

Cabinet

MINUTES OF THE CABINET MEETING HELD ON 10 OCTOBER 2023 AT KENNET ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Richard Clewer (Chairman), Cllr Laura Mayes (Vice-Chairman), Cllr Phil Alford, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr Jane Davies, Cllr Nick Holder and Cllr Caroline Thomas

Also Present:

Cllr Richard Budden, Cllr Clare Cape, Cllr Adrian Foster, Cllr Jon Hubbard, Cllr Johnny Kidney, Cllr Gordon King, Cllr Dr Brian Mathew, Cllr Tamara Reay, Cllr Elizabeth Threlfall and Cllr Graham Wright

80 **Apologies**

Apologies were received from Cllr Ashley O'Neill.

81 **Minutes of the Previous Meeting**

The minutes of the meeting held on 12 September 2023 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 12 September 2023, subject to the following amendments:

- **Minute 70 – Financial Year 2023/24 – Quarter One Capital Budget Monitoring**
Cllr Cape comments about weedkillers on page 9 of the agenda pack to read 'Together with the Leader she noted the effect of reducing the use of weedkillers, as well as the environmental impact if spraying was done routinely.'
- **Minute 74 – Planning Peer Review Report**
Cllr Budden – comments from Cllr King and Cllr Mathew on page 14 of the agenda pack to include concern about the potential loss of democratic accountability if the number of current Area Planning Committees were reduced.

82 **Declarations of Interest**

There were no declarations of interest.

83 **Leader's Announcements**

There were no Leader announcements.

84 **Public Participation**

Fourteen general questions had been received for the meeting, which were provided in the published agenda supplement together with written responses.

Supplementary questions were received from:

- Celia Beckett about the local plan and Regulation 18. Cllr Botterill explained that Regulation 18 consultation is not an exhaustive process within the scope of the exercise. He recognised that the process could be improved, however the Council has to operate within the approved system.
- Andrew Nicolson in relation to the Freight Strategy, examples of good working relationships with other local authorities and meetings with members and officers from other local authorities. The Cabinet Member and Leader confirmed that the Freight Strategy has been endorsed and gave examples where Wiltshire Council had arranged meetings with Somerset Council and the Cabinet Member for Highways from Hampshire Council.
- Colin Gale read out a statement on behalf of Pewsey Community Land Trust and requested a timeline to progress the project. Officers confirmed that a legal process was being followed and the matter would be consider further this week.

85 **Update on the Council's Response to the Climate Emergency and revised Environmental Policy**

Cllr Nick Holder, Cabinet Member for Environment and Climate Change presented a report which provided an update on progress and actions taken in response to the climate emergency.

Cllr Holder explained that the council has made significant progress in responding to the climate emergency and in particular against the seven Climate Strategy themes. He reported on the trends against key performance indicators as set out in appendix 2 to the report and confirmed that the Council was on track to become carbon neutral by 2030. It was noted that Transport is still the largest source of emissions in Wiltshire and was not reducing significantly. Work was being undertaken with the Cabinet Member for Transport, Street Scene, and Flooding to these issues.

Cllr Holder reported that the Council continued to show leadership through tackling greenhouse emissions and mitigating other environmental impacts of its own operations, with the Environmental Policy at Appendix 1 to the report setting out how the Council undertakes this.

The Leader reflected on the Council removing 85% of its emissions helping the Council become more self-sufficient and suggested that other organisations could follow the Councils lead in this area. The Council would continue to engage with the government on long term programmes with delivery on a local level.

Cllr Graham Wright, Chairman of the Climate Emergency Task Group reported that the Task Group met on 9 October 2023 welcomed the report and thanked officers for their continued commitment and responses to questions asked at Task Group meetings. He explained that Cllr Wallis chaired the Task Group meeting in his absence and questions about carbon emissions in the county, air quality, demand responsive bus service in Pewsey Vale, take up of active travel and encouraging schools to develop their own travel plans, retrofitting houses and building carbon neutral homes and fitting solar panels on listed buildings. Officers provided additional updates in relation to the progress being made by the Climate Team and work streams.

Cllr Gordon King, Deputy Leader of the Liberal Democrat Group, agreed with the positive views of Cabinet members and welcomed the news that the Council was on track to be carbon neutral by 2030. He commented on (i) delays in delivery of some of the projects and the corresponding impact; (ii) the style and type of housing being developed on Council land; (iii) the amount of waste produced and how it is disposed of; and (iv) the need to continue to make good progress up to 2030. Cabinet Members explained that the requirement from Council is being fulfilled as update reports to Cabinet and Council only need to include detail of work undertaken. The Council is following an ambitious path and the remaining 15% takes longer to achieve due to more complex elements. Council housing is being built to zero carbon standard, requirements of which are included in the draft Local Plan. Government have been lobbied about waste issues and there needs to be a sensible approach to moving this forward.

Cllr Jon Hubbard commented on the recent briefing on sorting facilities at Council Household Recycling Centres (HRC). He was concerned at the lack of member attendance. He also highlighted the benefits from installing solar panels on village halls and the potential for hydro-electric generation in suitable locations. Cllr Holder reported his disappointment at member attendance for the HRC briefing. Further consideration would be given to the issue of solar panels and potential involvement of Area Boards providing information about funding streams. The Leader advised caution in relation to the hydro-electric schemes following recent technical analysis indicating negative cost benefit.

Members also commented on members being encouraged to promote active travel in schools, increasing passengers on public transport, energy from waste solutions and the need to increase recycling and reuse.

Resolved:

1. That Cabinet notes the actions taken in response to the climate emergency following the last update in May 2023, and notes the progress made against key indicators as well as areas of limited progress.
2. That Cabinet recommends that Full Council approves the updated Environmental Policy in Appendix 1 and adds it to Paragraph 1.2 of Part 3B of the Constitution for inclusion as part of the Policy Framework.
3. that future climate updates are received annually at its October meeting.

Reason for Decision:

- 1) *To provide Cabinet with an update on actions taken in response to the climate emergency.*
- 2) *To ensure the council's Environmental Policy is up to date and has sufficient weight.*
- 3) *Moving to annual reporting would be in line with the annual publication of greenhouse gas data, mirror the reporting frequency of other local authorities and reduce the administrative burden on the climate team, enabling them to concentrate on project delivery.*

86 **Wiltshire Council Annual Adoption Service: 2022-2023 Year End Report**

Councillor Laura Mayes, Deputy Leader and Cabinet Member for Children, Education, and Skills, presented the year-end report regarding the performance of the Wiltshire Council's Adoption Service, alongside a consideration of the effectiveness of Adoption West.

The Deputy Leader was pleased to report that demand for adoptive homes is being met as there are fewer children waiting than the number of families approved. She explained that there were 64 approved adopters waiting for a match and highlighted the three key scorecard measures each local authority Adoption Agency used as detailed in the report. The Cabinet noted that there were some children outside of the targets, and these have been reviewed to ensure the reasons for delays are reasonable and to determine whether there are practice improvements required to increase timeliness.

Cllr Jon Hubbard, Chairman of Children's Select Committee, reported that the Children's Select Committee had considered the year-end report on 21 September 2023. He commented on the potential for delays and explained that ultimately the courts controlled the process. He also referred to early permanence, the benefits of a successful outcome and the impact and support needed for adoptive parents when outcomes were not successful. He asked for future Year-End reports to include information on Guardian Orders.

Resolved:

To approve the report and that the contents of it are considered against the Corporate Parenting Strategic Priorities for children in care to have a loving home, good relationships, and be respected.

Reason for Decision

Wiltshire Council is an Adoption Agency registered with Ofsted. The 2014 Adoption Minimum Standards (25.6) and 2013 Statutory Guidance (3.93 and 5.39) describe the information that is required to be reported to the executive side of the local authority, on a six-monthly basis, to provide assurance that the adoption agency is complying with the conditions of registration whilst being effective and achieving good outcomes for children. A report to Cabinet is prepared annually.

Adoption West is subject to separate scrutiny arrangements through its own Scrutiny Board.

87 Commissioning of Carers Support Services

Cllr Jane Davies, Cabinet Member for Adult Social Care, SEND and Inclusion presented the report which set out the commissioning plan for Carers Support Services from 2024-2027 and seeking agreement to go out to tender for these services.

The Cabinet Member explained that the new service specification has been drafted and informed by carers, changes in the market, the impact of Covid-19 on carers, lessons from the last five-years, and the need to ensure better identification and support for young carers. The current contract is due to end on 31 March 2024 and current joint funding arrangements would continue.

Cllr Laura Mayes, Deputy Leader and Cabinet Member for Children's Services, Education and Skills highlighted the role of young carers and the impact of the role on their wellbeing. Officers confirmed that the service provided to young carers would be robust and a partnership arrangement would be in place.

Cllr Johnny Kidney, Chairman of the Health Select Committee confirmed that the Select Committee received a presentation on the development of the Carers' Strategy and Delivery Plan at its meeting on 4 July 2023. He reported that the Committee acknowledged the work that had been undertaken with carers in scoping the strategy; highlighted a concern around the capacity of a service provider to deliver accessible support for carers in small villages and rural areas and that members had requested a briefing on the service specifications to understand how this would be addressed. In addition, the committee wished to encourage the engagement of carer's champions with Area Boards to raise awareness of the support available and use local knowledge to improve the access to services that will be provided through the contract.

Cllr Jon Hubbard, Chairman of the Children's Select Committee was concerned that the Strategy and Delivery Plan had not been considered by the Children's Select Committee. He also highlighted the potential danger for young carers to be overlooked and not receive the necessary support needed. Cllr Davies welcomed the opportunity for a report on the Strategy and delivery Plan to be considered at a future meeting of the Children's Select Committee. Officers confirmed that an extensive consultation had been undertaken in developing the service specification which included young carers alongside other groups and there was a commitment to identify young carers for inclusion in an internal central register.

Cllr Brian Mathew acknowledged the important work that carers undertake. He asked about the Shared Lives Programme and when a report would be available for members to consider. Officers would confirm details after this meeting.

Members highlighted the need for advice to carers about access to support for their role. Cllr Davies and officers confirmed that the need for this information was included in the contract specification within the Outreach area.

Resolved:

- 1. To approve the Carers Support Service Commissioning Plan for a 3-year service commencing in 2024 -2027 and with a 2-year extension option. And,**
- 2. To delegate authority to the Corporate Director, Resources and Deputy Chief Executive (S.151 Officer) in consultation with the Cabinet Member for Adult Social Care, SEND, and Inclusion, following completion of the necessary competitive procurement exercise, to award the contract and take such other necessary steps to achieve the outcomes and objectives set out in this report.**

Reason for Decision:

The existing All Age Carers Support Service Contract has been in place for 6 years and is due to expire on the 31 March 2024. There is no option to further extend the contract.

The service specification which has been in place now for 6 years and needs refreshing based on extensive co production of the new strategy and delivery plan.

88 District Specialist Centres and Portage

Cllr Jane Davies, Cabinet Member for Adult Social Care, SEND and Inclusion presented the report seeking approval to commission Specialist Early Years SEND support from District Specialist Centres (DSC) and Wiltshire Portage.

It was explained that Wiltshire Council currently commissioned services from five charities across the county to provide specialist nurseries and pre-schools Early Years support for children with SEND, along with home visiting education service to 75 early years children with SEND each week. This assists the Council in meeting the requirements set out within the SEN Code of Practice to meet the statutory duty of ensuring accessible provision is available for children under five years with SEND.

Cabinet noted that the current contract ended on 31 March 2024 following a two-year extension. The report highlighted the proposal to divide the two services into two contracts, a DSC contract and Portage contract, with staggered starting dates – Portage starting on 1 April 2024 and the DSC contract starting on 1 September 2024.

Cllr Laura Mayes, Deputy Leader and Cabinet member for Children’s Services, Education and Skills expressed her support for the proposals and highlighted the importance of mainstream inclusion.

Cllr Jon Hubbard, Chairman of Children’s Select Committee, reported that he, along with the Vice-Chairman of the Select Committee had attended a briefing on the report on 9 October 2023. In supporting the proposals, he voiced a concern about the sufficiency of the funding uplift over the five-year period. Officers indicated that they had considered the inflationary position, and as a consequence had front-loaded the inflation uplift for year one and remained confident the costs would be covered for the lifetime of the contract.

In response to comments about Education Health Care Plans and support towards fundraising for the Charities that provide the specialist early years education, members noted that the demand for EHCP’s was continuing to increase and that knowledge from the current contract arrangements is informing outcome measures to be included in the new contract specification. It was noted that the current providers receive fund raising and charitable donations aimed towards value added services.

Resolved:

That Cabinet approves:

- 1. District Specialist Centres and Portage to be purchased under separate tender processes with separate specifications, contract management and KPI’s.**

DSC - Re-tender the service, award and conduct implementation and TUPE before the 31 August 2024 using a codesigned specification that meets the challenges arising and needs of early children with SEND. The contract length will be for five years with an option to extend the contract for a further five years, giving a maximum contract length of 10 years.

Portage - Re-tender the service, award and conduct implementation and TUPE before the 31 March 2024 using a codesigned specification that meets the challenges arising and needs of early children with SEND. The contract length will be for five years five months with an option to extend the contract for a further five years, giving a maximum contract length of 10 years.

- 2. During the life of the contract to propose and introduce a new DSC provision within the Tidworth area to meet the need of the families in the area. This contract will synchronise with the length and terms of new DSC contracts.**
- 3. Cabinet to agree to the financial envelope set out in tables 15 and 16 of the report.**
- 4. That officers continue to undertake to prepare and complete the tender programme, award and implement a new contract for both services.**
- 5. To delegate authority to approve and award a new contract and future extensions and all associated documents to the Director of Commissioning, Corporate Director People in consultation with the Cabinet Member for Adult Social Care, SEND and Inclusion.**

Reason for Decision:

1. District Specialist Centres (DSC) and Portage assist Wiltshire Council in meeting the requirements set out within the SEN Code of Practice to meet the statutory duty of ensuring accessible provision is available for children under 5 years with SEND.

2. Development of service to meet the needs of Wiltshire children with SEND

3. Cabinet is asked to authorise the method outlined to complete a tender process that delivers value for money through the new contract.

89 Urgent Items

There were no urgent items.

Attachment - Statement of CG

(Duration of meeting: 10.00 am - 12.35 pm)

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

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

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10th October 2023.

Statement to Cabinet in response to WC's reply to PCLT Questions

Pewsey Community Land Trust (PCLT) were disappointed in the lack of a positive response to the questions raised on the Community Right to Build Order (CRtBO) and to just receive a blanket response to all of the questions of jam tomorrow advising that officers are considering the submission and will respond soon is not supportive.

PCLT escalated their submission to Cabinet out of frustration because they have been trying since April, over 5 months ago to progress their submission but seem to be plagued by poor communications having to make repeated phone calls and repeated emails to get a response.

This submission should be a no brainer as it is for affordable housing, 7 flats and a house in the heart of Pewsey with transport links, service facilities for local people. The CRtBO submission is a draft submission that will be reviewed on a number of occasions during the overall process with opportunities to facilitate changes as required.

Last Friday at the Poverty meeting in Pewsey the Wiltshire Council Deputy Leader stated the need to:

- A. see more housing that is genuinely affordable and where possible in perpetuity
- B. work with local community stakeholders
- C. be an innovative / can-do council
- D. promote preventative long term solutions.

PCLT proposals fit all those criteria. What's been required for the last 6 months by WC planning is a can do way forward recognising PCLT is (at least highly likely to be) a suitable body to raise a CRtBO especially as the WC link officer and other advisory bodies have been providing excellent advice to PCLT for years.

PCLT needs a timeline so that it can progress the project and not just a response, will be received soon. Please also agree to activities like allowing the draft CRtBO to be distributed to other consultation bodies in parallel to reduce this stretched timescale.

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