-being

Trees provide additional health and well-being benefits by reducing surface water flooding and increasing cooling and shading in the summer. Trees also contribute to the visual appeal of places. As such they provide a wealth of benefits. Trees also create a sense of place and can enhance the appeal of recreational spaces.

³ https://www.tdag.org.uk/uploads/4/2/8/0/4280686/tdag_trees-in-hard-landscapes_september_2014_colour.pdf

Annex 2 – Stacking

Nutrient Neutrality

Financial stacking

Stacking with biodiversity net gain

Nutrient neutrality interventions comprise either wetland or riparian buffer creation.

At present, further guidance is awaited from Defra on how these mitigation options should be designed in order to reduce nutrient pollution of designated waterbodies. However, creating these habitats will have biodiversity benefits.

Again, further guidance is awaited, but it may be possible to deliver nutrient mitigation and BNG from the same scheme. Funding derived from nutrient neutrality is aimed at nutrient removal, whereas BNG is funding the biodiversity benefits of an action. The key with all BNG related projects is to demonstrate additionality, as set out in the BNG Good Practice Principles for Development (CIEEM, 2019).

Additionality refers to delivering something that is not required by another piece of legislation or policy. In the case of nutrient neutrality and BNG, it needs to be clear how nutrient reductions are achieved in addition to the biodiversity gains. At present it is not clear how this can be demonstrated.

Stacking with carbon offsetting

In creating wetlands for nutrient mitigation, there may be opportunities to stack carbon offsetting. If wetlands for nutrient mitigation can be designed to be peat-creating (i.e. lowland bog) then there may be scope to register the scheme with the peatland carbon code. However, this would need to be investigated with the Forestry Commission to explore the possibilities. If verified by the Forestry Commission, credits could be sold in the market, but they can also be used for internal carbon accounting. Guidance from Defra is needed to provide clarity on these financial mechanisms.

Environmental outcome stacking

The creation of wetlands and riparian buffers will also deliver carbon sequestration, biodiversity net gain and natural flood management.

Wetlands are known to be good at sequestering and storing carbon. This is particularly true if peat forming processes occur in wetland systems.

For biodiversity net gain, wetland habitats are highly valuable habitats that support a wide range of species. If located adjacent to rivers and streams, they provide useful additional wetland habitat for wading birds, as well as being important for amphibians, insects and plants. Wetlands can be designed to include both permanent and ephemeral habitats which maximise their biodiversity value. Species- rich riparian buffer strips can be created, enhancing their value for biodiversity.

Wetlands, both temporary and ephemeral, provide flood water storage if located in the floodplain. When located elsewhere in the catchment, wetlands and riparian buffers intercept water, slowing the flow of water across the surface and into rivers, reducing flood volumes.

Biodiversity net gain

Financial stacking

Stacking with renewable energy

Biodiversity net gain can be delivered on the same land as renewable energy projects, in particular solar projects. Solar schemes can be designed to provide space underneath and between panels, to facilitate grazing by sheep and the creation of a species rich grassland. Hedgerows surrounding a solar scheme can also add important habitat and create biodiversity units. A solar scheme may limit the value of the habitats that can be created, but nonetheless, an income from both a solar scheme and a BNG scheme can be achieved.

Wind schemes may also be suitable for BNG, but care is required to avoid conflicts between turbines and birds. However, there is scope to create species rich habitats in wind schemes.

Environmental outcome stacking

The creation of habitats for biodiversity can also deliver nutrient neutrality, carbon sequestration and natural flood management.

The relationship between nutrient neutrality and biodiversity net gain has been explored in the previous section.

The creation of semi-natural habitats will, over time, sequester carbon, especially when compared to more intensive land uses. Different habitats sequester carbon at different rates and some habitats can be a significant store of carbon over time.

The creation of natural habitats can have positive impacts on natural flood management. This is in two ways: first in providing additional flood water storage through the creation of ponds and scrapes; and second by slowing the flow of water over the surface and therefore reducing flood water volumes.

Therefore the creation of natural habitats anywhere in a catchment will help to reduce the impact of flooding.

Carbon offsetting

Financial stacking

Stacking with biodiversity net gain

Biodiversity net gain can be stacked with carbon offsetting for woodland. Woodland design is important to make sure the BNG is additional to the carbon offsetting scheme. A single species woodland can be designed to capture carbon. By planting a mixed species woodland, the difference between a single species and mixed species woodland can be captured for BNG.

In this way, carbon offsetting adds additional income to woodland planting, which does not generate that many units for BNG.

Environmental outcome stacking

Carbon offsetting via tree planting can also deliver biodiversity outcomes, natural flood management and air quality improvements. Woodland creation creates habitats for biodiversity, as well as slowing the flow of water across the landscape to reduce flood volumes. Tree planting can also reduce air pollution, by trapping and absorbing both gaseous and particulate pollution. However, if trees are planted in the countryside away from sources of air pollution their impact will be lower.

Where funding has been sourced through Government schemes for woodland planting any BNG benefits cannot be sold, as the schemes are fully funded and not additionality for BNG is likely to be created and thus available for sale.

Agricultural support payments (ELMS)

Funding for farming is changing in England with the introduction of Environmental Land Management Schemes (ELMS). There are three concurrent schemes to replace previous agricultural subsidies which aim to put 60% of agricultural soil under sustainable management by 2030 resulting in improved water quality, flood risk management, biodiversity and carbon emission reductions.

There is the potential for some of these funding streams to be stacked with BNG, carbon offsetting and nutrient neutrality, as set out below.

Sustainable Farming Incentive

This scheme is aimed at promoting sustainable farming methods and is the first scheme being launched in 2022.

Eligibility:

- Initially farmers eligible for Basic Payment Scheme will be eligible with a roll-out once scheme established but unlikely to be before 2024
- Payments made on a land-parcel scale so individual fields can be entered rather than the whole farm.
- Minimum estate size is 5ha but no minimum or maximum amount of land which must be entered into scheme
- Common land is eligible but applications must be made by a single entity e.g. a commons association.

Agreements:

- 3 year agreements with flexibility for amendments every 12 months so additional standards can be incorporated, more land included and increase ambition level allowing incremental entry and engagement with the scheme
- Agreements made with person(s) delivering the actions, e.g. owner occupier, tenant or groups farming on common land.

Interaction with private sector schemes:

- SFI and private schemes such as BNG and carbon can operate on the same land
- This is subject to requirements for additionality and verification
- This will be reviewed in 2023 and ongoing on an annual basis
- Aim is for private finance to deliver better outcomes for farmers
- Avoid payments for actions already being funded by private finance

Initial standards in SFI relate to:

- Arable and Horticultural Soils
- Improved Grassland Soils
- Moorland and Rough Grazing (introductory)
- Annual health and welfare review for livestock

Payments made quarterly, with the annual amount ranging from £22 - £58 per hectare. The actions and monitoring will be covered by guidance and training to be produced by DEFRA for farmers with the aim for them to be able to undertake the whole process without external advice. Wiltshire Council farms will be eligible for this funding, with tenants making the claim, however, it is not possible to double fund actions from different sources.

Local Nature Recovery

This scheme is aimed at local-level actions to make space for nature in the farmed landscape which can be undertaken by individual land managers although collaboration is encouraged. Funding will be available for:

- Managing feeding, shelter and breeding areas for wildlife on arable farms
- Managing, restoring and creating;
 - grassland habitats such as species-rich grassland on farms and in the wider countryside
 - wetland habitats such as ponds, lakes, reedbeds and fens
 - lowland heathland
 - coastal habitats such as sand dunes, salt marsh and shingle
 - upland and lowland peat and moorland
 - trees and woodland including agroforestry, traditional orchards and trees on farms – England Woodland Creation Offer primary scheme until 2025
- Targeted measures to support the recovery and reintroduction of particular wildlife species eg. creating and managing habitat and tackling non-native invasive species
- Nature-based water management solutions such as buffer strips, swales and natural flood management
- Restoration of rivers, flood plains, streams and riparian habitats

All farmers, foresters and land managers who can deliver these actions will be eligible for the scheme with agreements covering multiple years, determined by the actions being undertaken. Management plans will be involved in the delivery of these but how this will work has not been confirmed.

The overall aim is to provide a flexible, accessible scheme which is coherent with private schemes for BNG, nutrient neutrality and carbon offsetting. The scheme information explicitly states that the goal is for private funding to provide better outcomes for the farmer than the scheme.

The scheme is targeted for launch in 2023. Wiltshire Council's land holdings will be suitable for this funding. However, this funding cannot be stacked with biodiversity net gain funding, so care needs to be taken to design schemes carefully to avoid double counting.

Landscape Recovery Scheme

This scheme is aimed at larger, landscape scale projects with the following criteria for eligibility:

- 500-5000ha projects (can be collaborations)
- All land types eligible including protected areas and common land
- Farmers, forestry, individuals, estates or public bodies although public bodies will need to collaborate with other land managers
- Aim to work with land owners exiting Higher Level Stewardship agreements to ensure transition without penalty.

Applications can be made by a facilitator working on behalf of group of land managers. Successful applications will have a 2 year planning phase including:

- land management feasibility and implementation planning
- engaging local stakeholders and communities
- obtaining relevant statutory consents/permits
- putting in place suitable governance arrangements
 - creating a detailed monitoring and evaluation plan
 - collecting baseline data
 - engaging and securing private investment
 - deciding on the structure of private and public funds
 - negotiating terms of a long-term project public funding agreement
 - risk assessment, allocation, and mitigation planning

Again, the compatibility and importance of private funding is stressed in the scheme information but details are not available. Pilot scheme applications are being opened this year with a second round in 2023. Wiltshire Council, working with their farm tenants, could enter into partnerships with other land owners in the County to deliver landscape scale schemes. The Council is likely to own land in key locations which can contribute to landscape scale recovery.

Glossary

CIL – Community Infrastructure Levy. Community Infrastructure Levy is charged by local authorities on new developments and the funding raised can be spent on a range of infrastructure including transport, flood defences, schools, hospitals, recreation, and open spaces. There is a high demand for funds and local funding priorities will vary. Funds are allocated by local authorities.

CO2 – carbon dioxide

EIA – Environmental Impact Assessment GIS – Geographic Information Systems SSSI – Site of Special Scientific

FBT – Farm Business Tenancy

Interest SPA – Special Protection Area

SAC – Special Area for Conservation

RAMSAR - Convention on Wetlands of International Importance Especially as Waterfowl Habitat LWS – Local

Wildlife Site

PROWs – Public Rights of Way

Wiltshire Council

Cabinet

13 December 2022

Subject: Disposal Programme

Cabinet Member: Cllr Phil Alford, Cabinet Member for Housing, Strategic Assets, Asset Transfer

Key Decision: Non Key

Executive Summary

The Council has a programme of disposal of sites that are surplus to operational requirements to generate capital receipts, to support Councils overall Capital Programme. This report sets out performance over the last year and forecast receipts from disposals for the next financial year. The report further seeks approval to declare specific sites surplus and capable of review, to determine the best overall return for the council; the 6 assets to be declared surplus are listed in Appendix 2

Proposal(s)

- That Members note the position in respect of completed and projected receipts for the financial year 2022/23.
- That Members confirm that freehold interest of the 6 assets can be sold to either generate capital receipts in support of the Council's capital programme or reused to generate income or service delivery, community or strategic outcomes, for the Council.
- Where the decision is to dispose, authorise the Director for Assets and Commercial Development to dispose of the freehold interest in the assets or in his absence the Corporate Director Resources.

Reason for Proposal(s)

To note the current position in respect of capital receipts and the targets for the financial years 2022/23 and confirm the freehold interest in the 6 assets can be sold to generate capital receipts, after a review of the options to determine how the best overall interest of the Council can be achieved.

**Terence Herbert
Chief Executive**

Wiltshire Council

Cabinet

13 December 2022

Subject: Disposal Programme

Cabinet Member: Cllr Phil Alford, Cabinet Member for Housing, Strategic Assets, Asset Transfer

Key Decision: Non Key

Purpose of Report

1. The purpose of this report is to note the position in respect of capital receipts for the financial year 2022/23. Also, to confirm the freehold interest in the assets can be sold to generate capital receipts. The freehold interest in the 6 assets referred to in Appendix 2 are to be declared surplus and capable of review, to determine the best overall return for 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 strategy (MTFS) which subsequently supports the Council's Business Plan and its aims and targets. Specifically, the business plan describes a need to *review and rationalise the Council's assets*. Re-use of assets may contribute to service delivery, community or strategic outcomes.

Background

3. On 26th March 2019, Cabinet approved a revised approach to disposal of surplus assets. This report sets out the current and forecast position for disposals and capital receipts.
4. Once assets are declared surplus each site is considered by the Asset Gateway Group to determine the best overall return for the Council, during which time other uses of the sites are considered. The Group determines what is in the best interest for the Council, from a service, community or financial perspective.
5. The 6 assets listed in Appendix 2 are recommended for declaring surplus and capable of review.

Main Considerations for the Council

6. Capital receipts from the sale of assets are 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.

7. 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.
8. When assets become surplus to the core requirements of the Council and available for alternate uses, one option is disposal; where the capital realised can then be used to support further investment.
9. At Cabinet on 12 September 2017, the Cabinet resolved that the Council would not consider domestic / low value requests for land purchases. This approach remains to be adopted by the Council and will continue into the foreseeable future. Exception cases will be considered where the disposal facilitates the homeowner to make modifications to assist with caring responsibilities and where there is support from a social care perspective.

Overview and Scrutiny Engagement

10. The Financial Planning Task Group, on 26th November 2020, considered the Cabinet paper for 1st December 2020 and the comments from the group have been incorporated into the process of dealing with surplus assets.

Safeguarding Implications

11. There are no direct safeguarding implications with this proposal.

Public Health Implications

12. There are no direct public health implications with this proposal.

Procurement Implications

13. 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

14. None

Environmental and Climate Change Considerations

15. Where a sale or reuse envisages potential development, any environmental and/or climate change issues are best considered through the planning application process. Should the review identify an opportunity to retain sites the environmental and climate change considerations shall be considered as part of the business case for re-use of the site.
16. Consolidation of the Council's estate contributes to a reduction in our carbon footprint overall and therefore our council carbon neutral goal.

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

17. The Medium Term Financial Strategy (MTFS) for the Council is, in part, dependent on the success of the disposal of property and assets. Failure to decide to declare new freehold interests to be sold, failure to sell those that are currently declared or an inability to re-use existing assets for alternate purposes will impact on the council's ability to achieve its overall business plan. This is balanced against service delivery, community or strategic outcomes.

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

18. 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 will be considered by the Chief Executive and Directors, via the Asset Gateway Group, to determine if there is an identified service need that could be fulfilled from any of the properties on the list in Appendix 2. The purpose of the Asset Gateway Group is to establish service needs and establish the appropriate property solutions to satisfy these.

Financial Implications

19. The realisation of capital receipts from the sale of assets is used to support the MTFS and Council Business Plan. Reducing sales and the delivery of capital receipts will reduce the amount that the Council can invest in its communities through the capital programme and/or be used to reduce borrowing requirements and thus free up revenue for delivering services. The forecasting of disposal of surplus assets is not only integral to the council's medium term financial planning but is part of good asset management practice balanced against service delivery, community or strategic outcomes.
20. A capital receipt target for two years from 2021/22 to 2022/23 was initially set at £5.916m but has following additional cabinet approval been increased by £1.898m, to give a new target of £7.814m. The actual amounts received from sales, net of allowable costs for 2021/22 was £2.892m and is forecast to be £4.040m for 2022/23.
21. For 2022/23 the Capital Receipt balance brought forward was £5.797m. Based on the forecast for 2022/23 available Capital Receipts in 2022/23 is £9.837m. The current approvals for 2022/23 are to use £4.537m to fund the Capital Programme and £1m under Flexible use of Capital Receipts to fund Transformation programmes across the council. The forecast remaining balance for future years would therefore be £4.3m. The final financing position in 2022/23 will depend on the actual spend in year of the programmes, and this will be reported through the budget monitoring process and the final position and balance will be reported to Cabinet as part of the Outturn report.
22. This forecast has been used for 2023/24 Budget Setting assumptions, and recommendations for the use of this balance will be presented as part of Budget Setting for approval.

Legal Implications

23. 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 the programme, where the resolution is to sell, the asset will be sold at or above market value, thereby 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 MTFS and will not be available for Community Asset Transfer unless Cabinet subsequently decides otherwise.
24. Legal Services will work with Estates & Development to investigate the freehold titles to the properties and identify any site constraints that will need to be considered on any proposed disposal or reuse.

Workforce Implications

25. The sites being declared surplus do not have any staff located, thus there are no workforce implications to be considered. Any work on reviewing assets will be carried out within existing staff resources.

Options Considered

26. 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. Prior to disposal the Council will undertake a thorough review of the options for assets ensuring the outcome is in the best interest of the Council.

Conclusions

27. To note the progress of property sales to generate capital receipts in support of the Council's capital programme and, where appropriate, to maximise the amount of capital from them to support the MTFS and Council Business Plan, after a review of the options to determine how the best overall interest of the Council can be achieved.

Simon Hendeley (Director - Assets and Commercial Development)

Report Author: Rob Scott, Robert.Scott@wiltshire.gov.uk,

26th October 2022

Appendices

Appendix One – Asset review process
Appendix Two – Assets for consideration

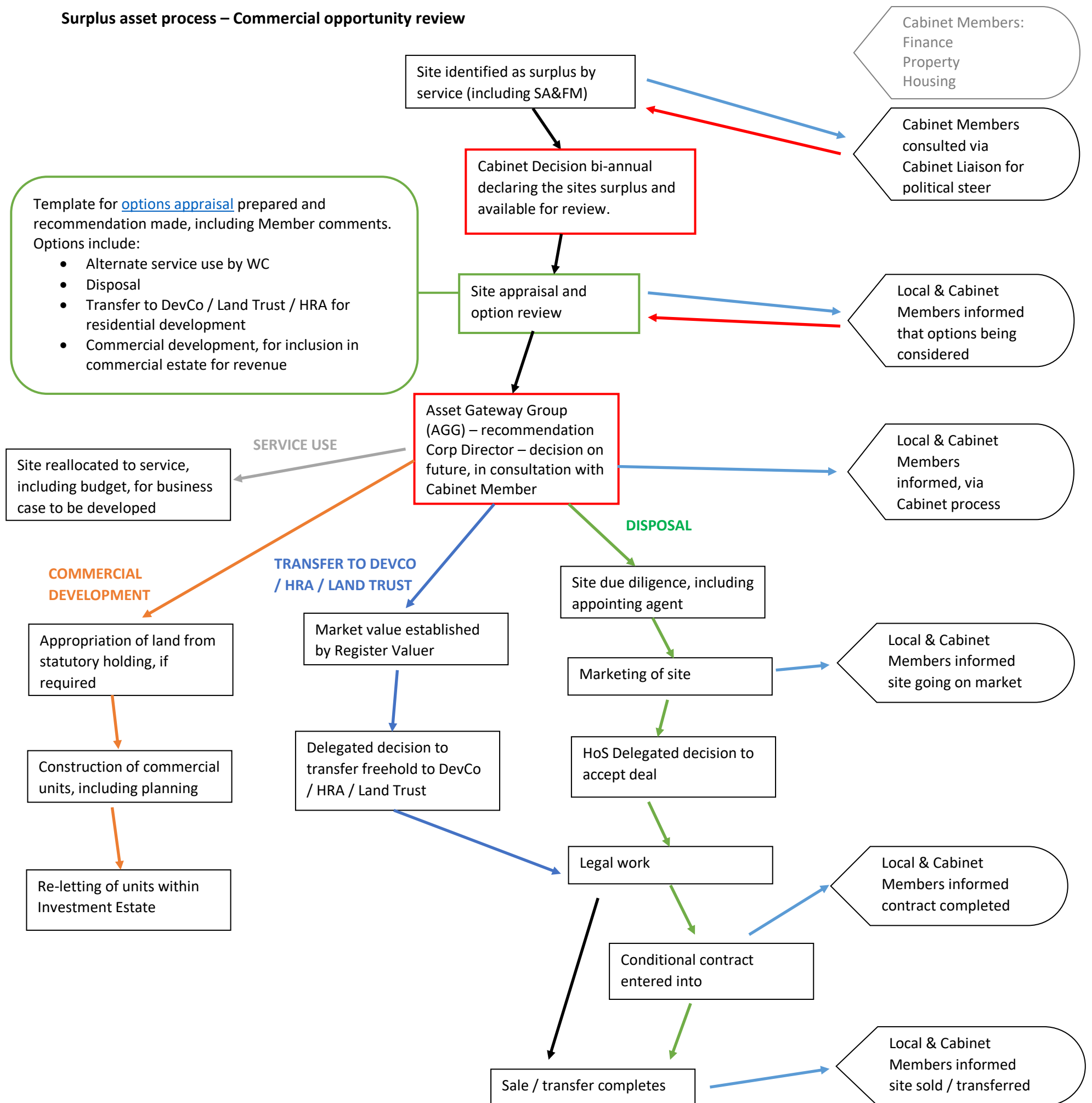
Background Papers

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

None

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Surplus asset process – Commercial opportunity review



Benefits of revised approach







- Improved prior notification for Cabinet Members of the sites that are being considered for review and sale.
- Reduction in reports being presented to Cabinet, currently every 2/3 months whereas revised approach is bi-annual report
- Greater visibility of progress for sales within a particular financial year
- Greater due diligence to establish the best option for the Council (via robust option appraisal)

Disposal / sales reporting process

- Annual report to Cabinet summarising the disposals undertaken in a financial year and sites declared surplus for forthcoming years. Report will include a statement about future year's targets and a basic summary of whether we are *overall* forecast to achieve (no site details provided for future years). Reported to Cabinet either in April or May.
- Bi-annual report to Cabinet setting out progress of disposals against target, including a list of "pending" transactions, for that financial year. Reported to Cabinet either October or November.
- Monthly reports on progress within financial year provided to Cabinet Member (Property and Finance), setting out the headlines for the month.
- Cabinet Members to receive minutes of Asset Gateway Group.

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Appendix 2 - Sites to be declared surplus (available for option review)

Town	Site	Site reference	Current stage of review	Plan
Calne	Caretaker's bungalow at Marden Vale School,	02539	Surplus Approval. Lease surrendered by Academy trust.	
Melksham	Former library site and Lowbourne House, and associated land	00075 / 00652	Surplus Approval. Library relocated and declared surplus to trigger review of opportunities to mitigate void costs, and to support the Melksham Town Centre Masterplan consultation launched by the Town and Parish Councils. Car park included to consider options that retain car parking provision	
Melksham	Blue Pool	00016	Surplus Approval. To trigger wider review of opportunities for the site, and to support the Melksham Town Centre Masterplan consultation launched by the Town and Parish Councils.	
Melksham	Melksham House	02530	Surplus Approval. To support the Melksham Town Centre Masterplan consultation launched by the Town and Parish Councils.	
Redlych	Land to the south east of Morgans Rise Road - HRA Land	35073H1	Surplus Approval. Approach to purchase small section of HRA land	
Durrington	Land lying to the east and west of the A345 north of the Countess Roundabout	0311751	Surplus Approval. National Trust wish to acquire our land holding as contiguous with theirs. Countryside and Rights of Way team supportive due to management issues. Further consultation with Highways	

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Wiltshire Council

Cabinet

13 December 2022

Subject: **Various Sites. Appropriation of Property Assets held in the General Fund into the Housing Revenue Account and the appropriation of property out of the Account into the General Fund.**

Cabinet Member: **Cllr Phil Alford, Cabinet Member for Housing, Strategic Assets, Asset Transfer**

Key Decision: **Non Key**

Executive Summary

The Council has a number of property assets where a decision has been made to bring forward affordable housing and it is proposed that they now be appropriated to, and held in, the Housing Revenue Account (HRA).

There are other sites, currently held in the HRA but being used, or proposed for use, for service provision, which requires them to be appropriated into the General Fund

An accounting adjustment is required to deal with the movements of property assets in to/out of what is a statutorily ring-fenced account.

Proposal(s)

That Cabinet agrees:

- To appropriate the property assets noted from the General Fund to the Housing Revenue Account.
- Subject to any necessary authority being obtained by the Secretary of State, to appropriate the assets noted from the Housing Revenue Account to the General Fund
- That the relevant accounting adjustments are made.

Reason for Proposal(s)

The Housing Revenue Account is a ring-fenced fund. Whilst the Council is generally able to transfer property assets in its holdings, between uses, without specific resolution, property assets cannot be moved in or out of the Housing Revenue Account except through appropriation by way of Cabinet resolution.

Terence Herbert
Chief Executive

Subject: **Various Sites. Appropriation of Property Assets held in the General Fund into the Housing Revenue Account and the appropriation of property out of the Account into the General Fund.**

Cabinet Member: **Cllr Phil Alford, Cabinet Member for Housing, Strategic Assets, Asset Transfer**

Key Decision: **Non Key**

Purpose of Report

1. This report is to seek approval for the appropriation of various property assets held in the General Fund into the Housing Revenue Account to allow for their development, to meet either sheltered or general need housing requirements. It further recommends the transfer of property held in the Housing Revenue Account into the General Fund, reflecting the current or intended use of the property for service delivery rather than housing need.

Relevance to the Council's Business Plan

2. The Housing Revenue Account Business Plan has been approved by Cabinet. Within this business plan, is a budget of £195m to deliver the programme of 1000 new affordable homes over the next 10 years.

Background

3. The Council holds property assets for a number of purposes. The majority of assets are held in the General Fund but housing is generally held in the Council's Housing Revenue Account (HRA). From time to time, property assets cease to be required for its original use and alternative Council uses are highlighted through the surplus property procedure.
4. Whilst the Council is generally able to transfer property assets in its holdings, between uses, without specific resolution, property assets cannot be moved in or out of the Housing Revenue account except through appropriation by way of Cabinet resolution. This is because the Housing Revenue account is a ring-fenced fund.

Main Considerations for the Council

5. Attached at Appendix 1 is a schedule of the properties that are currently held in the General Fund where there are proposals to bring the assets forward for housing purposes to be held in the HRA.

6. Attached at Appendix 2 is a schedule of assets that are currently held in the HRA where there are other service needs highlighted that require their transfer to the general Fund.
7. An outline of the current and proposed uses for each site and relevant information is contained within the appendices, together with detail of when any alternate uses were approved by internal decision making groups.
8. The majority of operational property holdings, somewhat regardless of the original holding powers or current use, are now held under general holding powers and can be allocated between uses at the Council's discretion and using delegated powers to reallocate as necessary. Generally, no specific resolution is required, and they are accounted for in the Council General Fund Capital Financing Requirements.
9. Housing (HRA) properties are held under specific housing powers and have a statutorily ring-fenced fund. In order to transfer property to or out of this fund a specific resolution to appropriate the property is required from cabinet. Financial adjustments will be required to both sets of Capital Financing Requirements

Overview and Scrutiny Engagement

10. No overview and scrutiny engagement has taken place in respect of this proposal.

Safeguarding Implications

11. This proposal does not have any implications for safeguarding children, young people or vulnerable on the basis that it is procedural only.

Public Health Implications

12. This proposal does not have any implications for public health, on the basis that it is procedural only

Procurement Implications

13. This proposal does not have any implications for procurement on the basis that it is procedural only

Equalities Impact of the Proposal

14. This proposal does not have any implications for Equalities, on the basis that it is procedural only

Environmental and Climate Change Considerations

15. There are no Environmental or Climate Change Considerations arising out of this report. Any development that subsequently occurs will have due regard to these issues when being brought forward.

Workforce Implications

16. There are no workforce implications arising out of this report on the basis that it is procedural only

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

17. Housing delivery targets may not be met. The sites give opportunities to meet the identified need for affordable housing in the area.
18. Property would not be allocated to the correct fund as required

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

19. By appropriating sites to the HRA the sites will not be made available for other potential service uses. This risk has been minimised because no other service use have been identified through the surplus property procedure.
20. By appropriating the sites to the HRA the Council may be forgoing capital receipt. This will be mitigated by an ongoing monitoring of the disposals programme and maximising receipts across other sale opportunities, some of which may be derived from HRA properties that are transferring to the General Fund. The General fund and HRA Capital Financing Requirements will both be updated to reflect the transfer.
21. By appropriating premises out of the HRA to the General Fund, the housing estate will be reduced which will correspondingly reduce the Council's capacity to meet its established housing need. The potential conflict between meeting general housing requirements and the specific needs of clients of the Council's care services will be reviewed to ensure that the correct balance is struck

Financial Implications

22. The HRA is a ringfenced account and has to follow specific rules and regulations. Property assets can be transferred between the HRA and General Fund by way of appropriation by a Cabinet resolution.
23. No cash transactions take place between the HRA and General Fund as part of appropriation. Instead, the Capital Financing Requirement (CFR) for the HRA and General Fund are updated to reflect the transfer of the property asset.
24. The CFR measures the underlining need to borrow for capital purpose, i.e. the borrowing requirement. The CFR is the amount of capital expenditure that has not yet been financed by capital receipts, capital grants or contributions from revenue.
25. If property asset is transferred from the General Fund to the HRA the CFR for the General Fund decreases and the HRA CFR increases by the value of the property asset and vice versa for the other way around. To do the appropriation an independent open market valuation is required to ascertain the value.
26. Independent valuations have not been undertaken but will be upon Cabinet resolution, the valuations included in appendices 1 and 2 are Wiltshire Council property services valuations and are presented as a forecast. The proposal is to transfer property with a total of circa £1.688m from the General Fund into the HRA and £0.340m from the HRA

to the General Fund. The table below sets out the impact of this appropriation on the General Fund and HRA CFR.

Table 1 – Impact on Capital Financing Requirement

	Opening CFR 2022 £'m	Appropriations from GF to HRA £'m	Appropriations from HRA to GF £'m	Revised CFR £'m
HRA	£99.865	£1.688	£(0.340)	£101.213
General Fund	£481.303	£(1.688)	£0.340	£479.955
Total	£581.168	£0.000	£0.000	£581.168

27. If the suggested appropriations are approved the HRA CFR will increase by £1.348m, specifically the HRA's borrowing requirement will increase by £1.348m and the General Fund decrease by £1.348m.
28. The Housing Revenue Account Business Plan has been approved by Cabinet. Within this business plan, is a budget of £195m to deliver the programme of 1000 new affordable homes over the next 10 years.
29. Where housing development is being proposed, a Financial Viability Appraisal is completed to ascertain the cost of the development, the grant funding opportunities and the loan required to finance the project. The rental income is then utilised to offset against any borrowing over a payback period that cannot exceed 40yrs.
30. There may be holding costs associated with holding the assets prior to development which will be met from the HRA.

Legal Implications

31. Property listed in section 74 of the Local Government and Housing Act 1989 must be accounted for in the HRA. This comprises dwellings and other property which is expressly provided by local authorities under Part II (provision of accommodation) of the Housing Act 1985 (or any other power specified in section 74 of the Housing Act 1989).
32. The local authority's general appropriation powers are found in:
 - (a) section 122(1) of the Local Government Act 1972 (the 1972 Act) under which a local authority may appropriate land for any purpose for which it is authorised by the 1972 Act or any other enactment to acquire land by agreement and which is no longer required for the purpose for which it is held immediately before the appropriation; and
33. section 19(1) of the Housing Act 1985 (the 1985 Act) which grants powers to the local housing authority to appropriate any land for the purposes of Part II of the 1985 Act and the local housing authority will have the same powers in relation to that land as it had in respect of land acquired for the purposes of Part II of the 1985 Act.
34. However, if the Council wishes to include within the HRA property (other than dwellings) which is ancillary to Part II housing but is not currently provided under Part II, it will be necessary to obtain consent from the Secretary of State under section 12

of the 1985 Act. This includes the provision of shops, recreation grounds and other buildings and land which will serve a beneficial purpose in connection with the requirement of the persons for whom Part II accommodation is provided. The transfer of the former defunct care homes into the HRA (as set out in Appendix 1) is not considered to require Secretary of State consent.

35. The General Housing Consents 2013 which provides general consent to local housing authorities to dispose of Part II land (in compliance with s122(1) of the 1972 Act), does not include appropriation. However, land other than dwellings which are ancillary to Part II of the 1985 Act and which no longer fulfil their original purpose may be removed by the HRA by appropriation to a different purpose without Secretary of State Consent. This does not apply to dwellings
36. Where a local housing authority wishes to appropriate land consisting of a house or a part of a house acquired for Part II purposes out of the HRA into the General Fund, section 19(2) of the 1985 Act applies. Under that section, a local housing authority shall not appropriate the land for any purpose without the Secretary of State's consent. It will therefore be necessary to gain such consent in the case of 12 Cunnington Close prior to this transfer being enacted.

Options Considered

37. That the properties be put to an alternative service use by Wiltshire Council. No other interest was received.
38. The properties be developed for Commercial purposes, for inclusion in commercial estate to generate revenue. The sites have been considered and are not appropriate for commercial use. They are in residential areas that would conflict with such a use.
39. Dispose on the Open Market or to Stone Circle Housing Company. This would not allow for the Council's development for affordable housing purposes, and whilst generating capital receipts may restrict the Council's potential to meet its recognised housing needs and targets.

Conclusions

40. The conclusions reached having taken all of the above into account is that the necessary appropriations in and out of the HRA should be confirmed and the adjustments to the relevant Capital Financing Requirements are made Subject to Secretary of State consent in the case of transfer of any dwellings out of the HRA.

Simon Hendey (Director - Assets and Commercial Development)

Report Author: Robert Scott, Senior Estates Manager, Robert.Scott@wiltshire.gov.uk,
Date of report

Appendices – Appendix 1 – Schedule of properties to be appropriated to the HRA
Appendix 2 - Schedule of properties to be appropriated from the HRA

Background Papers

None

Appendix 1 – Property Assets to Transfer to HRA

Property	Current/Most Recent Use	Proposed Use	Alternative uses highlighted?	Notes	Estimated Market Value
Fives Court EPH, Fives Court, Angel Lane, Mere, Warminster, Wiltshire, BA12 6DH - 00633	Closed Elderly Persons Home	Sheltered and/or General Needs Affordable Housing	No Service interests highlighted. Sale on the open market for housing	Property declared surplus Cabinet on 1st December 2020 following closure and hand-back by the Order of St John's Care Trust. AGG approval 17 th February 2021 to transfer to HRA	£410,000
Bartlett House EPH, Old Common Way, Ludgershall, Andover, Wiltshire, SP11 9SA - 00637	Closed Elderly Persons Home	Sheltered and/or General Needs Affordable Housing	No Service interests highlighted. Sale on the open market for housing	Property declared surplus Cabinet on 1st December 2020 following closure and hand-back by the Order of St John's Care Trust. AGG approval 17 th February 2021 to transfer to HRA	£415,000
New Zealand Ave	Youth Centre	General Needs Affordable Housing	No service interests highlighted, with failed viability for SCHC scheme. Sale on the open market for housing.	Declared surplus by Cabinet Capital Assets Committee on Tuesday, 24 July 2012. AGG approval 19 th May 2020 to transfer to HRA	£350,000
Oxhouse Farm, Rowde - Part of Asset. - 01025	Rural Estate	General Needs Affordable Housing	No service interest highlighted. A rural exception site, so not available for private housing.	Property included in the programme to develop 49 new affordable homes across 16 sites as endorsed by Cabinet of 9 th October 2018. 14 sites were already held within the HRA. This site and the one below now require transfer to the HRA.	£21,500
Land adj. Baytree Close, Corsley Heath - 02171	Rural Estate	General Needs Affordable Housing	Possible village hall. RDT worked with Parish Council to incorporate into design, but it has been agreed to move forward without the village hall. No service interest highlighted. A rural exception site, so not available for private housing	Property included in the programme to develop 49 new affordable homes across 16 sites as endorsed by Cabinet of 9 th October 2018. 14 sites were already held within the HRA. This site and the one above now require transfer to the HRA.	£41,000
Old school site – Upavon - 00715	Closed school – Current use of part as private nursery.	General Needs Affordable Housing	No service interests highlighted. Sale on the open market for housing.	Declared surplus by Cabinet on 30 November 2021. AGG of 25 th May 2022 recommended transfer to the HRA. Ongoing use of part of the site as a nursery, to continue.	£450,000

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Appendix 2 – Property Assets to Transfer from HRA

Property	Current/Most Recent Use	Proposed Use	Alternative uses highlighted?	Notes	Estimated Market Value
11 Cunnington Close, Devizes Wiltshire, SN10 3SQ - 01034	House	Adult Care	This has not been processed through the Surplus Asset procedure. The proposed appropriation is to rectify an anomaly in the holding powers only.	The property is occupied by Adult Social care for service provision. In order to regularise the situation, it is, therefore, necessary to appropriate the property.	£340,000

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Wiltshire Council

Cabinet

13 December 2022

Subject: Update of Local Development Scheme

Cabinet Member: Cllr Nick Botterill - Cabinet Member for Finance, Development Management and Strategic Planning

Key Decision: Non Key

Executive Summary

This report proposes an update to the Council's Local Development Scheme, which was last updated in November 2021. It includes revised timelines for both the Gypsies and Travellers Plan and Wiltshire Local Plan Review (LPR) and reflects an updated plan period to 2038 in response to the consultation and further work being undertaken on housing need and employment evidence following Cabinet in June 2021. The next key stage will be publication of draft plans for consultation (Regulation 19 stage), with the LPR consultation scheduled to commence Q3 2023 and the Gypsies and Travellers Plan scheduled for Q4 2023.

The Wiltshire Local Plan is one of the most significant strategic documents for the council and will pave the way for sustainable growth and environmental protection to 2038. Updating the Council's Local Plan is therefore a key priority. Whilst good progress is being made, additional time is needed to ensure that the LPR is underpinned by a robust and sound evidence base before it is tested at Examination in Public. For the Gypsies and Travellers Plan, the main reason for delay relates to the need to provide a suitable range of sites in the right locations to meet the identified need.

A further update to the LDS will be required in due course once a scoping exercise has been conducted to identify a suitable way of updating strategic planning documents relating to minerals and waste.

Proposal(s)

That Cabinet:

- (i) Approves the revised Local Development Scheme and that this is brought into effect through publication on the Council's website.**
- (ii) Authorises the Chief Planning Officer in consultation with the Cabinet Member for Finance, Development Management and Strategic Planning to make minor amendments to the Local Development Scheme, where necessary, before publication.**

Reason for Proposal(s)

The Council as Local Planning Authority has a legal duty to maintain its Local Development Scheme. In the light of the public interest in the Local Plan, this update to the LDS has been brought to Cabinet for approval.

Terence Herbert
Chief Executive

Subject: Update of Wiltshire Local Development Scheme

Cabinet Member: Cllr Nick Botterill - Cabinet Member for Finance, Development Management and Strategic Planning

Key Decision: Non Key

Purpose of Report

1. To seek approval for a revised Local Development Scheme (LDS).

Relevance to the Council's Business Plan

2. To plan for the needs of our growing communities from an economic, environmental, and social perspective the Local Plan aligns with the four missions of the 2022 to 2032 Business Plan - Thriving Economy, Resilient Society, Sustainable Environment and Empowered People. The importance of updating the Local Plan to provide an effective policy framework for sustainable growth of Wiltshire is explicitly mentioned.

Background

3. The Local Planning Authority has a duty under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) to prepare and maintain their LDS; and make it publicly available (see legal section below).
4. The LDS must specify the Development Plan Documents, which are prioritised for production by Wiltshire Council including their subject matter and timelines for preparation. Local Plans are Development Plan Documents. Once adopted, these documents will comprise part of the development plan for Wiltshire. Government guidance encourages councils to ensure that the LDS includes details of 'made' neighbourhood plans, which also form part of the development plan for the area.
5. The current [LDS](#) was most recently updated in November 2021. This sets out updated timelines for both the Wiltshire Local Plan Review and Gypsies and Travellers Plan, both of which are under preparation. An update was necessary to reset the timelines in the light of delays caused by Covid-19 and further work required in response to the consultation as resolved by Cabinet on [29 June 2021](#). It also reaffirmed the council's commitment to review minerals and waste policies, setting out the details of the review process. Both plans were due to have reached the Regulation 19 consultation stage this year, with the LPR late 2022.

Main Considerations for the Council

6. The Local Plan is a key statutory document, and a vital part of ensuring that sufficient homes and jobs are provided within Wiltshire. Updating the adopted

Wiltshire Core Strategy (2015) is therefore a priority for the council. Since November 2021, whilst good progress has been made on both the Wiltshire Local Plan Review and Gypsies and Travellers Plan further work is needed leading up to the consultation on the draft plans to ensure their policies are based on sound and robust evidence. For the Gypsies and Travellers Plan, the main reason for delay relates to the need to provide a suitable range of sites in the right locations to meet the identified need. It is therefore important that updated timelines are published through an updated LDS to provide clarity and transparency to stakeholders.

7. The revised version of the LDS, including key dates, is set out in **Appendix 1**. The next key stage will be publication of draft plans for consultation (Regulation 19 stage), with the LPR consultation scheduled to commence Q3 2023 and the Gypsies and Travellers Plan scheduled for Q4 2023.
8. In response to the public consultation and the further work that has been carried out in relation to Wiltshire's housing need and employment evidence, the plan horizon for both plans is being extended by two years to look ahead to 2038. This is reflected in the revised LDS. Aligned to this is updating the base date of both plans from 2016 to 2020 for the Wiltshire Local Plan Review and 2022 for the Gypsy and Traveller Plan in line with the published Gypsy and Traveller Accommodation Assessment. The revised adoption date set out in the LDS means that the plan period may be slightly shorter than the 15 year period from adoption referred to in national policy. The legislative requirement for plans to be reviewed every 5 years provides the opportunity to extend a plan period further.
9. In addition to the changes to the timelines and plan period, updates are provided to the summary of neighbourhood plans that have been made and now form part of the development plan and those that have progressed to an advanced stage.
10. A further update to the LDS will be required in due course once a scoping exercise has been conducted to identify a suitable way of updating strategic planning documents relating to minerals and waste.

Overview and Scrutiny Engagement

11. On 20 September 2022, the Environment Select Committee received a presentation on progress with the Wiltshire Local Plan Review and Gypsies and Travellers Plan. During this meeting, the Committee was advised that the timelines for both Plans were being reviewed and an updated LDS would be published. It also provided an overview of the process and the tests that the Plan would go through at the examination stage reinforcing the importance of developing a robust and sound evidence base.

Safeguarding Implications

12. There are no direct safeguarding implications arising from the proposal.

Public Health Implications

13. There are no direct public health implications arising from producing an updated LDS. Planning has at its heart sustainable development to meet the employment, housing and infrastructure needs of the community to help foster their wellbeing.

Procurement Implications

14. There are no direct procurement implications for the revisions to the LDS itself. However, there are for the overall preparation of the Plans, which have previously been considered including commissioning appropriate evidence to support the plan making process. Where such procurement implications continue to arise, these requirements will be undertaken in accordance with procurement and contracting Regulations, and in consultation with the Commercial and Procurement team.

Equalities Impact of the Proposal

15. There are no direct equalities implications arising from the review of the LDS. Maintaining an up-to-date Local Plan will help ensure that the needs of our growing communities, including the gypsy and traveller community, in so far as they relate to the development plan, are planned for and addressed. Any direct impacts that may arise as part of the Wiltshire Local Plan Review and Gypsies and Travellers Plan will be documented separately through specific assessments as part of the preparation of these Plans.

Environmental and Climate Change Considerations

16. There are no direct environmental and climate change considerations that result from the review of the LDS. However, both are an integral part of plan making and direct impacts are being considered as the plans are progressed.

Workforce Implications

17. Delivery of the plans to the timescales set out in the LDS will have workforce implications for services across the Council. Resources will need to be aligned to ensure that there is capacity to complete the different stages of the Plan's preparation, which will be absorbed within the current capacity of services.

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

18. There are no specific risks associated with updating the LDS. The greater risk arises if there is insufficient time to develop a robust evidence base, which can save time at the later stages of the process.
19. The November 2021 LDS indicated that the Gypsies and Travellers Plan and Wiltshire Local Plan Review would be published for consultation Q2 and Q4, 2022 respectively. This now needs to be revised and a fresh timescale made publicly available. For the Local Plan to be found sound at examination it must be in line with an up-to-date LDS.

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

20. In addition to the above, a dedicated project manager is working with officers on the Wiltshire Local Plan Review and the Gypsies and Travellers Plan also. Risks associated with the Local Plan are contained within the corporate risk register.

Financial Implications

21. The Spatial Planning Service has a 2022/23 Revenue budget for the Local Plan of £0.247m and there is a Local Plan Earmarked Reserve of £0.649m. The 2022/23 quarter two spend is forecast to be £0.556m, with a draw down in 2022/23 of £0.309m from the Local Plan Earmarked Reserve to balance the position. This would leave a balance of £0.340m on the Local Plan Earmarked Reserve for future years.
22. The Local Plan Earmarked Reserve is intended to operate as a revolving fund alongside the Revenue budget until the plan is approved, with budget transfers in and out over the Medium Term Financial Strategy period to manage the financial requirements of the programme in each financial year.
23. A forecast has been undertaken and the Revenue budget and Local Plan Earmarked Reserve are forecast to be sufficient to cover ongoing evidential, consultation and examination costs up to 2025/26.
24. Increasing inflation is a risk and will be continually monitored through the budget monitoring process, with any favourable or adverse variances reported through this mechanism.
25. Adoption of both plans will bring forward new sites for housing, thereby enabling the Council to benefit from revenue associated with the delivery of new homes including contributing to the Council's 'Council Tax base' and New Homes Bonus. The Local Plan will also bring forward new sites for employment, which will enable the Council to benefit from Business Rates revenue.

Legal Implications

26. Section 15(1) of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) (PCPA) requires the Local Planning Authority to prepare and maintain a Local Development Scheme (LDS). The up to date text and copy of any amendments to the scheme need to be made available to the public (section 15 (9A) PCPA). This is done through publication on the Council's website.
27. Once adopted the plans identified in the LDS will form the statutory development plan for Wiltshire alongside the existing adopted development plan documents, and made neighbourhood plans, comprising the development plan for Wiltshire.

Options Considered

28. The options for the Council are limited. It is important that the LDS is kept up to date, as set out in legal implications above.

Conclusions

29. The LDS should be periodically reviewed in line with legislation to ensure it remains up to date and there is clarity for interested parties on the plans under preparation to update the Local Plan.

Nic Thomas, Chief Planning Officer

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Date of report: 14 November 2022

Appendices

Appendix 1: Draft Wiltshire Local Development Scheme, December 2022

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Wiltshire Council

LOCAL DEVELOPMENT SCHEME

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DRAFT

1. Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011 requires the council to prepare and maintain a Local Development Scheme (LDS). The Wiltshire LDS identifies the Development Plan Documents (DPDs) prioritised for production by Wiltshire Council and the timetable for their preparation that will, when complete, together with other adopted documents, comprise the Local Plan for Wiltshire. It also sets out neighbourhood plans that form part of the development plan for Wiltshire as well as those at an advanced stage of preparation.
- 1.2 The LDS is required to be kept up to date and was last reviewed in November 2021. That version reflected the knock-on effect of the redeployment of resources as part of the Council's response to the pandemic, as well as the outcome of the consultation response on the Wiltshire Local Plan Review. This was reported to Cabinet on 29 June 2021 when it was resolved that further work be undertaken to review key parts of the evidence base including testing the level of housing need and distribution of growth. This also affected the timeline for the separate DPD for Gypsies and Travellers being prepared in advance of the Local Plan Review. The November LDS also reaffirmed the council's commitment to review minerals and waste policies, setting out details of the review process.
- 1.3 Since November 2021, while good progress has been made on both the Local Plan Review and Gypsies and Travellers Development Plan Document further work is needed leading up to consultation on the draft Plans to ensure they are based on sound and robust evidence bases. The revised timelines together with an updated plan horizon date in response to the July 2021 consultation and the further work being undertaken on housing and employment evidence is reflected in this LDS.
- 1.4 The LDS does not include a timetable for the preparation of individual neighbourhood plans as the timing and delivery of these are the responsibility of the 'qualifying bodies' which, in Wiltshire, is generally the parish councils. However, the LDS does provide a summary of those plans that have been made and which now form part of the development plan and identifies those that have progressed significantly to at least submission stage at the time of writing (October 2022).

2. The Wiltshire Development Plan

Existing Development Plan

- 2.1 Section 38 (6) of the Planning and Compulsory Purchase Act and Section 70 (2) of the Town and Country Planning Act 1990 states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises DPDs prepared by Wiltshire Council as local planning authority and made (adopted) Neighbourhood Plans prepared by parish and town councils within Wiltshire. Policies within the documents

listed in Table 1 and 2 below currently form the development plan for Wiltshire (and Swindon¹).

- 2.2 The Wiltshire Core Strategy replaced many of the ‘saved’ policies within the former North Wiltshire Local Plan 2011, the Kennet Local Plan 2011, the West Wiltshire District Plan First Alteration 2011 and the Salisbury Local Plan 2011, as well as some policies within the West Wiltshire Leisure and Recreation DPD. The remaining extant policies from these documents are listed at Appendix D of the Wiltshire Core Strategy and these will be replaced as part of the Local Plan Review.

Table 1: Wiltshire Development Plan - Development Plan Documents, November 2021

Document	Area Covered	Status
Wiltshire Housing Site Allocations Plan (adopted February 2020)	Wiltshire Council area (excluding Principal Settlement of Chippenham)	Current policy. Sets out additional site allocations for housing across Wiltshire to improve supply in the plan period to 2026. In addition, the document addresses settlement boundaries.
Chippenham Site Allocations Plan (adopted May 2017)	Chippenham (principal settlement)	Current policy. Sets out the sites and details of development to accommodate strategic growth options for Chippenham in accordance with Core Policy 10 of the Wiltshire Core Strategy.
Wiltshire Core Strategy (adopted January 2015)	Wiltshire Council	Current policy. Sets out the spatial vision, objectives and strategy for the spatial development of Wiltshire and strategic policies and proposals to deliver the vision setting out principles of development for the county to 2026,
Wiltshire and Swindon Waste Site Allocations Local Plan (adopted February 2013)	Wiltshire Council and Swindon Borough	Current policy. Presents a framework of sites to accommodate future waste management uses and facilities for the period up to 2026

¹ Wiltshire Council and Swindon Borough Council have prepared minerals and waste local plans on a joint basis

Document	Area Covered	Status
Wiltshire and Swindon Aggregate Minerals Site Allocations Local Plan	Wiltshire Council and Swindon Borough	Current policy. Identifies seven sites for future sand and gravel working for the period up to 2026
Wiltshire and Swindon Waste Development Control Policies DPD (adopted September	Wiltshire Council and Swindon Borough	Current policy. Sets out generic policies to assist in determining planning applications for waste development.
Wiltshire and Swindon Minerals Development Control Policies DPD (adopted September	Wiltshire Council and Swindon Borough	Current policy. Sets out generic policies to assist in determining planning applications for minerals development.
Wiltshire and Swindon Waste Core Strategy (adopted June 2009)	Wiltshire Council and Swindon Borough	Current policy. Sets out the spatial vision, strategic objectives and strategy covering waste provision up to 2026 including the strategic policies and
Wiltshire and Swindon Minerals Core Strategy (adopted July 2009)	Wiltshire Council area and Swindon Borough	Current policy. Sets out the spatial vision, strategic objectives and strategy covering minerals provision up to 2026 including the strategic policies and proposals to deliver the vision.
West Wiltshire Leisure and Recreation DPD (adopted February 2009)	Former West Wiltshire district area	Provides additional recreational policies for the West Wiltshire area for the period up until 2016. Certain policies have been replaced by
North Wiltshire Local Plan (adopted April 2006)	Former North Wiltshire district area	Certain policies continue to be 'saved' until replaced by policies in a subsequent DPD.
Kennet Local Plan 2011 (adopted June 2004)	Former Kennet district area	Certain policies continue to be 'saved' until replaced by policies in a subsequent DPD.
West Wiltshire District Plan First Alteration 2011 (adopted June 2004)	Former West Wiltshire district area	Certain policies continue to be saved until replaced by policies in a subsequent DPD.

Document	Area Covered	Status
Salisbury Local Plan 2011 (adopted June 2003)	Former Salisbury district area	Certain policies continue to be saved until replaced by policies in a subsequent DPD.
Wiltshire and Swindon Minerals Local Plan (adopted November 2001)	Wiltshire Council and Swindon Borough	One saved policy (Policy 35: Preferred Areas for Sharp Sand and Gravel) remains extant.

Table 2: Wiltshire Development Plan - Made Neighbourhood Plans, October 2022

Document	Area covered	Plan period
Laverstock and Ford Communities Neighbourhood Plan Made October 2022	Laverstock Parish	Covers the period 2021 to 2036
West Dean and West Tytherley Neighbourhood Development Plan Made May 2022	West Dean and West Tytherley Parishes	Covers the period 2022 to 2035
Colerne Neighbourhood Plan Made March 2022	Colerne Parish	Covers the period 2021 to 2036
Lyneham and Bradenstoke Neighbourhood Development Plan Made October 2021	Lyneham and Bradenstoke Parish	Covers the period 2020 to 2030
The Southwick Neighbourhood Development Plan Made October 2021	Southwick Parish	Covers the period 2018 to 2036

Document	Area covered	Plan period
Broad Chalke Neighbourhood Plan Made July 2021	Broad Chalke Parish	Covers the period 2019 to 2026
Joint Melksham Neighbourhood Plan Made July 2021	Melksham Without Parish and Melksham Town Council	Covers the period 2020 to 2026
West Ashton Neighbourhood Development Plan Made June 2021	West Ashton Parish	Covers the period 2018 to 2026
Crudwell Neighbourhood Plan Made May 2021	Crudwell Parish	Covers the period 2019 to 2026
Hindon Neighbourhood Development Plan Made May 2021	Hindon Parish	Covers the period 2019 to 2036
Lydiard Millicent Neighbourhood Plan Made May 2021	Lydiard Millicent Parish	Covers the period 2018 to 2036
Market Lavington Neighbourhood Development Plan Made May 2021	Market Lavington Parish	Covers the period 2018 to 2026
North Bradley Neighbourhood Plan Made May 2021	North Bradley Parish	Covers the period 2018 to 2026
Seagry Parish Neighbourhood Plan Made May 2021	Seagry Parish	Covers the period 2019 to 2036

Document	Area covered	Plan period
Seend Parish Neighbourhood Plan Made May 2021	Seend Parish	Covers the period 2020 to 2030
The Winterbournes Neighbourhood Plan Made May 2021	Winterbourne Parish	Covers the period 2019 to 2036
Tockenham Neighbourhood Plan Made May 2021	Tockenham Parish	Covers the period 2019 to 2026
Corsham Neighbourhood Plan Made November 2019	Corsham Town	Covers the period 2016 to 2026
Tisbury and West Tisbury Neighbourhood Development Plan Made November 2019	Parishes of Tisbury and West Tisbury	Covers the period 2019 to 2036
Hullavington Neighbourhood Development Plan Made September 2019	Hullavington Parish	Covers the period 2016 to 2026
Chirton and Conock Neighbourhood Plan Made August 2019	Chirton and Conock Parish	Covers the period 2018 to 2026
West Lavington Neighbourhood Plan Made June 2019	West Lavington Parish	Covers the period 2017 to 2026
Sherston Neighbourhood Plan Made May 2019	Sherston Parish	Covers the period 2006 to 2026
Oaksey Neighbourhood Plan Made April 2019	Oaksey Parish	Covers the period 2018 to 2026

Document	Area covered	Plan period
Hilperton Neighbourhood Development Plan Made November 2018	Hilperton Parish	Covers the period 2017 to 2026
Purton Neighbourhood Plan Made November 2018	Purton Parish	Covers the period 2017 to 2026
Burbage Neighbourhood Development Plan Made July 2018	Burbage Parish	Covers the period 2017 to 2026
Royal Wootton Bassett Neighbourhood Development Plan Made April 2018	Royal Wootton Bassett Parish	Covers the period 2017 to 2026
Christian Malford Neighbourhood Development Plan Made March 2018	Christian Malford Parish	Covers the period 2015 to 2035
Cricklade Neighbourhood Plan Made March 2018	Cricklade Parish	Covers the period up to 2026
Bremhill Parish Neighbourhood Plan Made February 2018	Bremhill Parish	Covers the period 2016 to 2030
Calne Community Neighbourhood Plan Made February 2018	Town of Calne and Parish of Calne Without	Covers the period 2016 to 2026
Wootton Rivers Neighbourhood Development Plan Made January 2018	Wootton Rivers Parish	Covers the period 2017 to 2026
Document	Area covered	Plan period

Great Somerford (incorporating Startley) Neighbourhood Plan Made November 2017	Great Somerford Parish including Startley	Covers the period 2016 to 2026
Bradford-on-Avon Neighbourhood Plan Made October 2017	Bradford-on-Avon Parish	Covers the period 2013 to 2026
Langley Burrell Parish Neighbourhood Development Plan Made October 2017	Langley Burrell Parish	Covers the period 2016 to 2026
Ashton Keynes Neighbourhood Plan Made May 2017	Ashton Keynes Parish	Covers the period 2015 to 2026
Idmiston Parish Council Neighbourhood Plan Made April 2017	Idmiston Parish	Covers the period 2015 to 2026
Urchfont, Wedhampton and Lydeaway Neighbourhood Plan Made April 2017	Urchfont Parish	Covers the period 2015 to 2026
Downton Neighbourhood Plan Made January 2017	Downton Parish	Covers the period 2016 to 2026
Holt Neighbourhood Plan Made January 2017	Holt Parish	Covers the period 2016 to 2026
Potterne Neighbourhood Plan Made January 2017	Potterne Parish	Covers the period 2016 to 2026
Warminster Neighbourhood Plan Made November 2016	Warminster Parish	Covers the period 2015 to 2026.

Document	Area covered	Plan period
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Compton Bassett Neighbourhood Plan Made May 2016	Compton Bassett Parish	Covers the period 2015 to 2030
Devizes Area Neighbourhood Plan Made December 2015	Devizes Town and Bishops Cannings Parish	Covers the period 2015 to 2026
Freshford and Limpley Stoke Neighbourhood Plan Made November 2015	Freshford and Limpley Stoke Parishes	Covers the period 2014 to 2039
Pewsey Neighbourhood Development Plan Made October 2015	Pewsey Parish	Covers the period 2006 to 2026
Malmesbury Neighbourhood Plan Made February 2015	Malmesbury Town, St Paul Malmesbury Without and Brokenborough Parishes	Covers the period 2014 to 2026

Development plan documents in preparation

- 2.3 The development plan documents (DPDs) that are under preparation are summarised in Table 3, with more detailed information in Appendix A and a summary of the overall programme in Section 3. The anticipated adoption dates are provided below.

Table 3: Development Plan Documents in preparation

Document	Area Covered	Anticipated adoption date	Comments
Wiltshire Local Plan Review DPD	Wiltshire Council area	End Quarter 4 2024	<p>A review and roll forward of the housing and employment requirements in the Wiltshire Core Strategy to relate to the plan period 2020 to 2038 and to maintain consistency with national planning policy.</p> <p>It will refine certain policies to assist in the determination of planning applications, a key area being a review of all remaining saved policies from previous district local plans, policies for town centres and recreation.</p>
Gypsies and Travellers DPD	Wiltshire Council area	Quarter 4 2024	<p>This document will be informed by a Gypsy and Traveller Accommodation assessment, which identifies needs to 2038 and will provide sites to meet identified needs. It will focus on a review of Wiltshire Core Strategy Core Policy 47 'Meeting the needs of Gypsies and Travellers'</p>

- 2.3 The **Wiltshire Local Plan Review DPD** will provide the strategic context for development up to 2038 and determine the level and direction for future growth. It will include the allocation of range of sites to meet the identified need for homes and jobs, a review of existing development management policies, and strategic guidance for the preparation of neighbourhood plans. The scope of the plan is explained further in the Wiltshire Local Plan Review document profile at **Appendix A**. The scope of the review excludes the needs of Gypsies and Travellers, which is being addressed through a separate DPD. The timetable for the Local Plan reflects the additional stage of consultation undertaken early 2021 that built on the targeted consultation undertaken during 2019. This sought views on an emerging spatial strategy (the scale and distribution of growth across the County), as well as planning for the rural areas and how climate change matters should be addressed in the plan. See [Local Plan Review - Wiltshire Council](#) for further information.

- 2.4 In the light of the Gypsy and Traveller Accommodation Assessment and the Council's monitoring of provision, a separate **Gypsies and Travellers DPD** is being prepared rather than incorporating Gypsies and Travellers needs into the wider Local Plan Review. Whilst it was intended that this Plan would be progressed ahead of the wider Local Plan, there have been limited sites put forward through the call for site process which is delaying progress. However, as a single issue plan it is anticipated that the examination process will conclude ahead of the Wiltshire Local Plan Review and will be adopted first. The DPD will focus on Core Policy 47 of the Core Strategy. For clarification, accommodation needs of persons residing in houseboats is intended to be considered through the preparation of the Local Plan². Consultation was undertaken on the Gypsies and Travellers Plan alongside consultation on the Wiltshire Local Plan Review early 2021. See [Gypsy and Travellers - planning - Wiltshire Council](#) for further information.
- 2.5 There is also the need for ongoing joint working with Swindon Borough Council, to ensure consistency of approach.

Joint Working with Swindon Borough Council

- 2.6 In accordance with Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended) neighbouring local authorities must engage with each other constructively, actively and on an ongoing basis in any process by means of which development plan documents are prepared. This is termed the 'duty to cooperate'.
- 2.7 As set out in previous LDSs, the revised National Planning Policy Framework (NPPF) requires local authorities to "*maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these*" (paragraph 27). The accompanying Planning Practice Guidance outlines what a Statement of Common Ground should contain and explains that it should be "*maintained on an on-going basis throughout the plan making process*".
- 2.8 A statement of common ground can identify matters that are agreed, yet to be agreed, or further information that is required before matters can be agreed. It will identify those areas where cooperation is required to deliver the strategic policies of both authorities.
- 2.9 A Statement of Common Ground (March 2020) has been prepared between Wiltshire and Swindon Borough Councils to confirm the extent of joint working between the two authorities, and includes agreement that:
- (i) Based on current evidence, the proposed housing and employment needs for Swindon Borough Council and Wiltshire Council can be accommodated within each authority's boundaries; and

² As per 1985 House Act (as amended)

- (ii) Further information is needed to understand transport implications of the emerging development strategies of both plans to identify infrastructure provision to support growth.

2.10 The Statement of Common Ground is subject to ongoing review and will be updated as necessary to reflect changing circumstances.

Joint working with Neighbouring Authorities and Communities

2.11 As well as Swindon Borough Council, there are also ongoing discussions with other neighbouring authorities to understand the implications of planning for growth in our respective areas. These cross-boundary discussions will be reflected in Statements of Common Ground as appropriate to identify how the duty to cooperate has been carried out.

Minerals and Waste Planning

2.12 As outlined in Table 1, Wiltshire Council and Swindon Borough Council have successfully cooperated in the preparation and adoption of Minerals and Waste Development Plan Documents (DPDs). This LDS reaffirms Wiltshire Council's commitment to review the policies within these plans to identify whether existing policies need to be amended or replaced, particularly in terms of their continued conformity with national policy.

2.13 The review process will consider:

- conformity of policies with the National Planning Policy Framework, including National Planning Policy for Waste;
- the effectiveness of policies against indicators in the DPDs;
- updated information about delivery of land allocations, quantities of waste and capacity to manage waste within Swindon and Wiltshire; and
- the Local Aggregate Assessment of demand for and supply of aggregates in the area.

Following completion of the review process, in co-operation with Swindon Borough Council, consideration will be given to the introduction of new plans into the LDS by the council's Cabinet. Updating the plans could be either in full or in part.

Emerging Neighbourhood Plans

2.14 Neighbourhood planning is popular across Wiltshire. At the time of writing (October 2022), 90 Neighbourhood Areas have been formally designated for the purposes of preparing a neighbourhood plan; and 48 plans within Wiltshire had been 'made' (adopted). These are listed in Table 2 above together with a Community Right to Build Order in Cherhill.

2.15 Neighbourhood plans that have had decision statements issued and are awaiting a

referendum can be given significant weight in decision-making, so far as the plan is material to the application^{3 4}.

2.16 The following neighbourhood development plans are at an advanced stage of preparation having been submitted to Wiltshire Council for consultation and examination⁵ (they have reached the Regulation 16 stage of plan preparation or beyond)⁶. Following successful examination and referendum, neighbourhood plans can be 'made' at which point they will also form part of the development plan for Wiltshire:

- Marlborough Area Neighbourhood Plan 2021-36 (referendum suspended)
- Preshute Neighbourhood Plan 2021-2036 (at examination)
- Aldbourne Neighbourhood Development Plan 2021-2036 (at examination)
- Stanton St Quintin Neighbourhood Development Plan 2021-2036 (at examination)

3. Overall programme for development plan document preparation

3.1 The overall programme for the preparation of DPDs, including significant milestones, is summarised in the following chart. **Appendix A** includes profiles for each document.

3.2 Each DPD document follows a similar process:

- (i) Public consultation on the scope of plan
- (ii) Plan preparation (including evidence gathering and informal consultation)
- (iii) Publication of the plan for pre-submission consultation (i.e. before submission to the Secretary of State) and preparation for submission
- (iv) Submission to the Secretary of State
- (v) Examination (including hearings and receipt of Inspectors report)
- (vi) Adoption

3.3 An important milestone for each document is the point at which the document is submitted to the Secretary of State. Critical to maintaining progress in relation to each document is the role of Cabinet and Full Council. Cabinet provides Member approval to

³ The National Planning Practice Guidance states that 'Where the local planning authority has issued a decision statement (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send a neighbourhood plan to referendum, that plan can be given significant weight in decision-making, so far as the plan is material to the application.' (Planning Practice Guidance, Neighbourhood Planning, Paragraph 107, 13th May 2020 <https://www.gov.uk/guidance/neighbourhood-planning--2#covid-19>)

⁴ Position at October 2022

⁶ Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to as soon as possible after receiving a plan proposal to publicise the plan on their website and in such other manner as they consider is likely to bring the proposal to the attention of people who live, work or carry on business in the neighbourhood area and include details on how to make representations on the plan over a period not less than 6 weeks.

progress key stages of plan preparation and authorise consultation procedures. Full Council is required to approve a DPD for submission to the Secretary of State and finally adopt the plan as required by the Council's constitution and legislative requirements.

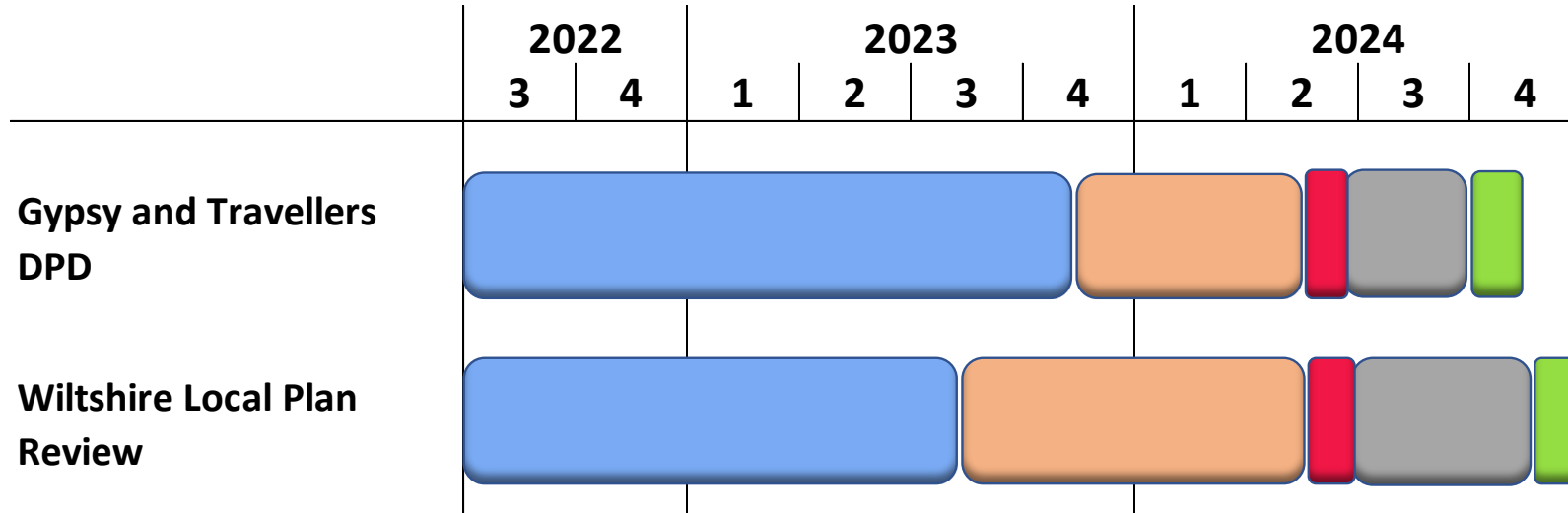
- 3.4 Following submission, which is the start of the examination process, the timeline at that point is generally in the hands of the Inspector appointed to examine the plan. The examination stage closes with the submission of a report at which time the council will be able to consider their recommendations and adoption of the plan.

Governance and Risk assessment

- 3.5 Risk assessment will be undertaken during the LDS period by senior managers and will consider mitigation and contingency measures that may need to be implemented to ensure that sound DPDs are prepared and developed in a timely manner. The council has put in place governance arrangements for the Local Plan to ensure its delivery. This provides overall leadership and direction for decision making in relation to plan and policy formulation; and to ensure that the project is delivered against the project scope, timescales, budgets and other identified constraints.



Table 4: Summary programme for development plan document production



Plan preparation (including evidence gathering and refinement following consultation stages)

Publication of the plan for pre-submission consultation (Reg 19) and preparation for submission

Submission to the Secretary of State following Cabinet and Council approval (Reg 22)

Examination process (including hearings and receipt of Inspector's report)

Adoption by Council



4. Supporting information

Implementing the Wiltshire Core Strategy

4.1 The Wiltshire Core Strategy was adopted in January 2015 it will remain adopted policy for Wiltshire until adoption of the Wiltshire Local Plan Review⁶. To support the continuing implementation of the Core Strategy there are other projects that have been completed. These are:

- (i) Infrastructure Delivery Plan (IDP) 3 - sets out detailed guidance on what infrastructure will need to be provided to support planned development. **Completed December 2016**. This will be reviewed as part of the Local Plan with published updates as part of the ongoing consultation, as appropriate. Viability assessment will be an important part of plan making to understand the deliverability of infrastructure alongside development.
- (ii) Community Infrastructure Levy (CIL) Charging Schedule⁷ - sets out the type and scale of contributions that will be required to help provide the infrastructure to support development, based on the Infrastructure Delivery Plan and Wiltshire Core Strategy. **Approved May 2015**⁸. The charging and collection of CIL are regularly monitored. This will be reviewed alongside the preparation of the Local Plan.
- (iii) The Wiltshire Infrastructure Funding Statement - includes an Infrastructure List (replaces the Regulation 123 List) and sets out the infrastructure that the Council may fund, in whole or in part, by the CIL. Wiltshire's second Statement was published on the Council's website in **December 2021**.

The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 has replaced the Regulation 123 Lists with annual Infrastructure Funding Statements, which set out how much money has been raised through developer contributions (both through CIL and section 106 obligations) and how it has been spent.

⁶ Core Policy 47 of the Wiltshire Core Strategy is being updated through the Gypsies and Travellers Plan and will be superseded on adoption of that plan.

⁷ The Community Infrastructure Levy (CIL) is a charge which local authorities in England and Wales are empowered, but not required, to charge on most types of new development in their area. CIL charges are based on simple formulae which relate the size of the charge to the size and character of the development paying it. The proceeds of the levy will be spent on infrastructure to support the development of the area.

⁸ Planning Practice Guidance states that "...charging authorities should also consider linking a review of their charging schedule to any substantive review of the evidence base for the relevant Plan." The review of the CIL Charging Schedule for Wiltshire will be informed by the evidence gathered to support the review of the Wiltshire Local Plan.

- (iv) Planning Obligations Supplementary Planning Document (SPD) - provides detailed guidance on the application of Core Policy 3 of the Wiltshire Core Strategy. The SPD sets out how the council will use section 106 planning obligations alongside other mechanisms for securing developer contributions towards infrastructure. **Adopted October 2016**. This SPD will be reviewed through the Local Plan Review to ensure conformity with emerging new policies and the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019, which removed restrictions on the use of section 106 planning obligations.

Supporting the Wiltshire Housing Site Allocations DPD

- 4.2 The Trowbridge Bat Mitigation Strategy Supplementary Planning Document (SPD) (**Adopted February 2020**) has been prepared to support the implementation of the Wiltshire Housing Site Allocations Plan and the Wiltshire Core Strategy. It was adopted alongside the Site Allocations DPD and builds upon the advice set out in the 'Bat Special Area of Conservation (SAC) Planning Guidance for Wiltshire'.
- 4.3 The Trowbridge Bat Mitigation Strategy SPD is a strategy for considering the impacts of development in the Trowbridge area on the Bath and Bradford on Avon Bats SAC; and sets out an approach for mitigation to avoid significant adverse impacts on bats and qualifying features of the wider SAC. It does this by applying a precautionary approach to assessing development proposals at and around the town.
- 4.4 In addition to supporting the delivery of the Wiltshire Housing Site Allocations Plan the SPD provides a basis for assessing housing proposals brought forward in accordance with the Wiltshire Core Strategy, including those in neighbourhood plans as well as windfall development at the town and in surrounding parishes.
- 4.5 In line with existing planning policy, the SPD covers the period to 2026. It is intended that it will be reviewed as part of the preparation of the new Wiltshire Local Plan to ensure that future plan-led growth at and around the town do not lead to significant adverse effects on the integrity of the SAC.

APPENDIX A: Document Profiles

DEVELOPMENT PLAN DOCUMENT PROFILES	
Wiltshire Local Plan Review (2020-2038)	
Role and subject	<p>The purpose of the review of the adopted Local Plan will be to assess the future levels of need for new homes (including market, affordable and specialist housing)⁹ and employment land over the period 2020 to 2038 and to provide an appropriate basis for housing, employment land and infrastructure provision over that period.</p> <p>It will involve considering if the existing adopted development strategy remains relevant, identifying new site allocations relating to housing and employment together with supporting services and infrastructure.</p> <p>It will not be the purpose of the review to change or remove strategic objectives or policies that remain in accordance with national policy and support the delivery of sustainable development.</p> <p>The review will also include:</p> <ul style="list-style-type: none"> targeted updating of existing Wiltshire Core Strategy development management policies to ensure their continued consistency with national policy; the introduction of further detailed development management policies as part of a review of the saved development management policies not replaced by the Wiltshire Core Strategy; and developing additional locally distinctive policies to plan positively for all town centres in Wiltshire consistent with national policy.
Geographical coverage	Wiltshire (excluding Swindon)
Document type/status	Development plan document
Chain of conformity	National policy
Timetable	
Stage	Dates
Initial consultation on the scope of plan	Commenced November 2017
Plan preparation (including evidence gathering and informal consultation, with public consultation completed Qtr 1 2021)	Over the period Qtr 1 2018 to Qtr 2 2023
Publication of plan for pre-submission consultation and preparation for submission following consultation	Qtr 3 2023 - Qtr 2 2024
Submission to Secretary of State	Qtr 2 2024
Examination (including hearing and receipt of Inspector's report)	Commencing Qtr 2 2024
Adoption	End Qtr 4 2024

⁹ A separate Development Plan Document will address Core Policy 47 'Meeting the needs of Gypsies and Travellers'

DEVELOPMENT PLAN DOCUMENT PROFILES	
Gypsies and Travellers DPD	
Role and subject	This DPD will identify the future level of need for accommodation for Gypsy and Travellers, including travelling showpeople to 2038. It will identify sites to meet permanent and temporary accommodation needs and focus on Core Policy 47 'Meeting the needs of Gypsies and Travellers' of the Wiltshire Core Strategy.
Geographical coverage	Wiltshire (excluding Swindon)
Document type/status	Development plan document
Chain of conformity	National policy
Timetable	
Stage	Dates
Initial consultation on the scope of plan (took place alongside Local Plan Review consultation)	Qtr 1 2021
Plan preparation (including evidence gathering and informal consultation, with public consultation completed Qtr 1 2021)	Qtr 2 2021 - Qtr 3 2023
Publication of plan for pre-submission consultation and preparation of plan for submission	Commencing Qtr 4 2023 - Qtr 2 2024
Submission to Secretary of State	Qtr 2 2024
Examination (including hearing and receipt of Inspector's report)	Commencing Qtr 2 2024
Adoption	Qtr 4 2024

GLOSSARY

A guide to the terminology used in this document

Authority Monitoring Report (AMR) - A report monitoring and reviewing how well the council has performed against the timetable set out in the LDS and any changes needed to maintain an up to date LDS. The role of the AMR is also to monitor the effectiveness of development plan document policies.

Community Infrastructure Levy (CIL) - A charge levied by the council on new development to fund the provision of infrastructure and wider community benefits. In order to charge the levy, the council must have an adopted CIL Charging Schedule.

Community Infrastructure Levy Charging Schedule - A document that sets out the council's schedule of charges on various forms of development. The Charging Schedule must be based upon a robust evidence base (linked to the Infrastructure Delivery Plan and robust viability assessments) and subjected to meaningful consultation. The Schedule is examined by an independently appointed assessor (generally the Planning Inspectorate); and if found sound, the council can then charge CIL.

Development Plan Document (DPD) - A document or documents setting out the council's planning policies and proposals. They are subject to community involvement, consultation and independent examination. A sustainability appraisal is required for each development plan document. The adopted development plan will include any Neighbourhood plan which have been formally made under the relevant legislation.

Gypsy and Traveller Accommodation Assessment (GTAA) - An assessment of the accommodation needs of gypsies and travellers.

Local Development Plan Document - The documents that set out planning policies for specific topics or areas, which make up the Local Development Plan.

Local Development Scheme (LDS) - A timetable for the preparation of local development documents.

Local Plan - Development plan document(s) setting out the spatial vision and strategic objectives for an area. All development plan documents collectively comprise the Local Plan.

National Planning Policy Framework - The National Planning Policy Framework was first published on 27 March 2012 and revised in July 2018, February 2019 and July 2021. The framework gives guidance to local councils in drawing up local plans and on making decisions on planning applications to deliver sustainable development.

Neighbourhood Planning - The Localism Act, which received Royal Assent on 15 November 2011, introduced new rights and powers to allow local communities to shape new development by coming together to prepare neighbourhood plans. Once adopted these plans become part of the Development Plan

Saved Plan - Under the Planning and Compulsory Purchase Act 2004, adopted Local Plans have the status of "saved plans" until they are replaced by local development documents.

Saved Policies - The Government has set out procedures for saving adopted local plan policies beyond the period allowed in the Planning Act for saved Local Plans, until they have been replaced by

policies in local development documents.

Spatial Planning - Includes economic, social and environmental issues as well as the physical aspects of location and land use.

Sustainability Appraisal (SA) - This is required under national legislation for emerging policy and include consideration of social and economic impacts as well as impacts on the environment. Wiltshire is producing a combined SA and Strategic Environmental Assessment (see below).

Statement of Community Involvement (SCI) - This is a document which sets out how the council will consult and involve the public at every stage in the production of the Local Development Framework. It also applies to major development control applications. The SCI is not a development plan document.

Strategic Environmental Assessment (SEA) - An appraisal of the impacts of policies and proposals on economic, social and environmental issues, required by European legislation. A combined SEA and Sustainability Appraisal is being undertaken for Wiltshire.

Supplementary Planning Document (SPD) - A Local Development Document which provides additional advice and information relating to specific policy or proposals in a Development Plan Document.

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Wiltshire Council

Cabinet

13 December

Subject: Children's Homecare Services Flexible Framework proposal

Cabinet Member: Cllr Laura Mayes Deputy Leader and Cabinet Member for Children's Services, Education and Skills

Key Decision: Key

Executive Summary

Children's home care is also referred to as domiciliary care and provides CQC registered home and community-based care and support to children and young people aged 0-25. Children's home care supports children and young people to access and participate in activities in the home and in the community and provide respite for family and carers. It provides personal care support including moving and handling responsibilities.

This support helps children and young people to increase their confidence and independence with a combination of emotional, health and social care support.

Children's Homecare Services have been purchased through the Help to Live at Home (HTLAH) framework. Due to the current market challenges, an extension for the current HTLAH was agreed to end on the 31st March 2023.

Through the recommissioning process and market engagement it has become apparent that there is an urgent need to re-engage with the homecare provider market and deliver a new Flexible Framework for children's homecare. This will aim to increase capacity in the market and ensure that children have the support they need in a timely way.

Children's homecare services were included in the Home Care Recommissioning Cabinet Paper (for children and adults) which was approved by Cabinet on 26th April 2022. However, since then the commissioners have reviewed the model for adult care and are submitting a separate proposal to Cabinet.

The purpose of this paper is to propose that children's homecare services are recommissioned in line with the original Cabinet paper in April 2022 but that this will be separate from adults. This will be a material change to the proposals in the Cabinet Paper approved on 26th April 2022.

The recommendation is for children's homecare to be purchased under a two-year Flexible Framework arrangement with the option to extend for a further two years. This will ensure that the service will not be impacted by the current challenges in the adults' market.

Proposal(s)

This report recommends Cabinet agree the following proposals:

1. That children's homecare services are purchased through a two-year Flexible Framework with the option to extend for two years (option c).
2. That officers continue to undertake to prepare and complete the tender programme, award and implement a new contract for children's home care by 01 April 2023.
3. To delegate authority to approve and award a new contract and future extensions and all associated documents to the Corporate Director of People in consultation with the Deputy Leader and Cabinet Member for Children's Services, Education and Skills.

Reason for Proposal(s)

- To seek authorisation to purchase children's home care enabling the opportunity to improve sufficiency of children's home care provision.
- Cabinet is asked to authorise the method outlined to complete a tender process that delivers value for money through the new contract.

Terence Herbert
Chief Executive

13 December 2022

Subject: Children's Homecare Services Flexible Framework Proposal

Cabinet Member: Cllr Laura Mayes Deputy Leader and Cabinet Member for Children's Services, Education and Skills

Key Decision: Key

Purpose of Report

1. This report outlines the proposal for children's home care services to be purchased under a two-year Flexible Framework with the option to extend for a further two years.
2. It outlines the reasons why it is recommended that children's home care is recommissioned separately to adults' home care. The tender aims to improve sufficiency of home care for children and young people and their families by developing the market for providers specialising in supporting children and young people.
3. Cabinet is asked to authorise the method outlined to complete a tender process that delivers sufficiency of home care for children and young people.
4. To delegate authority to approve and award a new contract and future extensions and all associated documents to the Director Procurement & Commissioning in consultation with the Deputy Leader and Cabinet Member for Children's Services, Education and Skills.

Relevance to the Council's Business Plan

5. The proposal is relevant to the following priorities and objectives laid down the Council's Business Plan¹:
6. To support the working themes in the council's business plan 2022 to 2032, commissioning priorities are to:
 - a) **Priority 1** - ensure services are in the right place at the right time
 - b) **Priority 2** - ensure right people receive services in the right place i.e. increasing services delivered in the community and in people's homes
 - c) **Priority 3** - ensure right service, right price

Background

7. **Current situation** – Children's home care is currently purchased through Wiltshire's Help to Live at Home (HTLAH) Alliance. The alliance was established in October 2018 and ended on 31 October 2022, subject to approval of an extension.

¹ [Business plan - Wiltshire Council](#)

- 8. Children’s home care services were included in the plans for the new recommissioned service as a drawdown service as detailed in the Home Care Recommissioning Cabinet Paper submitted on 26th April 2022. Children’s commissioners have continued to prepare for the tender programme and are ready for the implementation stage.
- 9. Adult commissioners have reviewed their home care model in the light of challenges in the market and are submitting a separate proposal to Cabinet.
- 10. Demand for children’s home care is increasing. The graph below (figure 1) shows the total number of children’s home care packages commissioned in each year and forecasts for the duration of the new framework. These figures include active and closed packages, and the churn of packages is round 10 packages a year. It is estimated that demand will continue to increase but plateau to around 18% during the new framework.

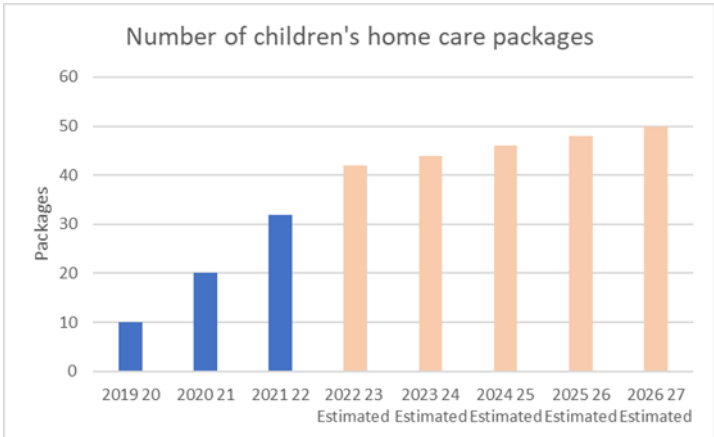


Figure 1

- 11. There are currently 25 active children’s packages of care. There are a further 17 packages (Oct 2022) that we are unable to find support for through our current HTLAH contract. Three of the packages we are trying to find support for have been open for over twelve months.
- 12. The children that we are unable to find a provider to support through home care will have support through social care staff or alternative means until such time as a support package is in place.
- 13. There are currently 107 home care providers working within the HTLAH Alliance. Despite this number of providers, we still have to commission packages of care outside of the HTLAH alliance under spot arrangements.
- 14. Currently there are 10 HTLAH alliance providers supporting 19 packages of care and four non alliance providers supporting six packages of care under spot arrangements.
- 15. The packages that are under spot arrangements are more expensive and hourly rates range from £27.
- 16. The packages that there are challenges in commissioning are mainly in village and rural locations. They tend to be for a low number of hours a week or for ad hoc hours at the weekend.

Main Considerations for the Council

- 17. The Council has statutory duties to provide support for children with SEND (SEND Act 2001). Children’s home care service provides support for children and young people to continue to be at home and to access their education and communities, also providing respite for families.
- 18. By supporting children and young people and their families at home and in their communities children’s home care helps to prevent moves into residential care or into expensive independent special schools, or escalation to statutory services.
- 19. Market engagement with children’s providers highlighted the difficulty that they have finding staff to provide support during the weekends and in rural areas. Providers indicated that they needed flexibility in the rates they could charge in order to attract staff for these types of packages.
- 20. **Children’s Homecare model** - The new children’s home care Flexible Framework will be a simple model to offer the flexibility for providers to charge different rates depending on location and unsocial hours. The tender process will invite providers to provide rates for the following situations:
 - a) Type of role e.g. Health Care Assistant or Registered Nurse
 - b) Town / location
 - c) Out of town location (up to 20 miles from nearest town)
 - d) Standard hours (7am – 8pm)
 - e) Enhanced hours, Bank Holiday and Weekends (8.01pm – 6.59am)
 - f) Mileage +20 miles from nearest town
 - g) Option to list other costs
- 21. **Price Review Mechanism** – There will be a price review mechanism in the new home care Flexible Framework. There is evidence from the December 2020 Cost of Care exercise where it indicated direct staff costs were by some distance the biggest cost providers face, with wage costs ranging from 71% of total costs to 95%. The average was 82%.

To reflect this the EARN03 Index (Average weekly earnings by industry) and CPIH (Consumer Prices Index Including Owner Occupiers' Housing Costs), both based on the January index, will be used to calculate the annual price review mechanism: The overall figure shall be calculated on the basis of EARN03 contributing 80% of the overall uplift, and CPIH 20% of the uplift.

The children’s home care services contract will require providers to apply for any uplift and the mechanism will provide the maximum percentage amount a provider can apply for. Providers may not request any uplift until at least December 2024 with the first uplift applying from 1 April 2025 and this will last for the remainder of the contract.

- 22. **Market Engagement & Indicative Tender Timetable** – Market engagement has continued through the summer with a children’s home care market event in May and discussions with key providers have been ongoing. We will be engaging with the marking again more formally with a market event in December. The table below details the tender timetable, (Table1).

Date	Task
December 2022	Market Engagement Event – service model
January 2023	Round 1 and evaluation
February 2023	Round 1 Closing/Round 2 Opening
March 2023	Evaluation Period End Date
March 2023	Award Decision Notification
01 April 2023	Alliance Commencement Date

Table 1.

Overview and Scrutiny Engagement

23. A briefing has been held with the Chair and Vice Chair of Children’s Select Committee.

Safeguarding Implications

24. Current contract arrangements with the HTLAH Alliance contain robust safeguarding measures in line with Council policy. Contracts give clear direction on how and when to raise a safeguarding alert to avoid any confusion about who will do this and/or assumptions that someone else will raise the alert.

25. Contracts also ensure that any issues relating to child protection are identified and appropriate referral made to children’s services. Any new service specifications under the new Children’s Homecare Flexible Framework will continue to include these robust measures.

Public Health Implications

26. The Children’s Home Care Flexible Framework will benefit the overall health and wellbeing outcomes of children and young people in terms of service continuity and reducing the risk that their health and care outcomes could be compromised if the service was not in place.

Procurement Implications

27. A compliant procurement process will be followed in line with Public Contract Regulations 2015.

28. The procurement process will be designed and run, in conjunction with the Commercial and Procurement team.

29. Consideration to social value implications will be informed through our socially responsible procurement policy and will be taken into consideration when developing the specification for the service.

Equalities Impact of the Proposal

30. The equalities impact of the proposed decision is low against all criteria on the Equalities Risk Criteria Table and, therefore, a full Equalities Impact Assessment is not required

Environmental and Climate Change Considerations

31. It is anticipated that the energy consumption and associated emissions will not alter from their current levels as a result of this proposal

Workforce Implications

32. These proposals relate to a continuation of current activity which is delivered through external suppliers. So, there is little-to-no direct impact on council employed staff.

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

- 33. The report’s proposals offer the most effective mitigation to the following known risks:
 - a) Children’s home care services being delivered outside of a formal contract once current contract arrangements end 31 March 2023
 - b) Undertaking an emergency procurement, which would lack the required time to create a robust opportunity
 - c) Engagement in the market will reduce and will lead to reduced sufficiency
 - d) Emergency spot procurement will lead to a lack of control of costs
 - e) Under spot procurement it is likely that the quality of care will be untested
 - f) Possible lack of consistency of care being received by children, young people and families
 - g) A lack of capacity in the children’s homecare market

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

- 34. There is a risk of increased financial costs of children’s home care, We will mitigate this risk by working with providers to provide efficient and best value support packages.
- 35. There is a risk of reduced sufficiency of packages of care. We will look to mitigate this by engaging in the market and ensuring the Flexible Framework will remain open for new providers to join.

Financial Implications

36. Children’s home care is currently assigned to the Children’s and Young People Disability Team support budget and includes 18-25 olds with SEND. The table below shows the children’s home care service costs from 2020 / 21 including an estimate for 2022/23 showing the unmet demand for packages.

Service	Estimate 22/23	Cost 21/22	Cost 20/21
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Current Children's Packages	£347,307	£275,000	£210,000
Additional demand (approx. value)	£110,400		
Total Spend	£439,919		

Table 2

37. It would not be unreasonable to consider that the annual cost of the new contract would be broadly similar to the current contract but taking into account that there are approximately 17 packages of care that still require support, it is expected to rise as detailed in table 2.

38. The estimated value of the children's home care contract from 1st April 2023 – 30th March 2027 is £2,168,609 for the four-year period.

The breakdown of estimated value is outlined in the table below in table 3:

Service	Years	
Childrens home care service	2023/2024	£ 494,210.86
	2024/2025	£ 523,943.20
Childrens home care extension	2025/2026	£ 560,361.74
	2026/2027	£ 590,094.08
Total		£2,168,609.88

Table 3

39. Further commercially sensitive financial information is contained within appendix 1.

Legal Implications

40. Legal advice has been sought and will continue to be sought on this project. The procurement of the Flexible Framework will need to be undertaken in accordance with the Constitution and Procurement Law. The Flexible Framework will be structured as a Pseudo-Dynamic Purchasing System which will be procured in accordance with the light touch regime under the Public Contracts Regulations 2015. This structure has been used previously by the Council. The proposed arrangements will ensure the Council meets its duties as described more fully above.

Options Considered

41. The options considered are:

- a) **To stop providing children's home care support** – If this option was followed, The Council would not meet its statutory duties in supporting children and young people with SEND. Children and young people and their families' needs could escalate and require expensive interventions which could include moves into residential care or residential Independent Special Schools. There is the risk of escalation to statutory services and the possibility of children becoming looked after by the local authority.
- b) **Purchase children's home care outside of contract** - Buying packages of care on spot arrangements will reduce control over cost and the quality care will

become inconsistent and untested.

- c) **Children’s home care services to be purchased under a Flexible Framework-** The Children’s Homecare Flexible Framework will be for two years with the option to extend for a further two years, with the aim to improve sufficiency of home care for children and young people and their families by developing the market for providers specialising in supporting children and young people. **This option is recommended**

Conclusions

To meet the demand for children’s homecare, provision needs to be commissioned through a new compliant arrangement. The proposed Flexible Framework will help improve sufficiency and meet the needs of children, young people and families in Wiltshire. The Flexible Framework will provide good value for money and ensure consistency of the quality of care.

It is recommended that Cabinet agrees:

1. That children’s homecare services are purchased through a two-year Flexible Framework with the option to extend for two years (option c).
2. That officers continue to undertake to prepare and complete the tender programme, award and implement a new contract for children’s home care by 01 April 2023.
3. Cabinet delegate authority to approve and award a new contract and future extensions and all associated documents to the Corporate Director People in consultation with the Deputy Leader and Cabinet Member for Children’s Services, Education and Skills.

Helen Jones (Director - Procurement and Commissioning)

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Date of report
November 2022

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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