

AGENDA

Meeting: CABINET CAPITAL ASSETS COMMITTEE
Place: North Wiltshire Room - County Hall, Trowbridge BA14 8JN
Date: Thursday 21 November 2013
Time: 1.30 pm

Please direct any enquiries on this Agenda to Kirsty Butcher, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713948 or email kirsty.butcher@wiltshire.gov.uk

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

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Fleur de Rhé-Philipe	Cabinet Member for Economy, Skills and Transport
Cllr Jane Scott OBE	Leader of the Council
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property, Waste
Cllr John Thomson	Deputy Leader and Cabinet Member for Highways and Streetscene and Broadband
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform

Substitutes:

Cllr Keith Humphries	Cabinet Member for Public Health, Protection Services, Adult Care and Housing (exc strategic housing)
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Jonathon Seed	Cabinet Member for Communities, Campuses, Area Boards, Leisure, Libraries and Flooding
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage & Arts, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services)

AGENDA

Part I

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

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

1 **Apologies and Substitutions**

2 **Minutes of the previous meeting** (Pages 1 - 4)

To confirm and sign as a correct record the minutes of the Cabinet (Capital Assets) Committee meeting held on 24 September 2013.

3 **Leader's Announcements**

4 **Declarations of interest**

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

5 **Devizes Lower Wharf depot** (Pages 5 - 10)

Report by Dr Carlton Brand, Corporate Director seeking Cabinet approval for a transfer of Lower Wharf depot to Devizes Canoe Club, subject to the agreement of Devizes Area Board in accordance with the Community Asset Transfer policy.

6 **Wellington secondary expansion project** (Pages 11 - 16) 

Report by Carolyn Godfrey, Corporate Director seeking Cabinet approval for phase one of a two phase project plan to deliver a 10/12 classroom block.

7 **Gypsy, Roma and Traveller project** (Pages 17 - 28) 

Report by Maggie Rae, Corporate Director seeking Cabinet approval to approve the use of allocated funding from the Homes and Communities Agency and to enter into a contract with a developer to carry out the works to the sites following the conclusions of an appropriate tendering process.

8 **Devizes Extra Care scheme** (Pages 29 - 40) 🔑

Report by Maggie Rae, Corporate Director seeking Cabinet approval on extra care provision in Devizes.

9 **Urgent items**

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

10 **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 11 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Reason for taking item in private:

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

Part II

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

11 **Devizes Extra Care scheme** (Pages 41 - 42)

Confidential appendix to the report.

The items on this agenda reflect the key goals of Wiltshire Council, namely 'Work together to support Wiltshire's Communities', 'Deliver high quality, low cost, customer focused services and 'Ensure local, open, honest decision making'.


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CABINET CAPITAL ASSETS COMMITTEE

MINUTES of a MEETING held in COUNCIL CHAMBER - COUNCIL OFFICES,
MONKTON PARK, CHIPPENHAM, SN15 1ER on Tuesday, 24 September 2013.

Cllr Fleur de Rhé-Philippe	Cabinet Member for Economy, Skills and Transport
Cllr Jane Scott OBE	Leader of the Council
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property, Waste
Cllr John Thomson	Deputy Leader and Cabinet Member for Highways and Streetscene and Broadband
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform

Also in Attendance: Cllr Laura Mayes
Cllr Richard Gamble

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

92 Apologies and Substitutions

There were no apologies or substitutions.

93 Minutes of the previous meeting

Resolved:

**To approve as a correct record and sign the minutes of the meeting held
on 23 July 2013.**

94 Leader's Announcements

There were no Leader's announcements.

95 Declarations of interest

There were no declarations of interest.

96 **Capital Monitoring Month 4 2013/14**

Cllr Tonge, Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform introduced the report which detailed changes to the budget made since the 2013/2014 budget was set in February 2013 and reflected the position of the 2013/2014 spend against budget as at period 4 (as at 31 July 2013).

Resolved:

That the Committee

- 1. Notes the general budget additions for grants and revenue contributions of £4.922 million as per Appendix B of the report presented and notes the period 4 position of the Capital Programme in appendix A of the report presented**
- 2. Notes the reprogramming of £23.006 million between 2013/2014 and 2014/2015**

Reason for decision

To inform Cabinet of the position of the 2013/2014 capital programme as at period 4 (31 July 2013), including highlighting of budget changes

97 **A350 Chippenham Pinch Point Scheme**

Cllr Fleur de Rhé-Philippe, Cabinet member for Economy, Skills and Transport introduced the report which noted the Department of Transport's award of 'pinch point' funding towards the dualling of the A350 north of Chippenham.

The Committee heard that the award had to be spent by December 2014. A question on where the council's contributions were coming from confirmed that the funds were already in place and had been secured through Section 106 agreements.

Further updates would be provided to the Committee as the scheme progressed.

Resolved:

That the Committee notes the Department of Transport's award of 'pinch point' funding towards the dualling of the A350 north of Chippenham.

Reason for decision

To inform Cabinet of the current position relating to the bid, and give an update on risk and programme.

98 **Urgent items**

The Leader noted that a late information report had been circulated, which she had agreed to accept due to the need for a decision to be made before the next meeting. Due to the confidential information contained in the report it would be heard under Part II.

99 **Exclusion of the Press and Public**

Resolved:

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the following items of business because it is likely that if members of the public were present there would 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 the item in private:

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

No representations had been received as to why these items should not be held in private.

100 **Porton Science Park update**

Cllr Fleur de Rhé-Philippe, Cabinet member for Economy, Skills and Transport introduced the report which provided an update on the Porton Science Park project.

Resolved:

That the Committee

- 1. Confirms its support for the Porton Science Park project, and endorses the approach being taken in delivering the scheme**
- 2. Delegates to the Director for Economy and Regeneration, in consultation with the Cabinet member for Economy, Skills and Transport, the decision to proceed with procurement**

Reason for decision

Developments since the announcement of government funding in October 2012 now warrant an update to Committee.

101 **Urgent item - The development of post-16 facilities at St. Nicholas school, Chippenham**

Cllr Richard Gamble, Portfolio Holder for Schools, Skills and Youth, on behalf of Cllr Laura Mayes, Cabinet member for Children's Services, introduced the report which proposed the purchase of a building as identified in the report presented for the development of post-16 facilities at St Nicholas school, Chippenham.

He confirmed receipt of a £414k grant from the Demographic Growth Capital Fund, noting the time limitations it came with.

Resolved:

That the Committee approve the purchase of the building utilising identified funds to deliver post-16 provision.

Reason for decision

St Nicholas School is full and requires additional space to meet the needs of learners.

(Duration of meeting: 2.03 - 2.35 pm)

These decisions were published on the 30 September 2013 and will come into force on 9 October 2013
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The Officer who has produced these minutes is Kirsty Butcher, of Democratic Services, direct line 01225 713948 or e-mail kirsty.butcher@wiltshire.gov.uk
Press enquiries to Communications, direct line (01225) 713114/713115

Wiltshire Council

Cabinet (Capital Assets Committee)

21st November 2013

Subject: Devizes Lower Wharf Depot

Cabinet member: Councillor Toby Sturgis – Strategic Planning, Development Management, Strategic Housing, Property and Waste

Key Decision: No

Purpose of Report

1. To seek approval to a proposal to transfer the Devizes Lower Wharf depot to Devizes Canoe Club in accordance with the Community Asset Transfer policy, subject to the agreement of Devizes Area Board.

Relevance to the Council's Business Plan

2. The proposal contributes both the policy to devolve assets to appropriate bodies to provide facilities for the community and to the improvement in health and physical well being of the community..

Main Considerations for the Council

3. If the proposal is approved a small capital receipt will be foregone but it will enable the provision of a facility which will benefit Devizes. Devizes Canoe Club has consulted widely and the proposal has considerable support from bodies including the Canal and River Trust, Wiltshire & Swindon Sports Partnership and Wadworths brewery, the neighbour

Background

4. In 2011, this committee approved a policy of encouraging the transfer of assets for community use to appropriate organisations. Area Boards were given delegated authority to approve these transfers subject to the value of the property being below £250,000 and the property not being designated as a strategic asset. The Lower Wharf property, shown edged red on the plan at Appendix 1, is worth less than £250,000 but has been identified as a receipt to support the Capital programme and is therefore a Category 1 asset.
 - 4.1 Lower Wharf is currently used as a base for a small number of car parking staff who are going to be based elsewhere in the near future and the building will become vacant.

- 4.2 Devizes Canoe Club currently occupies premises at the main Devizes Wharf. These premises are inadequate and prevent further expansion of the club. It has submitted an application for a transfer of this property in accordance with the community asset transfer policy to relocate to.
- 4.3 It wishes to apply for funding to improve this property and create a new means of access to the water from Sport England and Canoe England and needs to demonstrate that it has security of tenure in order to do so.

Safeguarding Implications

5. Devizes Canoe Club already works with young people and has suitable policies and procedures, which comply with the Sport England Clubmark standard, in place.

Public Health Implications

6. Use of the property by Devizes Canoe Club will help to promote an active and healthy lifestyle across the full age range by giving an additional opportunity to engage in physical activity.

Environmental and Climate Change Considerations

7. Both planning permission and building regulations may be required for a change of use and the Club are fully aware of this. Measures to safeguard the environment and climate change mitigation measures exist within these.

Equalities Impact of the Proposal

8. Devizes Canoe Club has an equalities policy which complies with the Sport England Clubmark standard. There is no equalities impact.

Risk Assessment

9. The risks associated with taking the proposed decision or not are set out in paragraphs 10 and 11 below.

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

10.
 1. Devizes Canoe Club does not find alternative accommodation and is unable to grow.
 2. Disposal takes longer than anticipated and security and other holding costs become high.

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

11.

Risk

Property ceases to be used for community purposes

Action to mitigate the risk

Legal documentation in the asset transfer provides for the property to revert to Wiltshire Council control if the community use ceases

Financial Implications

12. Aside from the loss of capital receipt there are no other financial implications.

Legal Implications

13. Ownership of the land will transfer to Devizes Canoe Club by way of a standard document. Use will be restricted to community purposes and this will be protected by a provision requiring the property to revert to Wiltshire Council if this use should cease.

Options Considered

14.1. To reject the application from Devizes Canoe Club. This would lead to the club continuing to operate from inadequate premises, which would restrict its ability to encourage greater participation in physical activity. A small capital receipt would probably be obtained but an opportunity to use this area of the canal side for water based purposes would be lost.

14.2. To approve the application. This will allow Devizes Canoe Club to expand and offer improved facilities for the use of canoes on the canal. It would also allow the land to be used for a purpose connected with the canal.

Conclusions

15. Although the Council will forego a capital receipt if this proposal is approved, this receipt will be limited. Allowing the application to proceed will help in the achievement of Wiltshire Council's goals.

Proposal

16. That an application for a transfer of the Lower Wharf depot, Devizes to Devizes Canoe Club be approved subject to the agreement of Devizes Area Board in accordance with the Community Asset Transfer policy.

a. That authority be delegated to the Associate Director for Legal and Governance and Transformation Director to ensure that suitable terms are incorporated into the asset transfer and to complete any legal documentation required to facilitate this.

b. That authority be delegated to the Associate Director for Finance to remove this property from the list of capital receipts anticipated to be achieved to support the capital programme.

Reason for Proposal

17. To enable a strategic asset of low value to be transferred to a suitable community organisation in accordance with the Community Asset Transfer policy.

Dr Carlton Brand
Corporate Director

Report Author:
Stephen Morgan Head of Estates – 01225713237
stephen.morgan@wiltshire.gov.uk

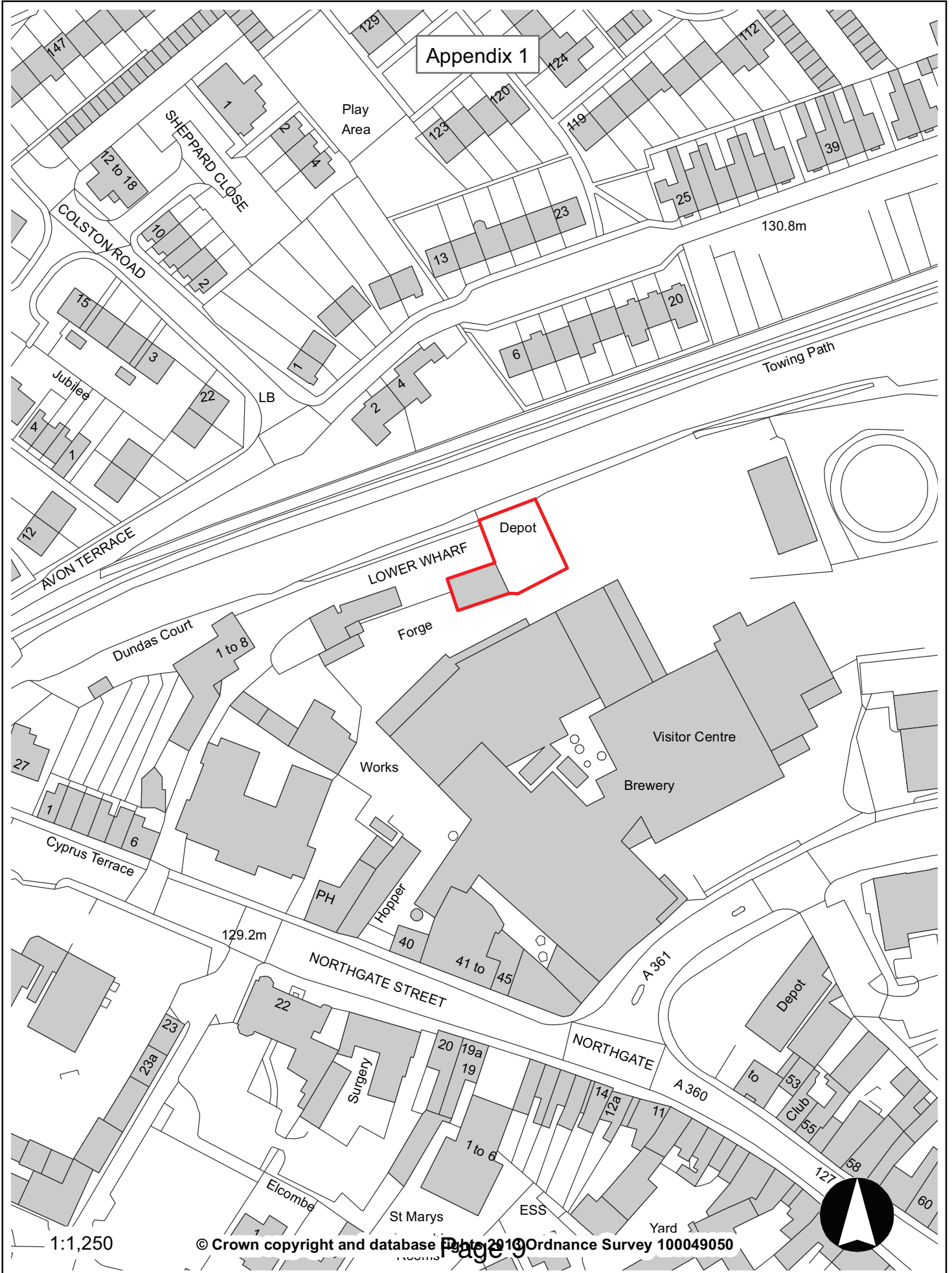
1st November 2013

Background Papers

None

Appendices

Appendix 1 - Plan



Appendix 1

Depot

LOWER WHARF

Forge

Works

Visitor Centre

Brewery

NORTHGATE STREET

NORTHGATE

Surgery

St Marys

ESS

Yard

Club

53

55

58

60

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Wiltshire Council

Cabinet

Date of meeting 21st November 2013

Subject: WELLINGTON SECONDARY EXPANSION PROJECT

Cabinet member: Laura Mayes

Key Decision: Yes

Executive Summary

Wellington Academy is currently near capacity for delivering 11-18 education. The current and ongoing increase in primary numbers in the area will result in additional pressure on the Academy and a considerable risk for the Council in placing children in their local school. Assuming the birth rate continues at the average rate for the past four years and the housing is delivered as planned, there will be a significant shortfall in a range between 550 and 632 places by 2025. The precise shortfall will depend on the final mix of dwelling sizes, social housing & windfall sites actually built.

Tidworth has a significant army presence. This is an important factor in the planning of school places for Wellington Academy. In March 2013 the Government announced significant changes to British Army postings in the UK & Germany which will see an increase in troops and their families moving to Wiltshire between now and 2020. Although numbers are unconfirmed, this provides additional risk for both the Council and Wellington Academy in meeting the basic need for places for 11-15 year olds and additional Post 16 students.

Proposal(s)

Cabinet is asked to approve phase 1 of a two phase project plan to deliver a 10/12 classroom block. This will enable the Academy to move Post 16 learners from the main school building, thus providing places to meet the Council's basic need for 11-15 students in the area.

Reason for Proposal

Based on the current net capacity of Wellington Academy, an additional 200/250 places will be required by 2015/16.

Name of Director: Carolyn Godfrey

Designation: Children's Services

Wiltshire Council

Cabinet

Date of meeting 21st November 2013

Subject: WELLINGTON SECONDARY EXPANSION PROJECT

Cabinet member: Laura Mayes

Key Decision: Yes

Purpose of Report

1. Wellington Academy, in the Tidworth Community Area is proposing to further develop their campus to meet the basic need of students in the area. Cabinet is asked to agree to the expansion of the campus in two phases. Phase 1 is a 10/12 block classroom extension to accommodate Post 16 learners thus freeing space on the main school campus to meet basic need. Phase 2 will extend the Post 16 new build to accommodate a further 300/350 students by 2025. Initially, the finances for these developments will be funded by Wiltshire Council allocating money from DFE basic need capital funding, pending receipt of section 106 funding as trigger points in the signed agreements are reached. Developer contributions will partially fund the overall cost of the schemes.

Relevance to the Council's Business Plan

2. It is a statutory duty of the Council to ensure there are sufficient educational places to meet the needs of children in the area.

Main Considerations for the Council

3. The extension of Wellington Academy is to meet the demand for 11-16 places in the area and funded through the designated Basic Need fund. There is no requirement for external capital from the Council. The extension would be leased for 125 years to the Academy.

Background

4. The Tidworth Community area includes the Parishes: Collingbourne Ducis, Collingbourne Kingston, Chute, Chute Forest, Enford, Everleigh, Fittleton, Ludgershall, Netheravon, Tidcombe & Fosbury and Tidworth. The Area Board also works closely with Tidworth Community Area Partnership and the MOD. The Area Board for school place planning purposes is best considered in two distinct sections – primary schools feeding into The Wellington Academy plus one school which feeds into Avon Valley College, Durrington which is located in the adjacent Area Board of Amesbury.

The Wiltshire Core Strategy proposes a further 1625 houses in the Tidworth area. Combined with the current increase in primary numbers this will begin to impact on The Wellington Academy in 2014/15. Assuming the birth rate

continues at the average rate for the past four years and the housing is delivered as planned there will be a significant short fall in a range between 516 and 598 places by 2026. The precise shortfall will depend on the final mix of dwelling sizes, social housing & windfall sites actually built.

5. Tidworth also has a significant army presence. This is an important factor in the planning of school places. In March 2013 the Government announced significant changes to British Army postings in the UK & Germany which will see an increase in troops and their families moving to Wiltshire between now and 2020. These families are also expected to be based in Wiltshire for longer periods of time than the current rolling posting programme. Wiltshire Council already works closely with the Army to co-ordinate the impact the large military community has on the County's infrastructure, including Education provision in the County. We are currently awaiting further detail from the MoD about the precise distribution of personnel and their families across the various military sites on Salisbury Plain.
6. There are 6 primary age schools in the Tidworth area and 1 secondary school catering for the 11-19 age range. There are no special schools in the area. The birth rate has remained more or less the same in recent years. This pattern along with the impact of future troop movements and significant housing development is likely to increase demand for primary school places over the coming 10 years.

The current increase in primary numbers will begin to impact on The Wellington Academy in 2014/15. Assuming the birth rate continues at the average rate for the past four years and the housing is delivered as planned there will be a significant short fall in a range between 550 and 632 places by 2026. The precise shortfall will depend on the final mix of dwelling sizes, social housing & windfall sites actually built.

Main Considerations for the Council

7. Cabinet is asked to approve the use of Basic Need Capital funding to support the expansion work at Wellington Academy to provide additional places to meet basic need by moving the Post 16 learners into a new purpose built block leaving space within the school for additional 11-15 places. The project incorporates the design, build and occupation of the Post 16 building and represents phase 1 of a 2 phase project to secure between 550 and 632 Secondary places in the Tidworth community area by 2025.
8. We have identified that the school will be at capacity for September 2014 and that a further 200/250 places will be required shortly afterwards, certainly by 2015/16. The aim is to delivery phase 1 through a total build area of 1200 sq/m provided in a new two-storey block. In the first phase, consisting of 10/12 general classrooms the plan is to offer flexibility to form smaller spaces suitable for Post 16 teaching plus student study areas thus providing 200/250 places.

Safeguarding Considerations

9. The expansion will provide school places in a safe environment for children in the immediate locality. Without the expansion young people would need to be transported to secondary schools a long way from their community leaving them more vulnerable due to the distance they are away from home.

Public Health Implications

10. Educational attainment is linked to improved health and wellbeing outcomes in later life making the provision of sufficient school places for the growing population key to improving outcomes for our young people. The proposal will allow children and young people to access education close to home supporting the potential for use of active travel to and from school. The new block will be adjacent to the current Wellington Academy site. The Academy offers a range of sporting facilities to the pupils including a hall, netball courts and football pitch. This expansion provides the opportunity for young people in the community to participate in sports and thereby promote healthy behaviours and practices to ensure the population stay healthy and ensure health resilience.

Environmental and Climate Change Considerations

11. Additional space will incur increased use of energy to operate the building with costs financial costs met by the Academy. Increased capacity will see additional numbers of students travelling to and from the campus. The scope of works being proposed for the proposed development will comprise new buildings. These will be designed to ensure compliance with Wiltshire's renewable energy and environmental requirements as well as building control and other statutory requirements.

Equalities Impact of the Proposal

12. This proposal is aimed at meeting the basic need requirements for students living in the Tidworth area. The duties in relation to schools are:

Not to discriminate against a person:

- a) In the arrangements it makes for deciding who is offered admission as a pupil
- b) As to the terms on which it offers to admit the person as a pupil
- c) By not admitting the person as a pupil

Not to discriminate against a pupil:

- a) In the way it provides education for the pupil
- b) In the way it affords the pupil access to a benefit, facility or service
- c) By not providing education for the pupil
- d) By not affording the pupil access to a benefit, facility or service
- e) By excluding the pupil from the school
- f) By subjecting the pupil to any other detriment

Not to harass:

- a) A pupil
- b) A person who has applied for admission as a pupil.

Not to victimise a person:

- a) In the arrangements it makes for deciding who is offered admission as a pupil
- b) As to the terms on which it offers to admit the person as a pupil
- c) By not admitting the person as a pupil.

Not to victimise a pupil:

- a) In the way it provides education for the pupil;
- b) In the way it affords the pupil access to a benefit, facility or service;

- c) By not providing education for the pupil;
- d) By not affording the pupil access to a benefit, facility or service;
- e) By excluding the pupil from the school;
- f) By subjecting the pupil to any other detriment.

Risk Assessment

13. The main risk to this proposal is that the academy is already near capacity and there will be a considerable shortfall in places for students in the area, both coming into year 7 and year 12 as well as those that move to the area in-year.

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

14. Identified risks that may arise if the proposed decision and related work is not taken:
- 1. The Academy is approaching capacity and children aged 7-15 will have to be accommodated in 'out of area' provision' at substantially increased transport cost to the Council and disruption for the child and family;
 - 2. Young people aged 16-19 will have to travel to access Post 16 education including across the border at considerable cost and negative publicity for Wiltshire Council.

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

15. Identified risks that may arise if the proposed decision is taken:

Risk	Action to mitigate the risk
1. Financial envelope does not enable delivery of proposal	Project steering group to drive specifications and work with property services and design team to ensure proposals are deliverable
2. Delays in project delivery	Management of project to an agreed timeline

Financial Implications

16. The capital costs are fully funded from section 106 agreements with developers and DfE Basic Need allocations. The estimated total cost of the project is £2.5m. Wiltshire Council has identified Basic Need funding already received and allocated it to initiate the scheme, pending receipt of section 106 funding as trigger points in the signed agreements are reached.

There are risks associated with undertaking work in advance of receiving section 106 deposits but as legal agreements exist these would be considered minimal. As with any large scale construction project cost overruns could occur throughout the project but would be mitigated by the proposed project management and monitoring.

Legal Implications

17. Councils have a statutory duty to ensure that there are sufficient school places in their area, to promote high educational standards, to ensure fair access to educational opportunity and to promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice.

Options Considered

18. Current work with The Wellington Academy on current space utilisation to ease current pressures and plan for 2014. Additional space through a new build is the only option for September 2015 delivery.

Conclusions

19. The proposal in sections 7 and 8 is for cabinet to approve phase 1 of a 2 phase project to secure between 550 and 632 secondary school places in the Tidworth community area by 2025 through the development of a Post 16 building. The conclusions reached having taken all of the above into account.

Name of Director: Carolyn Godfrey
Designation: Children's Services

Report Author: Dr Tina Pagett, Education and Skills Coordinator, Strategic Planning and Places (tina.pagett@wiltshire.gov.uk)

Date of report: 30 September 2013

Background Papers

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

None

Appendices

None

Wiltshire Council

Cabinet Capital Assets Committee

21 November 2013

Subject: Gypsy, Roma and Traveller Project

**Cabinet member: Councillor Toby Sturgis
Strategic Planning, Development Management,
Strategic Housing, Property and Waste**

Key Decision: Yes

Executive Summary

The Council owns and manages 90 permanent and 12 transit gypsy and traveller pitches in Wiltshire across 6 sites.

A site survey carried out in 2008 and a more recent internal audit report carried out in 2011 identified a number of outstanding issues with the condition of the sites in the council's ownership.

In May 2011 the council had the opportunity to bid for funding from the Homes and Communities Agency (HCA) to invest in the refurbishment and new provision of gypsy and traveller pitches. A bid for £3.6m capital funding was submitted to refurbish 40 of the council's permanent pitches and to provide 20 new pitches.

On 5th January 2012 the HCA announced that the council had been successful in securing an allocation of £3.42m to deliver the pitches by March 2015. This along with capital investment of £250,000 and borrowing authority for up to £150,000 is currently being used to refurbish 40 of the council's existing pitches over 3 sites as well as delivering an additional 10 pitches on 2 of those sites. Construction has started on 2 of the sites with the third being programmed in and it is estimated that the work will be completed on these site by summer 2014.

The HCA approached the council at the end of June 2013 to indicate that some funding had been returned to the Agency due to other organisations not being able to complete within the required timescales. The council put forward a bid to refurbish the remaining 2 council owned sites in July 2013 and was formally notified on 9th September that the HCA had agreed a further £4.419m to refurbish the remaining 50 pitches. This work falls under the existing funding programme and as such is required to be completed by March 2015

Approval is now sought to use the allocated funding and to enter into a contract with a developer to carry out the works to the sites following the conclusions of an appropriate tendering process.

Proposal(s)

Members are recommended to;

1. Delegate authority to the Associate Director for Adult Care Commissioning, Safeguarding and Housing in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste to accept the increase in allocated grant agreed under the existing Funding Agreement with the HCA from £3.42m to £7.839m
2. Delegate authority to the Associate Director for Adult Care Commissioning, Safeguarding and Housing in consultation with the Cabinet Member for Strategic Planning, Development Manager, Strategic Housing, Property and Waste to enter into a contract to deliver the new build works for the 50 pitches following a competitive tendering exercise
3. Delegate authority to the Associate Director for Adult Care Commissioning, Safeguarding and Housing in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste to enter into any associated legal agreements or procurement activities to enable the delivery of the project

Reason for Proposal

There are a number of drivers for pursuing the opportunity to secure grant funding to invest in existing and new gypsy and traveller pitches in Wiltshire. These include;

- (i) The requirement to ensure the provision of good quality well managed sites to uphold the legislative requirements set out in Human Rights (1998) and Equality Act (2010)
- (ii) The need to reduce unauthorised encampments
- (iii) The need to reduce unauthorised developments

These outcomes have been supported through the approval of the Council's Gypsy and Traveller Strategy by Cabinet on 24th May 2010, traveller policies within the emerging Wiltshire Core Strategy, the emerging Development Plan Document for Gypsy and Traveller sites and the internal audit report August 2011 relating to the provision of services to travellers by the Council.

Maggie Rae

Public Health, Public Protection and Adult Care

Wiltshire Council

Cabinet Capital Assets Committee

21 November 2013

Subject: Gypsy, Roma and Traveller Project

**Cabinet member: Councillor Toby Sturgis
Strategic Planning, Development Management,
Strategic Housing, Property and Waste**

Key Decision: Yes

Purpose of Report

1. To seek authority to accept the increase in grant funding allocation from the Homes and Communities Agency (HCA) under the current programme from £3.42m to £7.839m
2. To seek authority to enter into a contract with a developer, following a competitive tendering exercise, to carry out the works to deliver the 50 pitches by March 2015
3. To seek authority to enter into any other legal and procurement agreements necessary to ensure delivery of the project.

Background

4. In May 2010 Cabinet approved the Gypsy and Traveller Strategy. One of the objectives of this strategy is to achieve clear pathways to providing appropriate sites for Gypsies and Travellers, with standards of accommodation on local authority sites being equitable to that of the settled population.
5. In 2008 a site conditions survey identified that local authority managed sites are in a poor state of repair. No capital budget has been identified to undertake large scale refurbishment or rebuilding of these sites.
6. In August 2011 the Council's internal audit report identified a high risk in delaying funding and carrying out essential and urgent repairs risking health and safety incidents at Traveller sites. The report recommended that urgently needed repairs threatening health and safety should be undertaken as a priority.
7. In May 2011 the Council expressed an interest in securing £3.6m capital funding from the HCA to deliver 60 gypsy and traveller pitches in Wiltshire.

8. On 5th January 2012 the HCA announced that the council had been successful in securing £3,420,014 to deliver 60 gypsy and traveller pitches.
9. Due to increased construction costs the council was able to agree a revised proposal with the HCA in July 2012 to deliver 50 gypsy and traveller pitches maintaining the same grant level.
10. In order to support this approval was gained from the Cabinet Capital Assets Committee in July 2012 to borrow up to £150k to support the delivery of this programme of work.
11. This programme of work is progressing well with construction work having started on 2 sites with the remaining site in preparation.
12. The HCA approached the council at the end of June 2013 to advise that there was further funding available for gypsy and traveller pitches due to funding being returned by organisations that will be unable to complete their delivery within the programme timescales.
13. The council put a bid forward in July 2013 to the HCA for funding to refurbish the remaining two sites, Oak Tree Field and Dairyhouse Bridge in Salisbury, requesting funding of £4.419m.
14. The council was notified on 9th September that it had been successful in this bid and would be allocated the full additional funding request of £4.419m.
15. The funding conditions remain the same and the works must be completed by March 2015.

Main Considerations for the Council

Project Governance

16. A governance structure has been set up for the project including a Project Board, chaired by Councillor Toby Sturgis and a Project Delivery Group.

Consultation

17. A programme of consultation has been developed in line with the existing programme including consultation with Lead Members, local Members, Area Boards, local residents and gypsy and traveller households which commenced in September 2013.

Communication

18. A communication plan developed for the existing programme was agreed by the Project Board. It outlines the plans for communication with all stakeholders and partners including the media and residents and will be updated to reflect this additional programme of work.

Decanting

19. Once the work is completed to the existing site at Downtown in spring 2014, there will be a small number of pitches available that could potentially be used to decant residents from the other two sites but solely using these pitches would not support the completion of the project within the required timescales.
20. Due to the timescales required to complete the works, use of the 12 transit pitches adjacent to the Oak Tree Field site is also required to accommodate residents from both sites on a phased basis.
21. This will result in the transit site needing to be temporarily closed from January 2014 until the works are complete to ensure that the site facilities can be prepared to support the residents whilst the main construction takes place.
22. There is no statutory requirement for the council to operate a transit site; however, the site does assist in the management of unauthorised encampments and unauthorised developments during this period.
23. Approval to close the transit site for these redevelopment works will be sought through a Member delegated decision to ensure transparency.
24. During the period of the works there may be a slight increase in the number of unauthorised encampments around the county; however, these will be managed in line with the council's current policy.
25. Where possible during the closure pitches may be able to be held vacant to assist in management of enforcement processes.

Procurement

26. Due to the timescales involved to get into planning an exemption has been granted for the retention of the architects working on the existing programme.
27. A competitive tendering exercise will be undertaken to appoint a developer to refurbish the additional pitches due to the estimated value of the works.
28. This process will be undertaken with the aim of having a developer in place by the middle of February 2014 at the latest to allow start on site during March 2014.

Financial Feasibility

29. The bid was submitted on the basis that the council's capital was already invested in the existing programme and there was no further council capital available to fund the additional programme.
30. The value of the land for each site constitutes the council's contribution to the programme.

31. The amount of funding bid for was higher than the original programme bid due to the timescales involved, the resources required and increased construction costs coming forward through the existing programme of work.
32. This increased grant rate should ensure that there is no further funding requirement from the council in order to complete the work.

Planning

33. Work is ongoing to ensure the new pitches are delivered in line with the emerging core strategy, the emerging Gypsy & Traveller Site Allocations DPD and generally in line with planning policy.
34. Planning permission will be required to deliver the refurbishment work and applications for permission will follow the normal planning policy process.

Relevance to the Council's Business Plan

35. Undertaking refurbishment work to these two sites will assist the council in meeting the objective set out in the council's business plan to refurbish council housing and encourage the development of new affordable homes, including supported living in rural areas.
36. Redesign and upgrading of the sites will help the council develop healthier environments for people to live, in turn assisting in the creation of stronger, more resilient communities.
37. Completing work to these sites on top of the existing programme of work the council will be able to eliminate overspend within this budget area and create a programme of planned maintenance in line with other council properties reducing pressure on the council's budgets going forward.

Safeguarding Considerations

38. As part of the construction programme, residents and their families will need to be moved to temporary pitches in order for work to be completed to their permanent pitches.
39. The project team will ensure that these temporary pitches provide the necessary facilities to maintain the health and wellbeing of residents and their families.
40. The developer for the sites will be required to take into account that some residents and their families are likely to be on site during the work and will need to plan a phased approach to the construction work accordingly providing an appropriate approach to health and safety.
41. Any plans to decant residents to other sites for the duration of their phase will take into account any particular needs that present themselves during the course of individual consultations including education and health.

42. Support will be offered throughout to residents and their families to ensure that individual needs are being met as the programme of work progresses.
43. Everyone will be consulted with about their needs on an individual basis and will be supported to access any social care assessments that may be required to ensure that their needs are fully identified and their permanent pitch best meets their requirements on return.
44. Complete refurbishment of the site will raise the standard of living by replacing the water, electricity and drainage infrastructure to rectify a number of historical issues on the sites included drains backing up and electricity tripping.
45. The refurbished pitches will also enforce the fire safety guidelines automatically so residents are unable to park their caravans or mobile homes with 6 metres of a caravan or mobile home on the adjacent pitch.
46. All pitches will become part of the agreed pitch fee process established as part of the existing programme of works. Pitches where there is no occupier when the works started will be set at £85 per week over 50 weeks from April 2014 (and rising in line with the Mobile Homes Act requirements accordingly) whilst pitches currently with active pitch agreements will be raised in a phased approach over a period of 4-5 years depending on completion of the pitch to match the higher rent.

Public Health Implications

47. The audit report from 2011 set out a number of issues with the existing council owned sites including trip hazards which presented a significant health and safety risk to the residents and their families.
48. The proposed programme of work is intended to replace out of date and not fit for purpose infrastructure including:
 - a. Electricity supplies upgraded to support modern appliance requirements and reduce/eliminate tripping occurrences which result in residents sometimes being without electricity and hot water overnight
 - b. Upgrade the drainage infrastructure as camera surveys from 2008 indicate substantial issues with the current drainage systems on all the sites. This should reduce the amount of blockages within the system and the health risks associated with backed up toilets.
 - c. Improved surface water drainage measure and levelling of pitches to ensure that risk of flooding on individual pitches is reduced
49. Design standards applied to the sites and pitches will increase the benefits for residents on these sites by:
 - a. Increasing the standard of amenity facilities provided on each pitch, providing better insulated buildings, internal access between the kitchen area and the bathrooms rather than needing to go outside

- and reducing the amount of energy consumed in heating the buildings
- b. Sites will no longer have gravel on the pitches reducing the potential for disease to be spread to children from the amount of animals, particularly dogs, kept on the sites
- c. Pitches will be mainly tarmac and will be level eliminating historical trip hazards
- d. Complete refurbishment of the sites, providing a clean environment for residents should reduce the attraction for rats which frequently visit the sites
- e. Providing open green spaces away from roadways that are safe for children to play in

Environmental and Climate Change Considerations

- 50. Refurbishment of existing gypsy and traveller sites will contribute to the improvement of the local physical environment.
- 51. Provision of new pitches will meet planning policy requirements in terms of sustainability and impact on the local environment.
- 52. As part of the work to improve facilities on the existing sites, options for use of biomass heating and other sustainable energy generation will be explored.
- 53. New amenity blocks will be provided on the sites to meet BREEAM 'very good' standards, incorporating a high level of insulation to reduce energy consumption.

Equalities Impact of the Proposal

- 54. The project involves the improvement of facilities for one of Wiltshire's minority groups. If the project does not proceed this will have an adverse impact on this minority group and will leave them with sub-standard facilities which are not equitable to the settled community. This will have potential Human Rights implications and will be contrary to the council's statutory duties under the Public Sector Equality (Equality Act) Duty
- 55. This project has potential to advance equality of opportunity and promote good relations (community cohesion) between the Gypsy/Traveller community on the Council owned sites; the project will involve comprehensive consultation and communication with local residents to achieve optimum community cohesion and integration. Consultation has already begun with the communities on the existing sites proposed to be included within the project and although steps have been taken to manage expectations if the project does not proceed this could have a negative impact on the council's reputation within this community.
- 56. An Equality Analysis of the project has been carried out in line with the council's approved template and is being monitored and updated on an ongoing basis by the project's Delivery Group.

Risk Assessment

57. There is a risk that development of the proposal will generate negative publicity for the Council. However strategies have been put in place to manage communication and consultation to mitigate this risk and outline the positive benefits of the proposal for local communities.
58. There is a risk that further resources dedicated to evaluating and developing this proposal will lead to a decision that the project is not viable and/or deliverable. However, this is a low risk as substantial work has been undertaken to explore the potential barriers to delivery. All efforts will be made to find workable solutions to enable the project to proceed.
- 59. Risks that may arise if the proposed decision and related work is not taken:**
1. The council not receiving further funding at a later date to undertake the refurbishment of these two sites
 2. Two tier standard on living amongst the council owned sites where sites and pitches do not have equitable standards
 3. Sub-standard of living unequitable to the settled community which could have Human Rights implications
 4. Potential for negative impact on the council's reputation amongst this community group as consultation has already started
 5. The council still retaining a deficit revenue position for the management of the council owned sites as the maintenance and utility costs remain high for these two sites

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

Risk	Action to mitigate the risk
1. Increased demand on resources	Funding requested includes allowances for support to the site management team and project management functions
2. Funding timescales not met	Required activities are being planned to ensure that work will commence on site in March 2014 in order to meet the funding conditions completion deadline
3. Having sufficient space to decant residents whilst construction work takes place	Approval to use the transit site will be requested, additional pitches at Downton become available, assessing land availability at existing 2 sites covered by this request

Financial Implications

61. The funding allocated by the HCA should be sufficient for the works to the two remaining permanent sites in Salisbury to be completed without the need for additional council capital or borrowing.
62. Undertaking of these two sites should entirely eliminate the council's continuing deficit revenue position for running the council owned sites after the initial year following completion of the last site.
63. Closure of the transit site may result in increased costs relating to any additional unauthorised encampments and in line with the current policy, legal expenses, removal costs and site clearance costs will be met by the team responsible for the land.
64. Holding two pitches vacant once complete whilst the work is undertaken to Oak Tree Field and Dairyhouse Bridge will have a small impact on the revenue budget for this period.
65. The grant funding is payable at a rate of 50% at start on site and 50% on practical completion of the sites therefore there will be some initial expenditure that will need to be funded by the council before the first tranche of funding is received.
66. The rental income from the letting of the pitches and/or the lease payments will cover ongoing planned and reactive management and maintenance costs for the 50 pitches.
67. The increased rental income and complete refurbishment of all 5 of the council owned gypsy and traveller sites will provide the council with a surplus rental income over time.
68. This report requests delegated authority to enter into a contract with the successful developer following a competitive tendering exercise.

Legal Implications

69. Legal advice has been sought on the terms and conditions of the HCA's funding agreement.
70. There will be a number of models of ownership and management of the sites to consider as part of this proposal.
71. Further legal advice will be sought regarding the appropriate models for the sites being considered as part of this project.
72. Options include continued ownership and management of the sites by the Council, long lease arrangements or options for self-ownership and

management by the gypsies and travellers. The legal and financial implications of these options will need to be further explored.

Options Considered

73. Not to progress the project

This option is not a no cost option for the council and would remove the opportunity to access government funding for the rest of the 2011-15 programme of investment in gypsy and traveller sites. The implications of this would be that the Council would need to find other ways of investing in sites owned by the local authority in order to address the issues outlined by the audit report and condition surveys.

74. To progress the project

This option would enable the council to complete the refurbishment of all 5 of the permanent council owned gypsy and traveller sites within a 3 year period, providing equitable standards of living across all sites, reducing health and safety issues and with minimal investment of council capital/borrowing. Completion of this work and the increase in rental income from the improved pitches will allow the council to create budgets to ensure that the sites can be adequately maintained on an ongoing basis and over time should generate a surplus in rental income that could be invested in other sites.

Conclusions

75. The gypsy and traveller project will deliver substantial investment in improving conditions on existing pitches in line with the council's gypsy and traveller strategy, core strategy policy and business plan.

76. The ability to use Government funding will significantly reduce the pressure on the council's own capital and revenue budgets for the continued maintenance and management of these sites.

77. Due to the tight timescales it is essential to be able to enter into contract with a developer as soon as possible to enable a start on site for the first phase of construction in March 2014.

Proposal(s)

78. Members are recommended to;

- a. Delegate authority to the Associate Director for Adult Care Commissioning, Safeguarding and Housing in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste to accept the increase in allocated grant agreed under the existing Funding Agreement with the HCA from £3.42m to £7.839m
- b. Delegate authority to the Associate Director for Adult Care Commissioning, Safeguarding and Housing in consultation with the Cabinet Member for Strategic Planning, Development Manager, Strategic

Housing, Property and Waste to enter into a contract to deliver the new build works for the 50 pitches following a competitive tendering exercise

- c. Delegate authority to the Associate Director for Adult Care Commissioning, Safeguarding and Housing in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste to enter into any associated legal agreements or procurement activities to enable the delivery of the project

Reason for Proposal

79. There are a number of drivers for pursuing the opportunity to secure grant funding to invest in existing and new gypsy and traveller pitches in Wiltshire. These include;

- (i) The requirement to ensure the provision of good quality well managed sites to uphold the legislative requirements set out in Human Rights (1998) and Equality Act (2010)
- (ii) The need to reduce unauthorised encampments
- (iii) The need to reduce unauthorised developments

80. These outcomes have been supported through the approval of the Council's Gypsy and Traveller Strategy by Cabinet on 24th May 2010, traveller policies within the emerging Wiltshire Core Strategy, the emerging Development Plan Document for Gypsy and Traveller sites and the internal audit report August 2011 relating to the provision of services to travellers by the Council.

Maggie Rae
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6th November 2013

Background Papers

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

None

Appendices

None

Wiltshire Council

Cabinet

Date of meeting – 21st November 2013

Subject: Devizes Extra Care Scheme

Cabinet member: Councillor Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste

Key Decision: Yes

Executive Summary

The Older People's Accommodation Development Strategy set out that the older population in Devizes would increase by about 50% between 2007 and 2026 and identified the need for an additional 50 units of extra care in Devizes to meet some of this growing demand.

Over the last year, a community working group formed under the area board has considered various sites that could be used for extra care in Devizes. It has investigated the potential of a number of sites, all of which are in Council ownership. Two are currently operating as care homes but will close in September 2014 when a new facility opens in the town and the other is the Browfort site.

The working group has identified a preferred site as Southfields, currently operating as a care home.

Once this site is approved for use as an extra care scheme a procurement process will be undertaken to identify a developer for this site and deliver the affordable housing for older people.

The working group will be engaged at each stage of the process and will assist with detailing the design of the scheme, the facilities to be provided and the appointment of the developer / provider.

Proposal(s)

Members are asked to:

- a. Note the outcome of discussions with the local working group on their preferred site for extra care in Devizes.
- b. Approve the use of the Southfields site as the preferred site for the

development of an extra care scheme predominantly for older people.

- c. Authorise officers to consider other potential sites in Devizes for Extra Care if they provide a more suitable location and a better financial return for the Council.
- d. Authorise officers to undertake any associated procurement activities required to select a developer and registered housing provider for these facilities.
- e. Delegate authority to the Corporate Director for Adult Social Services and Public Health in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste to authorise the transference of the final chosen site to the highest scoring bidder to facilitate the development of extra care possibly at nil value if required to make the scheme viable.

Reason for Proposal

The Southfields site will provide the necessary land for delivery of the extra care facilities outlined in the Older People's Accommodation Development Strategy. This has set out the need for an additional 50 units of extra care in Devizes in the next 10 years.

Through the development of the site, the council would benefit from the provision of a new extra care housing to meet the needs of the growing elderly population in Devizes. Additionally, this development would improve choice and control for older people and provide a vital community resource, replacing an existing care home.

This development will protect some of the most vulnerable older people and meets one of the key actions in the Business Plan, to develop more affordable housing.

Maggie Rae
Corporate Director

Wiltshire Council

Cabinet

Date of meeting – 21st November 2013

Subject: Devizes Extra Care Scheme

Cabinet member: Councillor Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste

Key Decision: Yes

Purpose of Report

1. This report seeks Members' agreement to use the Southfields site in Devizes for the provision of an extra care scheme.
2. Members are asked to:
 - a. Note the outcome of discussions with the local working group on their preferred site for extra care in Devizes.
 - b. Approve the use of the Southfields site for the development of a 40 to 50 unit extra care scheme predominantly for older people.
 - c. Authorise officers to consider other potential sites in Devizes for Extra Care if they provide a more suitable location and a better financial return for the Council.
 - d. Authorise officers to undertake any associated procurement activities required to select a developer and registered housing provider for these facilities.
 - e. Delegate authority to the Corporate Director for Adult Social Services and Public Health in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste to authorise the transference of the Southfields site to the highest scoring bidder to facilitate the development of extra care possibly at nil value if required to make the scheme viable.

Background

3. Nationally, statistics illustrate that the number of older people will rise dramatically in future years. Following a comprehensive study into older people's accommodation, the Council has identified that between 2007 and 2026, the older population within Wiltshire will increase by 57.9%, which is

higher than the average for England and is the second highest growth projected for the South West region.

4. Within Devizes, the older population will increase by 49.6% by 2026 – this will see the population of Devizes aged over 65 increasing from 5,750 in 2007 to 8,600 in 2026. The older population within Devizes with dementia is also projected to increase by 64.8% by 2026, which is higher than the Wiltshire projected increase of 59%.
5. The most recent population projections indicate that the older population will increase by 26% more than the anticipated growth rate indicated above.
6. In order to address the shortage of appropriate facilities for older people, an Older People's Accommodation Development Strategy was produced and approved by Members in January 2011.
7. The Older People's Accommodation Development Strategy identified that there was a significant under-provision of extra care housing across all tenures within Wiltshire. There was also an under supply of nursing care homes and specialist care homes for people with dementia.

Main Considerations for the Council

8. The Older People's Accommodation Development Strategy, which was approved by Cabinet on 25th January 2011, identified the requirement for a 50 unit extra care scheme in the Devizes area.
9. The community working group under the area board have assessed the options for extra care in Devizes and identified the Southfields site as best suited to meet the specific requirements of location, accessibility, local services and other needs.
10. The Southfields site will become vacant in September 2014 when the current care home closes and customers are moved to a new care home at Horton Road in Devizes. The Anzac House care home in Devizes will also close at the same time.
11. The extra care scheme will be tendered and the successful developer will work with the council and the community working group, established under the area board, to influence the designs for the scheme prior to submitting planning permission on the site.
12. The tenure mix for the scheme will be decided during the tender phase; however, it is expected that there will be a mix of affordable rent and shared ownership units, possibly with some open market units to make the scheme economically viable. The scheme will consist of between 40 to 50 units depending on the overall viability of the proposal. Care and Support could be delivered as part of a tender bid or through the current Help to Live at Home provider in that area.

13. Until the procurement process has been undertaken, it is unknown whether this site would be able to be developed without public subsidy. Therefore, approval is sought to delegate authority to the Corporate Director, in consultation with the Cabinet Members and to transfer the site at nil value if required in order to facilitate the development on this site.
14. It is anticipated that if approval is given work could begin on site by the end of 2014 and the scheme could be completed in early 2016.

Relevance to the Council's Business Plan

15. The development of the Devizes site will support all the Council's Business Plan priority to protect those who are most vulnerable, primarily older people. The development of Southfields site will support:
 - Outcome 3 - enable people to live in a high quality environment, in energy efficient and fully adapted homes to meet their needs as they change over time.
 - Outcome 5 – ensure that more disabled and older people with long-term health conditions can choose to stay independent and keep living in their own homes. Extra care will reduce the longer term care costs of older people.
16. The proposed scheme on the Southfields site would also be in accordance with two of the key actions from the Business Plan by:
 - enabling people to have healthy, active and high quality lives and delivering preventative services for older people by offering a realistic housing alternative in extra care that prevents many people requiring residential care.
 - The extra care scheme on the Southfields site will contribute towards the target of 2,000 new affordable homes by 2017.

Safeguarding Considerations

17. As part of the redevelopment programme, residents from both Southfields and Anzac House Care Homes will be moved to the new care home at Horton Road in September 2014. Everyone will be consulted with about their needs on an individual basis and will all receive a social care assessment to ensure that their needs are fully identified in the new care home
18. The residents will all be frail and elderly and Wiltshire Council will work alongside the Orders of St John Care Trust [our Care Home operator] to ensure that people's needs are met, dignity is respected and that the stress of moving is kept to a minimum
19. The new care home at Horton Road will provide significantly improved services for older people and will enable their care needs to be more effectively met.

Public Health Implications

20. Widening access to the well being schemes run at the site for wider members of the community should improve social capital, address wider determinants of health and aid in bringing equality of services. The local HTLAH Provider, working alongside the housing provider if they are different, will examine these possibilities and ensure that other older local people can access the facilities in the extra care scheme.
21. Evidence base: [Evaluation](#) performed by Personal Social Service Research Unit. This provides evidence about the value of extra care housing in meeting the needs of older people and delivering key outcomes.
22. Physical and mental health: There are likely to be positive improvements in physical and mental health due to proposed co-ordination of schemes and activities within the housing for residents and the wider community. The provision of more modern and tailored accommodation will assist in enhancing independence and preventing ill health (such as falls and other environmental factors).
23. Monitoring and evaluation: Close monitoring and evaluation of the health and wellbeing schemes focussing on outcomes will be required to ensure that the health and wellbeing improvements envisioned by the scheme are realised.
24. Partnership working: The scheme should improve partnership working between the Council, health and voluntary sectors, including the prospect of joint commissioning.

Environmental and Climate Change Considerations

25. As extra care developments consist of self contained properties for residents, these developments would not be included in the council's carbon footprint. In order to ensure that energy consumption and carbon emissions from these buildings do not increase, as well as to ensure appropriate environmental management takes place, new stock will be built to Code Level 4 of Sustainable Homes and Lifetimes Homes standards increasing to Code Level 6 by 2016. Low carbon and renewable fuel energy supplies will be considered for all new buildings.
26. In order to ensure the necessary transport emissions for running the facilities do not increase, the location of these facilities is crucial. The Southfields site already has access to good public transport links and a transport strategy for the site will be prepared.
27. It is acknowledged that the very old, chronically ill and poor are amongst the groups most vulnerable to predicted climate change and risk of 'fuel poverty'. The provision of accommodation for older people will take this into account by ensuring that buildings are not only built to the required Code Level 4 / Code Level 6, but they will also include relevant climate change adaptation features.

Equalities Impact of the Proposal

28. The development of these facilities on the Southfields site would promote independence, choice and control for older people and would offer opportunities for greater community engagement, involvement and inclusion in purpose built accommodation.
29. The development of these facilities would also have a positive impact for people who will develop care needs in the future as it will enhance choice for people when choosing their care provision.
30. The provision of new affordable homes enables those unable to meet their housing needs in the open market to access good quality housing. The new homes will be allocated in accordance with the council's allocations policy.

Risk Assessment

31. A number of key risks have been identified in relation to this site and associated proposed development. There are a number of risks that may arise if the proposed decision is taken.

Risk	Action to mitigate the risk
1. Abnormal costs identified on the site	Site surveys will be carried out to determine those costs and assess the impact at the earliest opportunity available once the property is vacated by the current residents. Surveys are inappropriate as long as the care homes are in operation.
2. Unable to achieve planning permission	Development Control has been consulted and has no objection to the principle of Extra Care being provided on the site. Bidders will be informed of any planning constraints identified by Development Control
3. Provider unable to deliver viable scheme	A legal interest in the land will not be granted until a viable scheme is deliverable. Consider an initial gateway obliging potential bidders to state whether they believe the site can be developed without public subsidy.

32. If the proposed decision is not taken, the following risk may arise:

Risk	Action to mitigate the risk
1. Lack of extra care units to	Other sites in Devizes would need to

- | | |
|---|---|
| meet demand | be considered or clients would have to be housed in facilities in other towns. |
| 2. Site becomes vacant and is a financial and security liability for the Council. | Timely procurement process so development can start as existing care home closes on Southfields site. Timely decision on future of Anzac House site made. |

Financial Implications

33. The Southfields site is owned by the council and will become vacant in September 2014. As such it will become a maintenance and security liability for the council and will incur costs against which there is no income stream to offset those costs. The same also applies to the Anzac House site.
34. Due to the lack of external public subsidy to facilitate the development of affordable housing developments, it may be necessary to transfer the land to the developer on a nil value basis to ensure that the facilities can be delivered. This will not be known until the competition for the appointment of a developer has been concluded.
35. Members are asked to delegate authority to the Corporate Director in consultation with the relevant Cabinet Members and to agree the potential inclusion of the land on this basis if required following the outcome of the procurement process.
36. The development of an extra care scheme on this site would generate long term revenue cost avoidance for the council as it would ensure that there was a greater supply of appropriate accommodation to support people with higher needs. This would in turn ensure that fewer older people would need to enter residential care in Wiltshire and that would secure cost avoidance in the long term.
37. The sites under consideration in Devizes could all be sold for development and would generate a capital receipt but would see the loss of a rental income. These values are set out in the Financial Part II annex to this report.

Legal Implications

38. There is a restrictive covenant on the title documents of the Southfields site which reads: "... not use or permit to be used ... for any other purpose than for the housing of elderly persons". Legal Services are of the view the proposed use for extra care would not be a breach of this covenant.
39. In addition there is a covenant that would require the Council "not to do or permit upon the said property anything whatsoever which would detrimentally affect the amenities of existing Almshouses". This will need to be taken into account in the design of any development.

40. As the extra care units are to be tendered through the preferred developer framework contracts would need to be set up with the successful developer. The detail of the contents of a legal agreement will need to be agreed in advance of any mini completion process.
41. If the successful developer for the extra care units does not submit within the procurement a quotation for the provision of care services this will need to be arranged through the Help to Live at Home arrangements.
42. The procurement regulations, state aid, and best value aspects of this project are considered below.

Public Contract Regulations.

43. This procurement will be tendered through the Council's framework for extra care developments. This framework was put in place in accordance with the requirements of the Public Contracts Regulations (2006) ("PCR").

State Aid

44. There are no additional state aid issues as the development will be competed through the Council's framework and so the award of contract will not be market distorting.

Best Value

45. Under the Local Government Act 1972 local authorities have a duty to obtain the best consideration reasonably obtainable when disposing of land, however if the Council believes it will improve the social well being of the region then it may dispose of land at less than best consideration reasonably available.
46. At this stage it is difficult to assess whether the consideration will be equivalent to the best reasonably available or is less than that. It is recommended that this point is reconsidered when the terms of the arrangements allow for an assessment of the consideration to be made and a view taken as to whether there is a transfer at an undervalue. If it is determined that the transfer is in fact at an undervalue then prior to the transfer a report detailing that fact should be produced and signed of at the level appropriate to the amount of the undervalue.

Options Considered

47. The following options have been considered:

Do Nothing

48. With the projected increases in the number of older people within the Devizes area over the coming years and the council's strategic direction to keep people independent in their own homes for as long as possible, the need for the provision of an extra care facility in Devizes was identified in the Older People's Accommodation Development Strategy.

49. In the long term the need to have access to appropriate housing and care services generated by the increasingly elderly population will need to be met. Additionally, this option would not address the maintenance and security implications associated with retaining the vacant sites at Southfields and Anzac House, therefore this option is not recommended.

50. If the current care home sites were to be sold on the open market, it would generate a capital receipt [as set out in the financial appendix attached], less demolition cost and cost of lifting the restrictive covenant on Southfields if a 40% affordable housing requirement was made.

Develop on another Site in Devizes

51. Through working with the local community working group, a number of sites were considered in Devizes. These were:

- i. Anzac House Care Home site – this is a 1.22 acre site on the corner of London Road and Windsor Drive and is located a considerable distance from the town centre and other services.
- ii. Southfields Care Home site – this is a 1.66 acre site located on Victoria Road in the centre of town, set just behind the Morrison's supermarket. This site has good access to other local services.
- iii. Browfort site – this site has been considered inappropriate for extra care.
- iv. Existing Sheltered Housing – a full review of existing stock in this area has been carried out and no suitable units have been identified. The upgrading and remodelling of existing stock would require substantial capital investment.

52. These sites were all judged to be inferior to meet the needs of older people. Therefore, selecting one of these options is not recommended.

Develop the Southfields Site

53. As the council is reviewing the assets currently within its portfolio and the site will be vacant in September 2014 there is a need to develop or sell the site. Under the area board, the community working group has assessed the options and considers extra care housing on the Southfields site as the most suitable option. Not only will this deliver additional housing but will provide vital services to the surrounding community.

54. The use of the Southfields site may generate a capital receipt but it is anticipated that the scheme will only be economically viable if the land is sold at nil consideration, representing public subsidy.

55. Therefore, this is the preferred option.

Conclusion

56. Having taken all of the above into account, the working group's preferred option of the Southfields site is recommended to the Capital Assets Committee.

Maggie Rae
Corporate Director

Report Author: James Cawley

Service Director, Adult Care and Housing Strategy
29th October 2013

Background Papers

CAC report 25/1/11 – Older People Accommodation Development Strategy.

Appendices

Part II – Financial considerations

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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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