

Cabinet

MINUTES OF THE CABINET MEETING HELD ON 13 OCTOBER 2020 AT ONLINE MEETING.

Present:

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

Also Present:

Cllr Jose Green, Cllr Phil Alford, Cllr Ben Anderson, Cllr Chuck Berry, Cllr Richard Britton, Cllr Andrew Bryant, Cllr Allison Bucknell, Cllr Clare Cape, Cllr Trevor Carbin, Cllr Christine Crisp, Cllr Brian Dalton, Cllr Jane Davies, Cllr Peter Evans, Cllr Sue Evans, Cllr Peter Fuller, Cllr Richard Gamble, Cllr Bob Jones MBE, Cllr David Halik, Cllr Russell Hawker, Cllr Alan Hill, Cllr Sven Hocking, Cllr Ruth Hopkinson, Cllr Atiquel Hoque, Cllr Chris Hurst, Cllr Peter Hutton, Cllr Tony Jackson, Cllr Carole King, Cllr Gordon King, Cllr Jerry Kunkler, Cllr Ashley O'Neill, Cllr Paul Oatway QPM, Cllr Steve Oldrieve, Cllr Stewart Palmen, Cllr Horace Prickett, Cllr Fleur de Rhé-Philippe MBE, Cllr Tom Rounds, Cllr Jonathon Seed, Cllr James Sheppard, Cllr John Thomson, Cllr Ian Thorn, Cllr Jo Trigg, Cllr Philip Whalley, Cllr Suzanne Wickham, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill

109 **Apologies**

There were no apologies.

110 **Minutes of the previous meeting**

The minutes of the meeting held on 18 August 2020 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 8 September 2020.

111 **Declarations of Interest**

There were no declarations of interest.

112 **Leader's announcements**

There were no Leaders announcements.

113 **Public participation and Questions from Councillors**

The Chairman reported that a late statement of a general nature was received from Colin Gale which referred to responses to questions submitted for the Cabinet meeting on 14 July 2020 and their publication.

114 **COVID-19 Update**

Councillor Philip Whitehead, Leader of the Council and Cabinet member for Economic Development, MCI and Communications presented the report which provided an update on activities to mitigate the impact of the coronavirus in Wiltshire since the last update to Cabinet in September 2020.

Questions had been received from Chris Caswill in relation to the COVID-19 update.

Cllr Whitehead acknowledged that the questions had received written responses which had been published on the Council's website prior to the meeting. Chris Caswill then asked a supplementary question about deadlines being met in Care Homes in relation to the receipt of test results. Cllr Whitehead confirmed that a written response would be provided.

The Leader thanked the residents of Wiltshire for their adherence to the COVID-19 guidelines. Officers provided updates of their service areas, as detailed in the report, covering the following areas - Test and Trace, outbreak management, events, safe spaces, care homes, social care, education and the economy. It was noted that in the main, the majority of Wiltshire residents maintained social distancing, washed their hands on a regular basis and had a face covering. This had helped Wiltshire to remain at level 1 – medium with continued low transmission and transfer rates.

In response to questions from Cllr Ian Thorn, Leader of the Liberal Democrats about (i) extending the number of newspaper publications taking 'wraparound' adverts; (ii) the levels of support provided to unemployed residents especially young people; (iii) the expansion and upgrade of emergency departments and increases in the numbers of staff managing the facilities; (iv) the criteria for appointing the approved contractor to provide regional testing sites and mobile testing facilities; (v) the delivery of PPE and digital devices; Cllr Whitehead and Officers explained that (i) the Communications Recovery Group would be asked to consider extending 'wraparound' adverts to other publications; (ii) Measures to support employed people have been in place since March 2020; (iii) The CCG would be asked to comment on any increase in staffing levels at emergency departments; (iv) The contractor providing testing sites was chosen nationally and would have to meet strict criteria to provide the service; (v) Officers were thanked for their incredible work and also the Cabinet for their work supporting the activities undertaken.

Comments arising from the general discussion included:

- Deadlines for the implementation of the Test and Trace Support Payment of £500 had been met.

- The work of the COVID secure marshals to provide guidance and help, with the help of Government funding of £202,000.
- Expansion of a local test and trace system and high compliance of Wiltshire residents.

Resolved:

- i) Note the current impact of COVID-19 in Wiltshire and encourage all residents to download the NHS Test and Trace app on their phone.**
- ii) Note changes in national policy and the work underway within the four Recovery Coordinating Group themes and on Organisation Recovery.**
- iii) Endorse the proposed approach of the council towards events in the county to ensure protection of population health and reduce the risk of increasing viral transmission (paras 19-22).**

Reason for Decision

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

While Wiltshire Council and Government have new powers to prohibit events if they present a risk to public health, it is necessary for event organisers to take responsibility. It is regrettable that the council is unable to support events at this time, but this recommendation has been made to protect the health of Wiltshire residents.

115 Financial Year 2020/2021 - Month 5 Budget Monitoring

Cllr Pauline Church, Cabinet member Finance, Procurement and Commercial Investment presented the report (i) advising the Cabinet of the Budget Monitoring position 2020/21 Month 5 (31 August 2020) for revenue; and (ii) providing an update on the financial impact on the Council of responding to COVID-19 pandemic and details on Government support.

Questions were received from Ian James about the Council's finances.

Cllr Whitehead acknowledged that the questions had received written responses which had been published on the Council's website prior to the meeting. There were no requests for supplementary questions.

Cllr Church reported that the Month 5 budget monitoring forecasts are based on information as at 31 August 2020. Due to the current COVID-19 situation, a degree of uncertainty remained around some of the forecasts, however the report transparently estimated the most realistic overall financial position, and confirmed the position that has been previously reported to Cabinet that the Council is facing significant financial pressure.

The Cabinet noted that after receiving £29m of emergency funding this financial year from Government, the month 5 position still forecast an overspend of £25.644m which is an improvement of £1.362m on the Quarter 1 forecast overspend of £27.006m. With an estimate of further anticipated funding from Government to offset income losses as well as the spreading of collection fund losses over three years the forecast for this financial year is reduced to a £4.569m overspend as at period 5.

Cllr Wayman thanked all officers for their hard work during these testing times and expressed a concern about the effect on the collection fund and impact on Town and Parish Councils once the furlough scheme had ended.

In response to questions from Cllr Ian Thorn, Leader of the Liberal Democrats about (i) Interpretation differences between the Government and the Council for grant claims to compensate for Council losses; (ii) Impact of COVID-19 on Planning income; and (iii) the spread of collection fund losses over 3 years and the impact on the Council; Cllr Church and Officers explained that (i) officers have great experience of how to interpret government guidance and make accurate assumptions and estimates accordingly; (ii) Planning applications had reduced during the early stages of the pandemic, with a knock on effect on income, however, applications were now increasing; and (iii) The Council were working on base budget assumption in advance of the Comprehensive Spending Review which was expected in December 2020, and receipt of operation guidance about the three year deferral of collection fund losses.

Comments arising from the general discussion included:

- The dissemination of information to Town and Parish about the impact of COVID-19 on funding streams.
- Funding arrangements for hospital discharges and the impact on Council finances.
- The level of lobbying government about the increasing deficit of the Dedicated Schools Grant and how the deficit could be addressed.

Resolved:

To note:

- i) the Section 151 officer's summary of the impact of COVID-19 on the Council's 2020/21 budget;**
- ii) the current revenue budget is forecast to overspend by £4.569m by the end of the financial year and forecast level of General Fund reserve;**
- iii) the current 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 impact upon the financial position of the Council due to COVID-19 and of the Councils overall position on the 2020/21 revenue as at Month 5 (31 August 2020), including delivery of approved savings and highlighting any budget changes.

116 **A350 Melksham Bypass**

Cllr Bridget Wayman, Cabinet member Highways, Transport and Waste presented the report seeking approval to undertake public consultation on the options for the A350 Melksham Bypass Scheme, and to carry out the options appraisal to inform the adoption of a preferred option for the scheme.

Questions were received from Anne Henshaw, Diana Evans, Janet Giles, and Janey Wilks about the A350 Melksham Bypass. Further questions were received from Andrew Nicolson and Patrick Kinnersly and statements from Richard Kendall and Bill Jarvis after the deadline for the receipt of questions and statements.

Cllr Whitehead acknowledged that the questions had received written responses which had been published on the Council's website prior to the meeting. There were no requests for supplementary questions.

Cllr Wayman highlighted the importance of the A350 to the local economy and the road being one of the busiest major roads in Wiltshire. She reported that funding has been received from the Department of Transport (DfT) to develop a Large Local Major improvement scheme for the A350 at Melksham and for the preparation of an Outline Business Case. It was noted that a range of options had been developed and that the options would be the subject of public consultation to gauge opinion on the preferred option and enable the Outline Business Case to be developed for the DfT.

Cllr Whitehead indicated that, similar to Melksham, the DfT would be funding future schemes along routes running from the south coast to the M4, this would incorporate proposals for Westbury.

In response to questions from Cllr Ian Thorn, Leader of the Liberal Democrats about (i) the critical need for public consultation and information about environmental impacts; (ii) the emerging carbon impacts of the scheme; and (iii) The inclusion of climate emergency in references to the Council's business plan; Cllr Wayman explained that (i) public consultation and information about environmental impacts would be an integral part of the scheme process; (ii) improvements to traffic flows would result in lower emissions, along with the move to lower emission vehicles and continued rise in the use of electric vehicles; and (iii) References to climate emergency would be included in this section of future reports.

Comments arising from the general discussion included:

- The consultation is welcomed and the opportunity for local residents' views to be taken into account is of high importance, alongside all comments received;
- Air pollution issues would be taken into account as part of the scheme;
- Previous works to the A350 between Semington and Melksham roundabouts had been prepared with future dualling of the road included;
- The importance of Area Board involvement;
- Reporting of the schemes progress to the public;
- The impact of the clean air zone in Bath on surrounding roads through west Wiltshire.

Resolved:

- i) To undertake public consultation on the options for the A350 Melksham Bypass scheme, which would take the form of a predominantly on-line consultation.**
- ii) To obtain the views of the Town and Parish Councils, Area Board and other organisations in order to inform the future development of the scheme.**
- iii) Report the outcome of the consultation and the options appraisal to a future Cabinet meeting in order to consider the adoption of a Preferred Option for the scheme, the submission of an Outline Business Case to the Department of Transport, and the submission of a planning application for the scheme.**

Reason for Decision:

The A350 Melksham Bypass is a Large Local Major scheme which has been awarded development funding by the DfT to take it to OBC stage. It will be a major improvement to the important A350 route which provides vital transport links between the M4 and the towns of western Wiltshire.

As part of the development of the scheme various options have been identified and, in order to inform assessment of these options, it is proposed to undertake consultations with the public, town and parish councils, the Area Board and other organisations.

In order to progress the development of the proposals it will be necessary to adopt a preferred option, prepare an Outline Business Case to submit to the DfT, and prepare a planning application for the scheme.

117 Consultation on scope of Gypsies and Travellers Development Plan Document

Cllr Toby Sturgis, Cabinet Member for Spatial Planning, Development Management and Property presented the report seeking approval for the first stage of consultation on the Gypsies and Travellers Development Plan

Document and provision to be made for the funding of emergency stopping place sites.

Cllr Sturgis explained that the Plan would address the accommodation needs of Wiltshire's travelling communities and update Core Policy 47 'Meeting the needs of Gypsies and Travellers' of the Wiltshire Core Strategy. In line with legislation, the first formal stage in preparing the Plan is to consult on its scope with the local community and other stakeholders. The report detailed the proposed content for the initial consultation on the Plan and the arrangements for consultation.

Cllr Bob Jones, Vice-Chairman of the Environment Select Committee reported that he and the Chair of the Environment Select Committee had viewed the Plan, were happy with progress and supportive of the proposals.

Cllr Sturgis in response to a question about travelling showpeople confirmed that their accommodation needs would be addressed through the plan and formed part of the consultation documents.

Resolved:

- i) Note the content and findings of the Gypsies and Travellers Accommodation Assessment;**
- ii) Approves Appendix 1 for the purposes of consultation on the scope and content of the Gypsies and Travellers Plan subject to amendment at (iii);**
- iii) Authorises the Director for Economic Development and Planning in consultation with the Cabinet Member for Spatial Planning, Development Management and Investment to: make any necessary changes to the consultation documents in the interest of clarity and accuracy before they are finalised for publication; and make arrangements for and undertake statutory consultation;**
- iv) Approves a capital budget of £1.3 million from the 'Other Capital Schemes to be approved' budget to fund the delivery of three Emergency Stopping Place sites; and**
- v) Note that the Emergency Stopping Places will have revenue implications of circa £0.030 million per year, which will need to be addressed in future Revenue budget setting.**

Reason for Decision:

To ensure progress continues to be made in updating the Local Plan for Wiltshire in line with the Local Development Scheme and statutory requirements; and the housing needs of Wiltshire's travelling communities can be met.

118 **Chippenham Housing Infrastructure Fund (HIF)**

Cllr Philip Whitehead, Leader of the Council and Cabinet member for Economic Development, MCI and Communications presented the report seeking approval to enter into a Grant Determination Agreement (GDA) with Homes England for

the acceptance of a £75m grant contribution towards the cost of delivering the strategic infrastructure in and around Chippenham.

Questions were received from Anne Henshaw, Austen Espeut, Chris Caswill, Cllr Nick Murry, Helen Stuckey, Isabel McCord, Kim Stuckey and Myla Watts about the Chippenham Housing Infrastructure Fund. A further question was received from Andrew Nicolson and a statement from Adrian Temple-Brown after the deadline for the receipt of questions and statements.

Cllr Whitehead acknowledged that the questions had received written responses which had been published on the Council's website prior to the meeting. Supplementary questions were asked by Helen Stuckey and Kim Stuckey about the HIF bid criteria and HIF bid process. Verbal responses to the supplementary questions were provided at the meeting.

Cllr Whitehead reminded the Cabinet that the Council had successfully bid for funding from the Ministry of Housing, Communities and Local Government for a £75m Housing Infrastructure Fund grant as a contribution towards funding strategic road infrastructure, which would enable the delivery of housing in Chippenham, subject to the statutory planning process. He commented generally on the main elements of the GDA that had been negotiated with Homes England to secure the £75m of HIF grant funding and sought approval to enter into the GDA with Homes England.

Cllr Clewer reiterated that there was no question of predetermination in relation to any planning issues as the planning process would be followed in due course. Cllr Clewer also indicated that the current COVID-19 situation may impact the timescales for consultation.

The Cabinet noted that the Chair and Vice-Chair of the Environment Select Committee and Overview and Scrutiny Management Committee had received a briefing on the proposals on 6 October 2020 and members were supportive of the proposals.

In response to questions from Cllr Ian Thorn, Leader of the Liberal Democrats about (i) the condition to spend the £75m by the end of March 2024; (ii) recovery of costs; (iii) Sale of land receipts; (iv) engagement strategy; and (v) master plan and master planning with other interested parties; Cllr Whitehead and officers explained that (i) funding is available until March 2024 and is to be used for infrastructure expenditure only; (ii) the recovery of costs would be through planning conditions placed on future development sites; (iii) Receipts for the sale of Council land would be placed in the general fund subject to requirements from Homes England via the GDA, however other options would be available for the use of income; (iv) there would be a combination of consultation and engagement throughout the process; and (v) Master Planning would aim to equalise costs of the infrastructure between the parties involved.

Comments arising from the general discussion included:

- The inclusion and consideration of environmental and climate change legislation and requirements would be part of future reports and tied to future planning permissions, the subject at hand was securing HIF funding for infrastructure if development came forward.
- Local Area Board meetings would be a key point of contact for consultation and engagement with local communities.
- The regular release of information about the scheme was key to keep communities informed of progress.

The Chairman explained that the appendix to the report, attached to the agenda in Part II, contained financial and legal implications of the Grant Determination Agreement and the proposals would be considered and decision made later in the meeting, once all available information had been taken into account.

119 **Urgent Items**

There were no urgent items.

120 **Exclusion of the Press and Public**

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 Numbers 13 and 14 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 3 and 4 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.

121 **Chippenham Housing Infrastructure Fund (HIF)**

Cllr Philip Whitehead, Leader of the Council and Cabinet member for Economic Development, MCI and Communications presented the appendix to the report at minute number 118 to enter into a Grant Determination Agreement (GDA) with Homes England for the acceptance of a £75m grant contribution towards the cost of delivering the strategic infrastructure in and around Chippenham.

The appendix detailed the financial and legal implications of the Grant Determination Agreement.

Resolved:

To agree that the Council enters into the Grant Determination Agreement, subject to Homes England confirming that the Wiltshire HIF recovery strategy is approved and subject to the terms of the GDA being finalised by the Chief Executive in consultation with the Leader of the Council, Interim Corporate Director of Resources (S.151 Officer) and Director of Legal and Governance.

Reason for Decision:

The proposals seek consideration of the Grant Determination Agreement negotiated with Homes England to secure housing infrastructure funding so as to ensure funding is available to support infrastructure led development coming forward at Chippenham, which is subject to determination by the Local Planning Authority.

Development has already started through the planning permission granted at Rawlings Green site and the Council, through this funding, will be in a position to secure infrastructure led development is achieved rather than being market led. These proposals will ensure that the Council can access Government funding to support delivery of strategic infrastructure should development come forward around Chippenham over the next Local Plan period and beyond.

122 **City Hall Salisbury**

Cllr Richard Clewer, Deputy Leader and Cabinet Member for Corporate Services, Heritage, Arts & Tourism, Housing and Communities presented the report which sought a decision about the future of City Hall, Salisbury during the COVID 19 pandemic.

Cllr Clewer highlighted 3 options for Cabinet to consider, as detailed below and proposed that option 2 be supported:

- Option 1: Maintain current staffing and mobilise when the government allows performance events to take place again.
- Option 2: Temporarily close the venue and reopen once the government deems it safe to operate such a venue again and it is financially viable to do so.
- Option 3: Close the City Hall and potentially dispose of the asset.

Resolved:

To approve Option 2 - Temporarily close the venue and reopen once the government deems it safe to operate such a venue again and it is financially viable to do so.

Reason for Decision: To establish a way forward for City Hall in Salisbury during the COVID19 pandemic.

City Hall in Salisbury was closed in March 2020 following government guidance due to the spread of COVID19. Government announcements, following a national rise in COVID19 in September 2020, have paused plans to move to partial reopening with social distancing for events venues from November. With increasing cases of COVID19 nationally it is now unlikely that City Hall will be able to reopen as an indoor events venue until Spring / Summer 2021 at the earliest.

(Duration of meeting: 10.00 am - 1.50 pm)

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