

AGENDA

Meeting: **Cabinet**
Place: **Access the online meeting - link below**
Date: **Tuesday 19 May 2020**
Time: **10.00 am**

[Access the meeting online here](#)

Please direct any enquiries on this Agenda to Stuart Figini, of Democratic Services, County Hall, Trowbridge, direct line 01225 718221 or email stuart.figini@wiltshire.gov.uk

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Membership:

Cllr Philip Whitehead	Leader of the Council and Cabinet Member for Economic Development
Cllr Richard Clewer	Deputy Leader and Cabinet Member for Corporate Services, Heritage, Arts, Tourism, Housing, Climate Change and Military-Civilian Integration
Cllr Allison Bucknell	Cabinet Member for Communications, Communities, Leisure and Libraries
Cllr Ian Blair-Pilling	Cabinet Member for IT, Digitalisation and Operational Assets
Cllr Pauline Church	Cabinet Member for Children, Education and Skills
Cllr Simon Jacobs	Cabinet Member for Finance and Procurement
Cllr Laura Mayes	Cabinet Member for Adult Social Care, Public Health and Public Protection

Cllr Toby Sturgis

Cabinet Member for Spatial Planning,
Development Management and Investment

Cllr Bridget Wayman

Cabinet Member for Highways, Transport and
Waste

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Part I

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

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

1 **Apologies**

2 **Minutes of the previous meeting** (*Pages 7 - 32*)

To confirm and sign the minutes of the Cabinet meeting held on 24 March 2020, previously circulated.

3 **Declarations of Interest**

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

4 **Leader's announcements**

5 **Public participation and Questions from Councillors**

During the coronavirus emergency, this meeting will be held virtually/online [here](#) for the public to view. You can access guidance notes on accessing the online meeting [here](#).

The Council welcomes contributions from members of the public and the public are encouraged to contact the officer named on this agenda by 12.00 noon on Thursday 14 May 2020 to indicate in advance if they wish to make statements or questions for submission. The Chairman will require statements in writing, and these will be published and referred to during the meeting.

Please note that all statements and questions received by the deadline will be circulated to councillors and published on the website (in an Agenda Supplement) so councillors are able to read these in advance, and respond to them during the meeting, as appropriate.

The Chairman may invite an officer to read out some of the public statements/questions received and this may be limited depending on how many have been received.

6 **Council Response to COVID-19 - Update** (*Pages 33 - 54*)

Report by Chief Executive Officers – Alistair Cunningham and Terence Herbert.

7 **Capital Programme - Transport** (*Pages 55 - 68*)

 Report by Chief Executive Officer – Place – Alistair Cunningham

8 Urgent Items

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

Part II

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

NONE

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Cabinet

MINUTES OF THE CABINET MEETING HELD ON 24 MARCH 2020 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Philip Whitehead (Chairman), Cllr Richard Clewer (Vice-Chairman), Cllr Allison Bucknell and Cllr Pauline Church

Also Present via Skype:

Cllr Ian Blair-Pilling, Cllr Simon Jacobs, Cllr Laura Mayes, Cllr Phil Alford, Cllr Chuck Berry, Cllr Andrew Bryant, Cllr Clare Cape, Cllr Jane Davies, Cllr Sarah Gibson, Cllr Ruth Hopkinson, Cllr Atiqul Hoque, Cllr Jon Hubbard, Cllr Bob Jones MBE, Cllr Carole King, Cllr Gordon King, Cllr Brian Mathew, Cllr Nick Murry, Cllr Steve Oldrieve, Cllr Stewart Palmen, Cllr James Sheppard, Cllr Ian Thorn, Cllr Graham Wright and Cllr David Halik

32 Apologies

Apologies were received from Cllr Toby Sturgis and Cllr Bridget Wayman.

33 Minutes of the previous meeting

The minutes of the meeting held on 4 February 2020 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 4 February 2020.

34 Declarations of Interest

There were no declarations of interest.

35 Leader's announcements

The Leader made an announcement about COVID-19 and Council decision making. He outlined the arrangements for taking decisions during the Coronavirus situation within the legal and constitutional framework and explained that the briefing note, copy attached to these minutes, would be circulated after the meeting.

It was noted that emergency legislation in relation to COVID-19 was being passed through Parliament although it did not currently include allowances for

Local Authorities to take decisions remotely. MP's had been lobbied about remote decision making and it was anticipated that this may be included in the legislation.

36 **Public participation and Questions from Councillors**

1. A statement and questions were received from Colin Gale, representing Pewsey Community Area Partnership, Pewsey Parish Council and Campaign to Protect Rural England about the recent review of how the Council conducts Public Consultations.

The Leader thanked Mr Gale for his comments and confirmed that a response had been prepared on the issues raised and a copy had been sent to Mr Gale and also published on the Council's [website](#).

2. A statement and questions were received from Anne Henshaw, representing Campaign to Protect Rural England, about climate change, planning and transport issues.

The Leader thanked Ms Henshaw for her comments and confirmed that a response had been prepared on the issues raised and a copy had been sent to Ms Henshaw and also published on the Council's [website](#).

37 **Update of Local Development Scheme**

Cllr Philip Whitehead, Leader of the Council and Cabinet Member for Economic Development introduced the report seeking approval for a revised Wiltshire Local Development Scheme (LDS).

The Leader referred to the Cabinet meeting held in March 2019 that approved the LDS 2019. The Cabinet, at that meeting agreed for any significant modifications to be referred back to them for consideration and approval.

The Cabinet noted that additional consultation on the Local Plan Review was planned with the wider community which would impact on the current timescales for the LDS, adoption would now be at start 2023. The revised timetable allowed for greater emphasis to be placed on climate change in the light of the Council's decision to acknowledge a climate emergency. The scope of the Local Plan Review would be changed and a separate single issue plan that meets the needs of Gypsies and Travellers would be prepared.

In response to a question from Cllr Ian Thorn about the inclusion of climate change issues in the LDS, The Chief Executive Officer – Place confirmed that the LDS sets out the timeline for the review of the Local Plan and that climate change would be addressed within the policies of the Local Plan.

Resolved:

1. To agree the revised Wiltshire Local Development Scheme be brought into effect from 30th March 2020 and published on the Council's website (Appendix 1 to the report).
2. Authorises the Director for Economic Development and Planning, in consultation with the Cabinet Member for Spatial Planning, Development Management and Investment to make minor amendments to the Local Development Scheme in the interests of clarity and accuracy before publishing it on the Council's website.
3. Delegates authority to the Director for Economic Development and Planning, in consultation with the Director for Legal, Electoral and Registration Services and Cabinet Member for Spatial Planning, Development Management and Investment to undertake subsequent reviews and updates to the Local Development Scheme and bring them into effect; save for those that introduce new development plan documents, which will be referred to Cabinet.
4. In the event of the planned consultation in the Summer 2020 needing to be delayed due to COVID-19, delegates authority in line with (3) above to amend the Local Plan Review timetable to take account of this.

Reason for Decision:

Section 15(1) of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) (PCPA) requires the Local Planning Authority to prepare and maintain a Local Development Scheme (LDS). The up to date text and copy of any amendments to the scheme need to be made available to the public (section 15 (9A) PCPA). This is done through publication on the Council's website. Delegated authority for subsequent revisions to the LDS will allow for efficiency in maintaining an up to date document. Section 15(8) of PCPA requires the Local Planning Authority to revise the LDS at such time as they consider appropriate.

The timescale proposed for the Wiltshire Local Plan Review will allow for additional community engagement, allowing residents a greater opportunity to shape the communities in which they live and work. The introduction of the Gypsies and Travellers development plan document will enable the housing needs of this community to be met ahead of the Local Plan.

38 **SEND Inclusion Strategy 2020-2023**

Cllr Pauline Church, Cabinet Member for Children, Education and Skills introduced the report seeking approval of the SEND Inclusion Strategy 2020-2023.

Cllr Church explained that the report described the key achievements of the previous (Special Educational Needs and Disability) SEND strategy 2015 – 2019 and set out the background and the consultation that was taken forward to create the SEND Inclusion Strategy for 2020 – 2023. The strategy has been developed in co-production with parent/carers, children and young people and the organisations who make up the Wiltshire SEND Local Area Partnership. The main focus of this strategy is to support the development of inclusion for children and young people with SEND.

Cllr Hubbard, Chairman of the Children’s Select Committee, reported that he and the Vice-Chair of the Select Committee had received a briefing on the new SEND Strategy, they were pleased with the progress made with the new Strategy and asked to see the further detailed plans to be considered by the SEND Local Area Partnership Board. Cllr Hubbard, as a member of the SEND Task Group, acknowledged the enthusiasm of the Task group for SEND young people to be educated in their local mainstream facility.

In response to questions from Cllr Gordon King about (i).applications for Education, Health and Care Plans completed after 20 weeks; and (ii) face to face consultation meetings in the West Wiltshire Area, Cllr Church indicated that (i) the 20% of the applications that were outside of the 20 week target would, for the majority, have their case heard within a week or maximum of a couple of weeks after the 20 week expectation; (ii) consultation meetings were set up in the north, south and central areas of Wiltshire, with good representation from across the west of the county.

Resolved:

To approve the SEND Inclusion Strategy 2020 - 23

Reason for Decisions:

To support the work of Wiltshire’s SEND Local Area through this SEND Inclusion Strategy 2020 – 23.

39 School Capital Programme 2020-2025

Cllr Pauline Church, Cabinet Member for Children, Education and Skills introduced the report seeking approval for the Schools Capital Programme for 2020 – 2025, which addressed investment to improve the condition of maintained schools and expansion of mainstream schools.

The Cabinet were reminded that they had approved the Schools Capital Programme 2019–2024 in February 2019 and the updated Wiltshire School Places Strategy 2017-2022 in December 2017. The Council also has landlord responsibilities for the effective management and ongoing maintenance of the schools’ estate. The Council receives annual capital funding allocations from the Department for Education (DfE) to meet basic need (new places) and condition (capital maintenance works) only. At its meeting on 25 February 2020, Full Council also approved an additional £5m over the next five years for school

maintenance works and an additional £100k per year for the next 10 years to improve the accessibility of schools.

In response to a question from Cllr Gordon King about the status of new capital schemes marked 'not started', Cllr Church provided an update on the commencement and completion dates for those schemes.

Resolved:

- 1. To note the progress on previously approved schemes at Appendix A of the report.**
- 2. To consider and approve the new schemes, subject to planning approval and completed S106 agreements, requiring a total commitment of £8.325m as outlined at Appendix B of the report.**
- 3. To approve the Schools Planned Maintenance Programme totalling £3.5m for 2020/21 as outlined at Appendix C of the report.**
- 4. To authorise the Chief Executive Officer for People to invite and evaluate tenders for the projects described in this report, and, following consultation with the Cabinet Member, to award the contract for the project (subject to approval of any necessary statutory proposals) and to authorise, in consultation with the Head of Strategic Asset & FM (or the Asset Portfolio Manager (Estates), in accordance with the relevant scheme of sub-delegation (under paragraph 7 of Part 3B of Wiltshire Council's constitution)), the acquisition of all land (and the completion of any legal documentation) reasonably required in order to facilitate the Schools Capital Investment Programme.**

Reasons for Decisions:

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

The approved Wiltshire School Places Strategy 2017- 2022 and its Implementation Plan identifies the priority basic need schemes requiring capital investment in the short, medium and longer term and these latest proposals for inclusion in the Schools Capital Programme will enable the priority works to be progressed. The Council also has Landlord responsibilities for the effective management and maintenance of the schools (for which the Council is responsible) estate and the approved programme will enable urgent and priority repairs and maintenance projects to proceed.

Cllr Pauline Church, Cabinet Member for Children, Education and Skills introduced the report seeking approval for Wiltshire to participate in the South-Central consortium for the purchase of Independent Fostering Agency (IFA) placements for Looked After Children and Young People, from April 2021.

Cllr Church explained that Wiltshire Council currently procures IFA placements through a Framework Agreement competitively awarded in 2017, led by Bath and North East Somerset Council (BANES), and known as the South-West Framework and includes 7 local authorities. The South-Central Framework is led by Southampton and Bournemouth Councils and currently includes 19 Local Authorities across South-East and South-West England. Both Framework Agreements expire in March 2021

The Cabinet noted that the South-Central Framework offers access to the same providers at a similar price to the South-West contract. However, the South-Central consortium is more developed, offering higher levels of provider engagement and greater regional capacity for partnership working between Local Authorities.

Cllr Hubbard reported that he appreciated the briefing given on the proposed changes to the Fostering Framework and it seemed to him that the proposed changes are entirely appropriate and will enhance the options available to the Council.

In response to a question from Cllr Carole King about the foster carers recruitment process, Cllr Church confirmed that where possible, foster carers were recruited from within Wiltshire, in addition the advertising and promotional material was designed for the Local Authority area.

Resolved:

- 1. That the Cabinet approves Wiltshire Council joining the South-Central consortium for the purchase of IFA placements for Looked After Children, from April 2021.**
- 2. That the decision to execute any contracts that may arise as a result of the tender exercise (including the associated partnership agreements) be delegated to the Director of Commissioning, in consultation with the Cabinet Member for Children, Education and Skills.**

Reason for Decision:

The proposal represents the best available option to ensure on-going compliance with the Local Authority's duty to quality assure providers of IFA placements.

Participating in the South-Central consortium enables Wiltshire to:

- *speaks with greater authority to local market providers as part of a much larger group of Local Authorities compared to the South-West consortium (20 rather than 6).*
- *benefit from centralised contract management and access to much richer data about the quality of carers available regionally (not available through the South-West approach).*
- *Focus commissioning capacity on strategic relationship building and market shaping, which offers the greatest opportunities to drive up quality of care for children and deliver financial savings.*

Choosing not to engage in a consortium approach could result in all external IFA placements being made on a spot-purchase basis, with fewer quality safeguards and potential for uncontrolled spend.

Therefore, this recommendation supports the Council's key strategic aim of delivering more high-quality, local options for our looked after children, at the best possible value.

41 **Service Devolution & Asset Transfer Package - Bradford on Avon**

Cllr Richard Clewer, Deputy Leader and Cabinet Member for Corporate Services, Heritage, Arts, Tourism, Housing, Climate Change and Military-Civilian Integration introduced the report detailing the final package of the services and assets to be transferred to Bradford on Avon Town Council and the financial impact on Wiltshire Council.

Cllr Clewer referred to an update to the original report and explained that following discussions and ongoing negotiations with Bradford on Avon Town Council, that the transfer of the cemetery service and assets is delayed until the finer details have been agreed. It is proposed that the transfer of all other elements of the package still proceeds with an estimated transfer of early Summer 2020 with the cemetery service and assets following on as soon as reasonably practicable.

The Cabinet heard from Cllr Sarah Gibson, who explained that the Town Council was pleased with the outcome of the negotiations and process undertaken.

Resolved:

- 1. To approve the list of services and assets that will be transferred to Bradford on Avon Town Council. The inclusion of any open space land is subject to consideration of any objections received following the advertising of the disposal in accordance with statutory obligations.**
- 2. Delegate authority to the Growth and Investment Director following consultation with the Head of Estate and Development to remove assets from the final list if site constraints/legal issues are revealed as part of the detailed due diligence process**

3. **Note the net revenue impact to the Council and acknowledge that the Service Devolution programme benefits of cost savings and avoidance will be realised on a cumulative basis as the programme progresses and as more Towns/Parishes complete the process.**
4. **Delegate the implementation of the transfer of assets and the service delegation to the Growth & Investment Director in consultation with the Cabinet Member for Housing, Corporate Services, Arts, Heritage and Tourism,**
5. **To acknowledge and approve the delayed transfer of the Cemetery Service and associated assets to Bradford on Avon Town Council until such time as the particulars are agreed.**

Reason for Decision:

To complete the transfer of the package of assets and services to Bradford on Avon Town Council.

42 **The Maltings – Phase 1 River Corridor Improvements**

Cllr Philip Whitehead, Leader of the Council and Cabinet Member for Economic Development introduced the report about progress with the delivery of the regeneration of the Maltings and set out how it is related to the delivery of the River Corridor improvements scheme detailed in the Central Area Framework recently consulted on in public.

The Leader reported that the joint scheme with the Environment Agency will help reduce the flood risk to various areas in the city and improve leisure and recreational uses as well as ecology and biodiversity enhancements. It is vital to the delivery of the Central Car Park and Maltings regeneration scheme.

Cabinet noted that the report sought approval for funding towards the scheme's delivery in line with the Outline Business Case approved by the Local Enterprise Partnership and the council's strategy to regenerate the Central Car Park and Maltings in Salisbury.

Resolved:

1. **Agree to allocate £1.9m to the Maltings Phase 1 River Corridor Improvements from the 'Other Capital Schemes to be confirmed' approved budget.**
2. **Agree to grant to the Environment Agency up to £2 million to deliver the Maltings Phase 1 River Corridor Improvements, using Local Growth Fund grant approved by the Swindon and Wiltshire Local Enterprise Partnership.**

3. **Note that council officers will work collaboratively with the Environment Agency to secure additional funding required to deliver the whole scheme capital costs, the £1.9 million capital allocation serving as a backstop reserve in case this cannot be achieved from other available funding sources**
4. **Delegate authority to enter into contract with the Environment Agency to the Director Housing & Commercial, in consultation with the Director Highways and Environment and Director of Finance and Procurement.**

Reason for Decision:

The proposals of this report will not only re-establish the ability to develop on the Maltings site by mitigating flood risk and enhancing the natural environment but will have wider benefits to the city of Salisbury, its residents, workers and visitors.

43 **Wiltshire Council's Housing Board Annual Report**

Cllr Richard Clewer, Deputy Leader of the Council and Cabinet Member Corporate Services, Heritage, Arts, Tourism, Housing, Climate Change and Military-Civilian Integration introduced the report which provided an update of the activities of the Council's Housing Board between December 2018 and November 2019.

Cllr Clewer explained that throughout the period of the Annual report, the Board has engaged in a range of activities to shape the service offered to residents and their families, increased service quality via appropriate monitoring mechanisms, encourage resident engagement and protected the reputation of the council as a landlord by ensuring a robust Business Plan is implemented.

The Cabinet noted that the report had been considered by the Environment Select Committee at its meeting held on 4 March 2020 endorsed the report and suggested that other forms of heat technology are considered, when moving away from providing boilers in HRA homes from 2025. In addition, it was noted that the Global Warming and Climate Change Task Group is considering the proposed energy efficiency ratings of the planned new council housing stock.

Resolved: To note this Annual Report

Reason for Decision:

Wiltshire Council's Housing Board's Terms of Reference require an Annual Report to be presented to Cabinet.

44 **Chippenham Housing Infrastructure Fund Bid**

Cllr Philip Whitehead, Leader of the Council and Cabinet Member for Economic Development introduced the report which provided an update of the Housing

Infrastructure Fund scheme to enable the delivery of significant infrastructure works to the east and south of Chippenham.

The Leader reported that the £75m grant is specifically awarded to deliver a new road that unlocks land to support the delivery of 7500 homes in the Chippenham housing market area. The report detailed specific projects that the fund would enable and contained details about the first phase of the programme.

The Cabinet noted that contract negotiations with Homes England had commenced and that the timetable had originally been set for a completion date of September 2020.

The Leader indicated that there would be no public consultation undertaken on the proposals until after the restrictions on public movement in relation to the COVID-19 situation had been lifted by the Government. Therefore, the timetable would need to be revised to take this into account. He also acknowledged that the benefits of the programme outweighed the risks and he was content to proceed with the programme.

The Cabinet heard from Andrew Nicolson who read out a statement and asked questions in relation to the Chippenham Housing Infrastructure Fund bid. The Leader thanked Mr Nicolson for his comments and confirmed that a response had been prepared on the issues raised and a copy had been sent to Mr Nicolson prior to the meeting and also published on the Council's [website](#)

The Leader also referred to statements and questions from the following interested parties:

- Cllr Nick Murry
- Adrian Temple Brown
- Chris Caswill
- Helen Stuckey
- Kim Stuckey
- Louise Ranson
- Lucy Ranson
- Paul Ranson
- Ian James
- Isabel McCord
- Mel Moden

He thanked them for their comments and confirmed that responses had been prepared on the issues raised and copies had been sent to them prior to the meeting and also published on the Council's [website](#)

In response to questions from Cllr Ian Thorn about (i) the risks associated with the programme; (ii) the timescales; and (ii) whether the funding was capital or revenue; the Leader responded that (i) he fully expected the risks to not materialise and that planning permission for the road and allocation of sites for

housing to be granted; (ii) timescales would now be difficult to achieve due to the COVID-19 situation and conversations were being held with Homes England about this; and (iii) the funding element was all capital and would only revert to revenue in the event that risks materialise.

In response to a question from Cllr Cape about the Programme Team; The Leader confirmed that the Team consisted of a lead Director and one other full-time officer. The Team also received input from the Communications Team and Atkins – external partners.

Cllr Hubbard urged the Cabinet to make a positive decision on this matter and reminded everyone that if the 7,500 homes were not built in Chippenham then alternative sites in other parts of the County would need to be identified.

Resolved:

- 1. Note the contents of this report**
- 2. To approve the advance of £4.220m from the Capital Pipeline budget, to the Future Chippenham Team; under the supervision of the section 151 officer, prior to the receipt of the £75m HIF Grant in order to progress this programme within the timeframes available.**
- 3. To approve a capital budget of £1m from the Other Capital Budgets to be approved budget to fund the Future Chippenham Team. This cost cannot be claimed from the HIF grant, but is an integral part of the overall scheme.**
- 4. Agree the proposed delegated authority provisions detailed below to enable the Council to complete the first phase of the programme;**
 - a. Delegated authority is given to the Chief Executive Officer (Place) and his/her designated nominee to establish a Future Chippenham team, entirely separate and distinct from the Council in its role as Local Planning Authority, to support the Executive functions of the Council and**
 - i. Lead contract negotiations with Homes England (HE)**
 - ii. Create the scheme masterplan**
 - iii. Manage the planning process**
 - iv. Manage the procurement process**
 - v. Manage the associated business case**
 - vi. Plan and conduct consultation and engagement activities with all appropriate stakeholders**

at the earliest possible opportunity, notably in September 2020 and March 2021.

5. To note that all work associated with the Future Chippenham programme, including the ability to use the HIF grant, is subject to;
 - a. a successful planning consent for the road build and
 - b. allocation of all sites forming part of the scheme for housing development as an outcome of the separate Local Plan Review,
6. To note that the timelines for the planning application do not align with the Local Plan Review timelines and there is a risk that consent will not be granted, and the site not allocated for housing.
7. To note that if the risks identified in 5 & 6 above occur, all funds put into the Future Chippenham programme must be considered spend at risk and could revert to revenue spend in the same financial year, if an alternative source of capital cannot be identified.
8. To note that should contract negotiations with HE to secure the HIF funds fail then the Council will need to consider mitigation strategies for expenditure incurred which may include for example;
 - a. Land sales to defray costs incurred to date providing the overall programme is still delivered
 - b. Agreement with a joint venture private sector partner(s) to undertake development, reducing the Council's commercial gain in the long term, but securing by other means this much needed scheme for the benefit of Chippenham and the County as a whole.

Reasons for Decision:

In order to meet the deadline associated with the HIF grant, the Council will need to forward fund, at risk, the establishment of a team to support delivery of the required outputs detailed above. Some of these funds will be recoverable from the HIF grant once contracts are signed with HE, but some will not be recovered until the second phase of the programme, post 2025. To begin with this will require a commitment of £5.220m capital in the 2020/2021 financial year, as detailed above. This budget, if assigned, is done so at risk and on the assumption of successful HIF grant contract negotiations and Council agreement to proceed.

45 **Interim Management Arrangements for the Contracted Leisure Centres**

Cllr Allison Bucknell, Cabinet Member for Communications, Communities, Leisure and Libraries introduced the report setting out the interim management

arrangements for the council's leisure centres currently managed by Places for People Leisure Ltd (PfP).

The Leader acknowledged that the review timetable for reporting back to Cabinet in January 2021 may be severely compromised due to the COVID-19 situation.

Resolved:

- 1. Agree to undertake a short-term procurement exercise for the management of the current outsourced Wiltshire leisure sites.**
- 2. To authorise the Director of Communities and Neighbourhood Services to enter into an interim contract for the management of the sites on completion of the procurement exercise.**
- 3. To progress at pace the Leisure facilities review and determine through Cabinet by no later than January 2021, proposals for the long-term facilities needs and management of all Wiltshire's leisure facilities.**
- 4. In making this decision Cabinet is requested to consider the corporate procurement, legal and financial implications of this decision covered in this report.**

Reasons for Decisions:

PfPs contract for the management of ten of Wiltshire Councils leisure facilities is due to expire on 31 March 2021. It was intended that a full review of community assets and future management models would be completed in sufficient time to enable the transition of sites into the approved management model as of 01 April 2021.

Whilst some work has been undertaken to review the community assets, most of the work has not been completed. The consequence of this has culminated in a point whereby the PfP sites (and/or the Wiltshire Council managed sites) cannot be moved directly into the new model.

A decision is required to determine how the PfP sites will be managed in an interim period to ensure the continuation of leisure services. Of the options assessed the procurement route is the most cost and resource effective and the only one that can be achieved within a twelve month timeframe.

46 Trowbridge Sports Centre Provision

Cllr Allison Bucknell, Cabinet Member for Communications, Communities, Leisure and Libraries introduced the report seeking (i) capital funding to repair Clarendon swimming pool and (ii) resources to explore options for a future Trowbridge Town Centre site to provide gym and swimming facilities.

Cllr Bucknell reported that since September 2019, the council has been investigating structural concerns at Trowbridge Sports Centre relating to corrosion of the steel frame of the main pool building and reception area. The site has been closed since 23 December 2019 following further exploratory work. It was noted that repairs to bring the swimming pool back into use were possible and that the pool would then have a life span of five years.

In response to questions from Cllr Stewart Palmen, Cllr Andrew Bryant and Cllr Steve Oldrieve about potential sites for a Trowbridge Town Centre facility and linking the project to the High Street Fund Bid, the Leader confirmed that a new Town Centre facility would not be linked to the High Street Fund Bid, although the two schemes would enhance and be of benefit to each other in the longer term.

Resolved:

- 1. Approve the Capital funding required to undertake the repair works to Clarendon swimming pool bringing the pool back into use and maintaining it over a 5-year period.**
- 2. Confirm Cabinet's commitment to invest in, and deliver, a financially viable town-centre leisure facility to include gym and swimming facilities for residents of Trowbridge and the surrounding area. This to be taken forward in conjunction with the Future High Streets Fund with recommendations and options from this work to be brought back to Cabinet.**

Reasons for Decisions:

Trowbridge Swimming Pool has been closed since 23rd December 2019 due to structural issues. Repairs are possible and will provide up to five years additional usage of the facility. The proposals contained in this report seek to ensure that there is continued swimming provision in Trowbridge whilst also seeking to enable Trowbridge Town Centre to thrive through sustainable service led growth integrating leisure facilities to provide a catalyst for this.

47 **Urgent Items**

There were no urgent items.

48 **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 business specified in Item Numbers 18 and 19 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.

49 **Interim Management Arrangements for the Contracted Leisure Centres**

Cllr Allison Bucknell, Cabinet Member for Communications, Communities, Leisure and Libraries presented the appendix to the Interim Management Arrangements to the Contracted Leisure Centres report considered at item 45 above. The appendix provided an overview of the options considered for the Council leisure centres currently managed by Places for People Leisure Ltd (PfP):

Resolved:

To agree to insource Melksham Blue Pool so that the site is managed by Wiltshire Council as of 01 April 2021.

Reason for Decision:

PfPs contract for the management of ten of Wiltshire Councils leisure facilities is due to expire on 31 March 2021. It was intended that a full review of community assets and future management models would be completed in sufficient time to enable the transition of sites into the approved management model as of 01 April 2021.

Whilst some work has been undertaken to review the community assets, most of the work has not been completed. The consequence of this has culminated in a point whereby the PfP sites (and/or the Wiltshire Council managed sites) cannot be moved directly into the new model.

A decision is required to determine how the PfP sites will be managed in an interim period to ensure the continuation of leisure services. Of the options assessed the procurement route is the most cost and resource effective and the only one that can be achieved within a twelve month timeframe.

50 **Virgin Healthcare Services**

Cllr Pauline Church, Cabinet Member for Children, Education and Skills presented a report which provided information in respect of an extension to the Wiltshire Children's Community Healthcare Service (WCCHS) contract, currently delivered by Virgin Care Services (VCS).

Resolved: That a two-year extension is awarded with a contract variation that the service will:

- a. report on outcomes and impact**
- b. demonstrate an increased population health needs led approach to service development**

- c. be more actively engaged in the FACT Programme; and**
- d. strengthen relationships and integrated working with key partner agencies, such as Children's Services.**

Reason for Decision:

The contract with Virgin Care to deliver the Wiltshire Children's Community Healthcare Service expires on 31 March 2021. The contract allows for the contract to be extended for a further two years. This will enable the CCG and Council to have sufficient time to fully engage professionals, parents/carers, children and young people to coproduce a new delivery model from April 2023.

(Duration of meeting: 10.00 am - 12.25 pm)

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

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

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**COVID-19 Council decision
Making
Briefing Note No. 20-13**

Lead officers: Ian Gibbons, Director of Legal Electoral and Registration Services, and
Monitoring Officer
Robin Townsend, Director of Corporate Services

Date Prepared: 23/03/2020

Direct Line: (01225) 718214

Purpose of this Briefing note

1. To outline arrangements for taking decisions during the corona virus situation within the legal and constitutional framework

Background

2. Central Government is providing daily public updates regarding its approach to tackling the spread of COVID-19. All Wiltshire Council teams are actively responding to the virus' impact and are deploying their Business Continuity Plans. The council's current priority is to maintain the delivery of key services to protect the health and wellbeing of Wiltshire residents, particularly those in vulnerable groups.
3. For up-to-date information on council services during the current situation please visit: <http://www.wiltshire.gov.uk/public-health-coronavirus>.
4. For current NHS guidance for the public on the virus please visit: <https://www.gov.uk/government/collections/coronavirus-covid-19-list-of-guidance>.
5. The Local Government Association (LGA) has created webpage with a range of information on the ongoing situation aimed at local authorities (link below). This includes [guidance for councillors](#) on exercising their community leadership role at this time: <https://www.local.gov.uk/coronavirus-information-councils>

Decision making

6. The current situation is impacting on all areas of life and therefore all council services. To support communities and protect the vulnerable, Wiltshire councillors and senior officers must be able to take effective decisions quickly. However, decisions must continue to be legally sound and in-keeping with the principles of decision making set out in the council's constitution. These include:
 - to produce action that is proportionate to the desired outcome
 - to ensure open, fair and honest administration
 - to be clear over desired outcomes and aims
 - to record the options considered and discarded
 - to state the reasons for the action
 - to consult interested parties where appropriate and practicable
 - to consult appropriate officers and to seek their professional advice
 - to show due respect for human rights, and to provide equality of opportunity.
7. The council's Business Plan 2017-27 also commits to decision making that is,
 - a) Open, transparent and inclusive
 - b) Flexible i.e. taken at the right level
 - c) Responsive.
8. Changing government guidance regarding isolation and social distancing means that the normal practical procedures for making decisions and facilitating engagement on them (such as through public meetings) have become increasingly unsafe. The council is therefore considering and implementing practicable alternatives that will maintain robust and, as much as possible, open and transparent governance.

Normal decision-making arrangements

9. It should be noted that most incidental decisions regarding the council's operations are taken by officers. The functions and decision making powers of the Council, Cabinet and various councillor committees are set out in the constitution¹ and underpinned by legislation. In summary:
 - Under current legislation (and also reflected in the Constitution) councillors must be **physically present** at any formally constituted meeting (such as those listed below) to be part of the quorum, vote and thereby take decisions. In keeping with this, there is a requirement for councillors to attend a council meeting in-person at least once every six months.
 - There are certain decisions that only **Full Council** can take, including adopting or amending the council's budget and policy framework and changing the constitution.

¹ Part 3

- Functions **not** reserved to Full Council or its committees by law or under the constitution are the responsibility of the Leader either directly or through Cabinet. Cabinet's functions include deciding policies that fall within the Budget and Policy Framework and implementing and delivering the Budget and Policy Framework.
- The Leader may delegate authority to individual cabinet members to make decisions within their remit.
- Area Boards have delegated authority to make executive decisions within the parameters set out in the Constitution.
- Officers have delegated authority to make executive and non-executive decisions under the Council's Scheme of Delegation to Officers.,.
- These delegations are interpreted widely to aid the smooth running of the council, the efficient delivery of services and the achievement of the council's goals.
- Directors can delegate authority to officers in their service areas through schemes of sub-delegation.

Decision making in the current circumstances

Remote decision making by councillors

10. Despite previous lobbying of the Ministry for Housing, Communities and Local Government (MHCLG) remote decision-making is currently not permitted under legislation². A relaxation of this is **not** currently contained within the draft Coronavirus Bill, but it is understood that amendments to the Bill regarding council meetings are due to be proposed. Proposed amendments to the Bill will be published [here](#) and councillors will be updated on this situation and the implications for how decisions are taken.
11. If remote decision making becomes lawful, the council will employ the technology available to facilitate it along with public engagement. If councillors' physical attendance continues to be required and the current public health precautions remain – and in cases where the delegations to individuals below are not appropriate – practical alternatives will be used. This could include, for example, holding meetings with the minimum permitted number of councillors physically present for quorum (maintaining political balance where appropriate) with others joining remotely. Officers are already exploring all these options so that the council is prepared, whether new legislation is passed or not.

Full Council

² Section 99 and paragraphs 6 and 39 of Schedule 12 to the Local Government Act 1972

12. Under the Local Government Act 1972, Full Council must hold a meeting between March and May each year to consider certain matters. As with remote decision making, a relaxation of this requirement is not contained within the draft Coronavirus Bill, but this could change through amendment. If such an amendment is not agreed, alternative arrangements such as those outlined under paragraph 11 may be required.
13. Whether or not the legislation changes or not, consideration will be given to amending the current constitutional requirements regarding councillors attending a meeting in-person every 6 months.

Delegated Cabinet Member decisions

14. Under the constitution³, **individual Cabinet Members** can exercise any executive functions within their portfolio areas as determined by the Leader.
15. While these broad powers are **not** emergency provisions and in fact apply in **normal circumstances**, custom and practice at Wiltshire Council is that significant executive decisions (including key decisions) are taken at full meetings of the Cabinet. This is in the interest of open and transparent governance.
16. If holding full Cabinet meetings is no longer possible because of Government advice, greater reliance may be placed on the decision making powers of the Leader or individual Cabinet members. All such decisions are made in accordance with the Leader's Protocol on Individual Cabinet Member Decision Making in the Constitution and are published on the council website, with email alerts sent to all Wiltshire councillors. The Protocol requires 5 clear days' public notice of the intention to make such decisions (unless they are classified under the constitution as urgent), allowing for a period of public engagement and challenge. Overview and Scrutiny (see below) has powers to "call in" and pause or halt implementation of such decisions⁴ (bar urgent ones). If in the current situation the Leader or individual Cabinet members need to take more significant executive decisions, additional opportunities for prior engagement with the public and non-executive councillors can be explored.
17. It should be noted that where a cabinet member is unable to act because of absence, or any other reason, the Leader of the council may nominate another member of the cabinet to exercise the function on their behalf.

Key decisions

18. In normal circumstances, **key decisions**,
 - Are taken at meetings of the full Cabinet (though this is not a requirement)

³ Part 3, Section C

⁴ Providing certain conditions are met – see Part 8 of the constitution.

- Must be included in the published Cabinet Forward Work Plan at least 28 calendar days before the decision is taken.
- Cannot be taken unless:
 - a notice (in the Cabinet Forward Plan) has been published on the council website and made available to the public at council offices; and
 - at least 28 clear calendar days have elapsed since the publication of this forward plan; and
 - where the decision is to be taken at a meeting of the Cabinet, the usual public notice of the meeting as required by the Constitution and legislation has been given.

19. In the current situation, it is possible that a key decision would need to be taken more quickly, and the constitution's provisions of **General Exception** and **Special Urgency** can allow this:

20. Under **General Exception**, if a matter that is likely to be a key decision has **not** been included on the forward plan, the decision **can** still be taken if:

- the decision must be taken by such a date that it is impracticable to defer it until it has been included in the next forward plan and until the start of the first month to which the next forward plan relates;
- the Proper Officer has informed the chair of the Overview & Scrutiny Management Committee, or if there is no such person, each member of that committee in writing, by notice, of the matter to which the decision is to be made.

21. Under **Special urgency**, if, by virtue of the date by which the decision must be taken, the procedure regarding general exception (above) cannot be followed then the decision can be taken if the individual decision taker or the chair of the body making the decision, obtains the agreement of;

- the chairman of the Overview and Scrutiny Management Committee; or
- if there is no such person, or if the chairman of the Overview and Scrutiny Management Committee is unable to act, the chairman of Full Council; or
- where there is no chairman of either the Overview and Scrutiny Management Committee or of Full Council, the vice-chairman of Full Council

...that the taking of the decision is urgent and cannot be reasonably deferred.

It must be recognised that under the developing Covid-19 situation it will be necessary for relevant key decisions to be made by directors under the emergency powers described above.

Emergency powers

22. As noted above, most incidental decisions regarding the council's operations are taken by officers. This would continue under the current circumstances with arrangements for appropriate councillor consultation in place. However, under Part 3, Section D1 of the constitution, **council directors** are also empowered to take **all necessary decisions in cases of emergency**. Under this scheme, "emergency" means any situation in which the relevant officer believes that there is a risk of damage to property, a threat to the health or wellbeing of an individual or that the interests of the council may be compromised. This would cover the current situation regarding Covid-19 given the critical issues this is causing, Government advice and the declaration of a major incident by Local Resilience Forum (LRF) on 19th March 2020.

23. Executive decisions taken by officers, including emergency powers, under delegated powers must be taken in accordance with the Scheme of Delegation, recorded and published on the council website.

Regulatory decisions

24. The majority of the council's decisions as a **planning** authority are taken by officers under delegated powers⁵ with the more contentious applications being "called in" by Wiltshire councillors for determination at planning committee. If planning committees cannot meet, it may be appropriate for those decisions to be deferred, unless it can be demonstrated that a decision is urgent. It may then be appropriate for officers to take the decision under delegated powers following consultation with relevant councillor(s). The appropriate approach may need to be considered on a case-by-case basis taking the changing situation into account, including any change in the rules on council meetings.

25. The specific **licensing** powers delegated to relevant officers are set out in the Constitution⁶. As with planning, decisions will have to be made on a case-by-case basis having regard to the nature and urgency of the matter and taking the changing situation into account.

Area Boards

26. Area Boards meetings and the Joint Strategic Needs Assessment (JSNA) have been suspended in response to Government guidance. The situation will continue to be reviewed. Up to date information on meeting changes can be found [here](#). Councillors can also subscribe to updates [here](#).

27. A decision will follow in the coming months about how the Joint Strategic Needs Assessment process will proceed and this will be communicated once it is established.

⁵ Part 3 Section D3

⁶ Part 3 Section D4

28. An established process is in place to ensure urgent community area grants, youth grants and health and wellbeing grants and other Area Board decisions (such as CATG) can continue to be determined during the current situation. Many Area Boards have delegated authority to the Community Engagement Manager (CEMs), after consultation with the Chairman, to determine grant applications (within an upper financial limit) where they are urgent and a meeting cannot be held.
29. The Leader will determine urgent grant applications that exceed the financial limit delegated to CEMs. In this event, a report will be published on the council's website listing the decisions to be determined and inviting representation from all councillors and members of the public for a period of at least 5 working days. CEMs will directly invite all relevant Area Board members to provide their feedback on proposed decisions in writing, and the details will also be published on the Community Matters website to encourage community feedback.
30. Once feedback has been received, the Leader will consider this and will make the decisions. The decisions will be published online, incorporating the feedback received. If required, this process can also be used to allocate urgent Community Area Transport Group funding.
31. Despite not being able to hold public meetings, the Area Boards may continue to engage with residents and other local organisations. To keep in touch with these groups the Our Community Matters websites will be regularly updated and weekly newsletters will continue to be sent out. To find your local Our Community Matters site follow the link [here](#). The Community Engagement Managers will also continue to update communities via direct communications and through social media, particularly through twitter. You can find your community engagement manager on twitter through the Area Boards page of the Wiltshire Council Website [here](#).
32. In addition to this Wiltshire Councillors and Town and Parish Councils are encouraged to make use of the COVID-19 [Community Pack](#) to support their communities during the ongoing situation. The pack contains a list of key contacts, resources and information in one place.

Other committees

33. Officers in consultation with the relevant chairmen are considering how the council's other committees and advisory bodies can continue to operate in the current circumstances. Councillors will be kept informed and this guidance will be updated.

Overview and Scrutiny

34. The council's four Overview and Scrutiny (OS) committees are constituted to discharge the functions conferred by the Local Government Act 2000 as amended, and associated regulations. OS represents an important part of the Cabinet model

of decision making through facilitating non-executive input on Executive policy development and decisions. Officers will be supporting the leading OS councillors and the Executive to consider appropriate arrangements for overview and scrutiny during the current situation.

Conclusion

35. These arrangements are intended to ensure that the council is able to discharge its responsibilities efficiently and effectively during this critical period. They will be kept under review as the situation develops and in the light of any changes in relevant legislation and guidance.
36. Councillors will be kept informed of developments and this guidance will be updated as necessary in consultation with Group Leaders and the Constitution Focus Group as appropriate.
37. If Councillors have any queries or concerns regarding these matters they should refer to the contact details below.

Further Enquiries to:

Libby Johnstone, Democratic Governance Manager, libby.johnstone@wiltshire.gov.uk, (01225) 718214

Henry Powell, Scrutiny Lead, henry.powell@wiltshire.gov.uk, (01225) 718052

Report authors:

Henry Powell and Kieran Elliott

Wiltshire Council

Cabinet

19 May 2020

Subject: Wiltshire Council's Response to COVID-19

Cabinet Member: Cllr Philip Whitehead, Leader of the Council and Cabinet Member for Economic Development

Executive Summary

Wiltshire Council has been playing an integral role in leading the local response to COVID-19, working with partners across the footprint of Wiltshire, to ensure that those most vulnerable in the community are supported, local businesses receive the government funding allocated to the county and critical council services can continue to deliver essential services during what is an unprecedented and rapidly changing incident.

This report sets out the public health data in respect to COVID-19 at a county level and provides a summary of the Council's response to date, the impact on services and an overview of the Council's current financial position.

Overall, Wiltshire Council has overseen a significant and timely response to the emerging threat of the pandemic in Wiltshire. This has involved the suspension of a number of services, the redeployment of staff to support the most vulnerable, extensive support to businesses and suppliers, strong partnership working with health and care and other agencies, a significant communications effort and close working with local communities and voluntary groups. Schools and early years settings have also been supported to rapidly adjust to new government guidance.

Proposal(s)

Cabinet is asked to

1. Note the update with respect to the response to COVID-19 and recognise the impact that it has had across Wiltshire on its residents, communities and businesses, the Voluntary, Community and Social Enterprise sector (VCSE), public sector partners and the Council itself.
2. Note the Section 151 officer's summary of the impact of COVID -19 on the council's 2020 / 2021 budget and Medium-Term Financial Strategy.

3. Note the changes to local authority powers and duties introduced by the Coronavirus Act 2020 and supporting guidance.
4. Note the decisions taken by officers under delegated authority in Appendix 1
5. Thank local communities, the voluntary sector, businesses, strategic partners and education settings for their support during these unprecedented circumstances.
6. Acknowledge the significant and exceptional effort of staff working throughout the COVID-19 response.
7. Note that a further report will be presented in June, which will include additional information on the Council's response and recovery plans.

Reason for Proposal(s)

These are unprecedented times for local government and this report provides Cabinet with an overview of the work both undertaken and ongoing by Wiltshire Council in response to the COVID-19 outbreak, together with the associated challenges and risks. The response to the COVID-19 pandemic will have immediate and undoubtedly long lasting significant financial implications for Wiltshire's economy, communities and residents as well as the Council itself.

Terence Herbert, Chief Executive Officer, People
Alistair Cunningham, Chief Executive Officer, Place

Wiltshire Council

Cabinet

19 May 2020

Subject: Wiltshire Council's Response to Coronavirus

Cabinet Member: Cllr Philip Whitehead, Leader of the Council and Cabinet Member for Economic Development

Purpose of Report

1. To provide an update on the impact of COVID-19 in Wiltshire and the Council's primary focus in responding to the incident together with the associated challenges and risk. The priorities outlined in the report will continue to provide the focus for response and support the Council's overall vision to create strong communities, through protecting the vulnerable, growing the economy and working innovatively and effectively.

Public Health Update

2. COVID-19 is a disease resulting from a new strain of coronavirus that the World Health Organisation (WHO) identified as a Public Health Emergency of International Concern (PHIEC) on 30 January. This was followed on 11 March when it declared COVID-19 as a pandemic, pointing to the 118,000 cases across 110 countries. The number of confirmed cases worldwide now exceeds 3.58m with 252,000 deaths.
3. As of 4:26pm on Sunday 10th May, 219,183 people in the UK had tested positive for COVID-19, and there have been 31,855 deaths of people who have had a positive test result. Further information available at <https://coronavirus.data.gov.uk/>
4. With specific respect to Wiltshire, the first 3 positive cases were identified on 5 March, and as of end of 10th May, 633 cases have tested positive for COVID-19. There have been 164 registered deaths involving Covid-19 in all settings. further information available at <https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/causesofdeath/datasets/deathregistrationsandoccurrencesbylocalauthorityandhealthboard>
5. Restrictions on public life were introduced on 23 March with UK residents being told to stay at home and only go outside for food, health reasons or work (but only of those who can't work from home) in order to protect NHS staff and ensure that the demand can be managed. At the time of writing this report the country is still in lockdown with the Government extending the current measures for a further three weeks from 16 April.

Wiltshire's response to COVID 19

6. Wiltshire and Swindon Local Resilience Forum (LRF) established the Strategic Co-ordinating Group (SCG) involving all category 1 responders at the end of January and declared COVID-19 as a major incident on 19 March, with the agreed aim to provide a co-ordinated multi-agency response to mitigate the potential impacts of the Coronavirus (COVID-19). As of 5 May, the SCG has met 22 times.
7. In March, Wiltshire Council established a COVID 19 Gold group to oversee the Council's response, chaired by the CEOs and attended by Directors and other senior officers. A number of cells have also been established to lead on specific elements of response:
 - Health and Care Group
 - Community Resilience Hub
 - Education & Critical Workers
 - Public Health
 - Economy
 - Death Management
 - External Communications
 - Staffing & Organisation Resilience
 - Legal and Governance
 - Finance
8. The focus for the Council during this period of response has been to work innovatively and effectively to protect the vulnerable, support the economy and support and, where possible, mobilise staff for where they are most needed during these very challenging times.
9. The Wiltshire Wellbeing hub was established at the onset and has made contact with over 14,000 of Wiltshire's most vulnerable residents, worked with 450+ voluntary groups to distribute over 1000 food parcels and 129 batches of Personal Protective Equipment (PPE) and in conjunction with the Community Foundation which has distributed £150k in grants. This has been aided by the support of a Military officer. Over a million units of PPE have now been delivered to the Hub of which 30% goes to Swindon. Wiltshire's allocation is distributed to reablement staff and social workers, with the remaining Wiltshire stock distributed to care homes.
10. Initiating a Contact Centre providing advice and support to over 2300 Wiltshire businesses (7 days a week).
11. Designing and delivering a £100m grant process for 8500 eligible businesses, including mobilising a separate team who have identified and contacted 2500 eligible businesses who had not applied for the grant. As of 5 May this team has distributed £71m to 6000 businesses.
12. Designing and preparing to deliver a new £5m business grant scheme recently announced by government.

13. A multi-professional discharge flow hub has been established to act as a single point of access for discharge referrals and to triage patients to the most appropriate pathway. 234 people have been discharged from hospital via this pathway. As well as securing 50 additional Discharge to Assess beds in care homes; 47 care home places for COVID-19 patients; 1800 additional domiciliary care hours; 7 delirium beds. Planning to address latent health demands is also underway. It is and has been a cross-council effort.
14. Managing the construction of two temporary mortuaries capable of holding a total of 1000 bodies across Wiltshire and Swindon
15. The Council has completed a detailed analysis of the workforce to provide information on access to equipment, Disclosure and Barring Service (DBS) clearances, training in key areas (e.g. paediatric first aid) to enable us to contact relevant staff quickly and from this survey in excess of 375 staff have been redeployed to business-critical roles.
16. In line with Supplier relief guidance issued, the Council has worked hard to pay suppliers invoices promptly, or in advance, thereby ensuring cashflow to the Council's supply chain is maintained during this time. In April, over 21,600 invoices were settled, moving over 350 suppliers to immediate payment terms, paying around £100m. There has been particularly focus and specific arrangements with care market providers to recognise the increased demands and strain on the market during the pandemic.
17. An update will be provided to Cabinet in June, with further detail on performance measures; risk; reviews of capital programmes; plans for recovery; and emerging financial implications. It is clear that the pandemic poses a threat to the sustainability of council finances and Wiltshire Council will continue to work with other councils and MHCLG to ensure this is addressed as far as possible.

COVID 19 Legislation and guidance

18. The Government has issued new legislation and extensive guidance to support local authorities with the vital work that we are doing to respond to the coronavirus pandemic whilst ensuring essential business and services continue. This includes the Coronavirus Act 2020 which was enacted on 25 March 2020.
19. The Act aims to support Government in:
 - Increasing the available health and social care workforce
 - Easing the burden on frontline staff
 - Containing and slowing the virus
 - Managing the deceased with respect and dignity
 - Supporting people
20. The new legislation is time-limited to two years, and not all of its measures come into force immediately. Many of the measures can be commenced from area to area and time to time, so as to ensure that the need to protect the public's health can be aligned with the need to safeguard individuals' rights. These measures

can subsequently be suspended and then later reactivated, if circumstances permit, over the lifetime of the Act. The lifetime of the Act can itself be shortened or extended if scientific evidence and circumstances require.

21. The aim is to make sure that these powers can be used both effectively and proportionately.
22. A summary of the most significant changes to local authority powers may be found via <https://www.local.gov.uk/sites/default/files/documents/Changes%20to%20local%20authority%20powers%20and%20duties%20resulting%20from%20the%20Coronavirus%20Act%202020%20WEB.pdf>
23. In addition, the Government has issued extensive guidance on a wide range of issues which it has been necessary to assess and determine its application in the local context. This has been extremely challenging as the guidance has emerged and changed over time.
24. Details of the guidance issued may be found via <https://www.local.gov.uk/our-support/coronavirus-information-councils>

COVID-19 Cell Updates

Health & Care Group

25. Adult Social Care (ASC) has had to make significant changes at pace to respond to the challenges presented by COVID-19 and to safeguard vulnerable people.
26. In response to Government guidance on Hospital Discharge, the initial priority was to discharge as many people as possible from Acute Hospitals Trusts, Community Hospitals and Mental Health Trusts (AWP) into the community. The guidance included creating a 7-day single point of contact for all discharges and this was designed and implemented with health colleagues.
27. To meet the anticipated demand, 50 additional Discharge to Assess beds in care homes and 47 care home places for Covid+ patients were secured. An additional 1800 domiciliary care hours and 7 delirium beds were also secured. In order to support this extended bed base in the community the hospital social care teams were reshaped, and staff were into the community to support the redesigned discharge pathway.
28. Wiltshire Health and Care “home first” service has been integrated with Wiltshire Council’s reablement service to provide one reablement pathway, recruited additional staff and developed an integrated brokerage service with the CCG.
29. The Coronavirus Act enabled Care Act Easements - as yet the Council has not used the Easements but have used some of the permitted flexibilities mainly in response to some services not being available due to closure to comply with social distancing requirements, and also in response to some individuals cancelling support services as others (usually family members) are available to do this for them.

30. In order to achieve this, staff have had to change roles, work at pace and work effectively with colleagues in the NHS and voluntary sector and colleagues across the Council.
31. ASC quickly identified the risk to care homes and quickly increased support 7 days a week with the development of a support strategy which includes a dedicated help line and daily webinars, supply of PPE, support on Infection Control and additional funding.
32. The significant challenges ASC has faced have been enormous and made more challenging by a national rather than local response. The constantly changing guidance on PPE and testing, and the lack of supply of PPE and the unreliability of supply has caused additional stress for staff concerned about their own and their family's safety. The contradictions in the Coronavirus Act and the Ethical Guidance for Social Care, very unhelpful interventions from LGA/ADASS on funding for providers and a focus on Acute Trusts and not on care homes have all proved challenging.
33. The care home market is now increasingly fragile. In order to be financially sustainable, care homes need between 85-90% occupancy and currently some providers are seeing 30%+ vacancies in Wiltshire as a result of COVID related deaths and a reduction in demand. The role of the Council will continue to be significant in supporting and sustaining this market as we move into recovery.

Community Resilience Hub

34. The Community Resilience Hub cell has faced a number of challenges since the government requested Local Authorities to establish a hub to respond to vulnerable residents in Wiltshire. MHCLG guidance was initially limited, but numerous lists were sent directly to the LA. Interpreting and sorting the data was complex, requiring highly experienced analysts whom were diverted from other business.
35. There are 14,791 residents on the master list and almost 12,000 of these have received a telephone call from the hub. Data arrived on an ad-hoc basis which required the local authority to respond when the next batch of data would come through and thus had to be prepared to respond to the volume to assure ourselves that residents needs are met. The response was required immediately whilst also setting up a staff team, structures and processes for the hub.
36. We were initially asked to provide emergency food parcels to those in urgent need, so again had to respond at short notice, accepting the emergency food delivery from MHCLG with little notice. The delivery was poor quality and had to be substituted with food we quickly sourced ourselves over the weekend.
37. The hub has had to trouble shoot COVID-19 related issues so it has been important to manage expectations whilst ensuring queries and concerns have been responded to. Most of the issues raised have not been linked to the hub activity rather back to central government, most notable residents receiving unwanted weekly food parcels or concerned they couldn't get a priority supermarket delivery slot. Engagement with the supermarkets has been extremely difficult and not something which has been resolved although has

become less of an issue as time has moved on. Another challenge resolved working with the CCG and Wiltshire Pharmacies to find a solution to ensure controlled drugs could be safely delivered to residents' homes. Another challenge has been working to provide support to those without internet access particularly as we work to provide health and wellbeing support to residents who would normally access library and leisure facilities. There were inconsistencies in capacity across the county

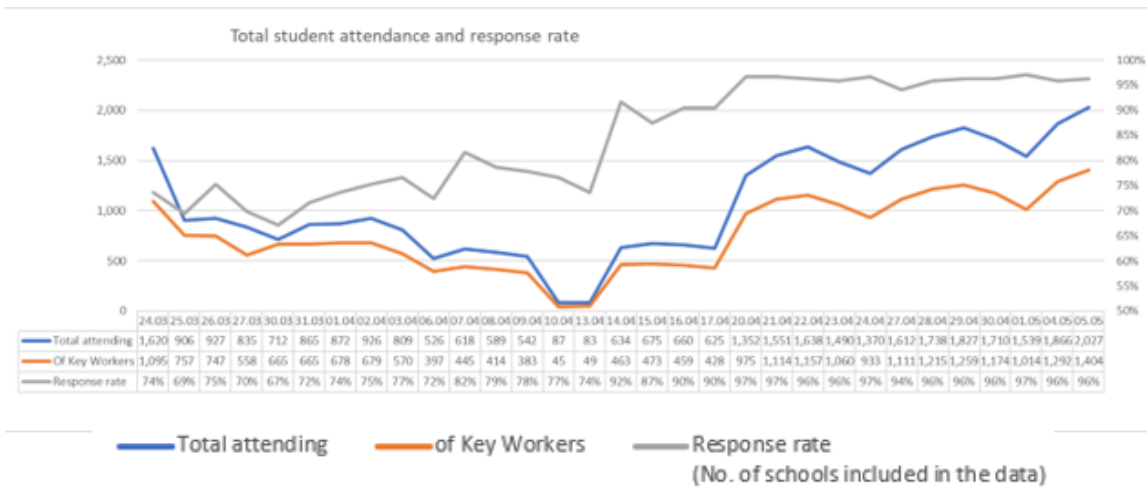
38. In respect of supporting our most vulnerable children and adults the greatest challenge has been the reduction in referrals into adult and children's services. Most significantly contacts from schools and early years settings (reduced by 75%) reflecting the relatively low numbers of children currently attending these settings. Gathering timely and meaningful performance data across the partnership has also been difficult to obtain.
39. Children's social care have continued to deliver statutory services at the pre-COVID-19 levels, albeit using some creative and remote ways of working. However due to the concern about staffing capacity, new support assessments were put on hold for the initial period and are being reintroduced from 11th May 2020. We continue to work with partners to address the reduction in referrals and prepare for the predicted upturn in referrals post lockdown.
40. Further to the above, on the 23rd March Government instructed to "Get Everyone in" referring to rough sleepers. This instruction was made at the same time as the Government requiring closure of hotels and B&B although that was later relaxed if they were to be used for housing rough sleepers or key workers. To date over 60 rough sleepers have been accommodated, 11 rough sleepers refused offers of accommodation and 8 have been evicted due to anti-social behaviour.
41. The Housing service identified 1,887 households living in Council housing stock who were vulnerable. On the 25th March a programme of contacting all households by phone or welfare visit began. Everyone had been contacted by the 29th April and a follow up support and call back package has been in place since.
42. The neighbourhood cell which sits under the Community resilience hub, have been working in partnership with Wiltshire's Community Groups, Town and Parish Councils and a significant number of volunteers. The volunteers have been invaluable in helping our residents stay safe, access food and access medicines.
43. While we have been required to close Libraries and Leisure Centres our officers continue to ensure our residents have access to these services on line. Library membership has increased during lock down.

Education & Critical Workers

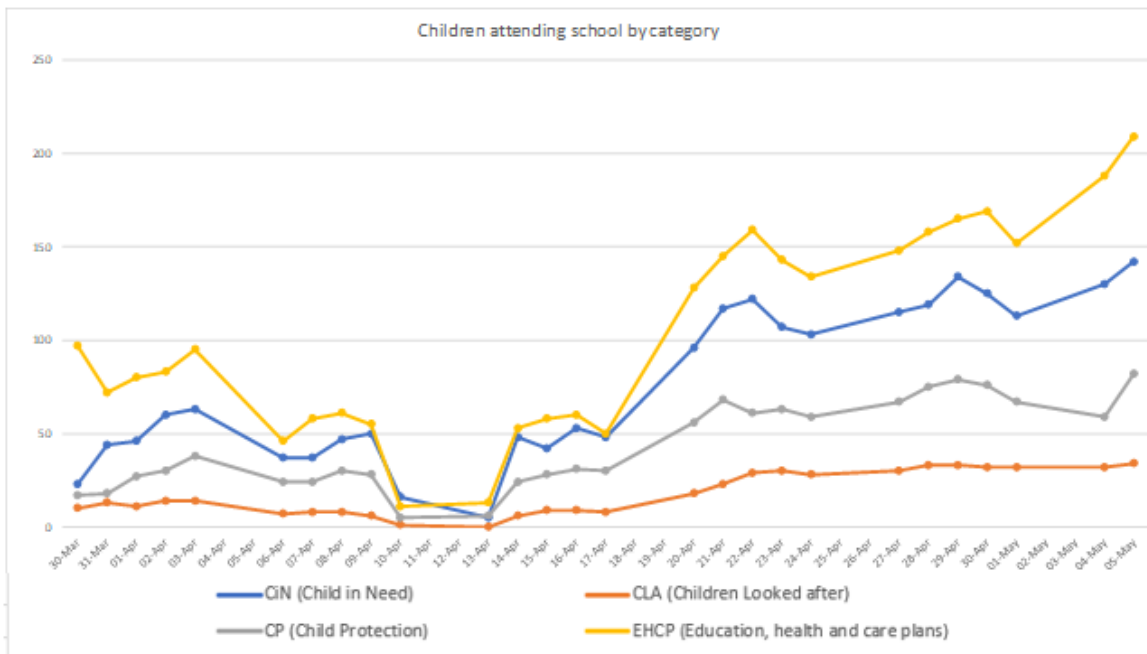
44. The cell has been addressing the immediate, medium and long-term implications following the announcement that educational establishments would close to the majority of children and young people, the cell has focussed on:
 - Ensuring sufficiency of places for children of critical workers and vulnerable children.

- Developing and supporting home-learning provision.
- Ensuring vulnerable children and young people attend, where safe to do so, and are safe.
- Ensuring those eligible for free-school meals are provided for.
- Ensuring children and young people with SEND (including and EHCP) are safe and accessing provision, where it is appropriate for them to do so.

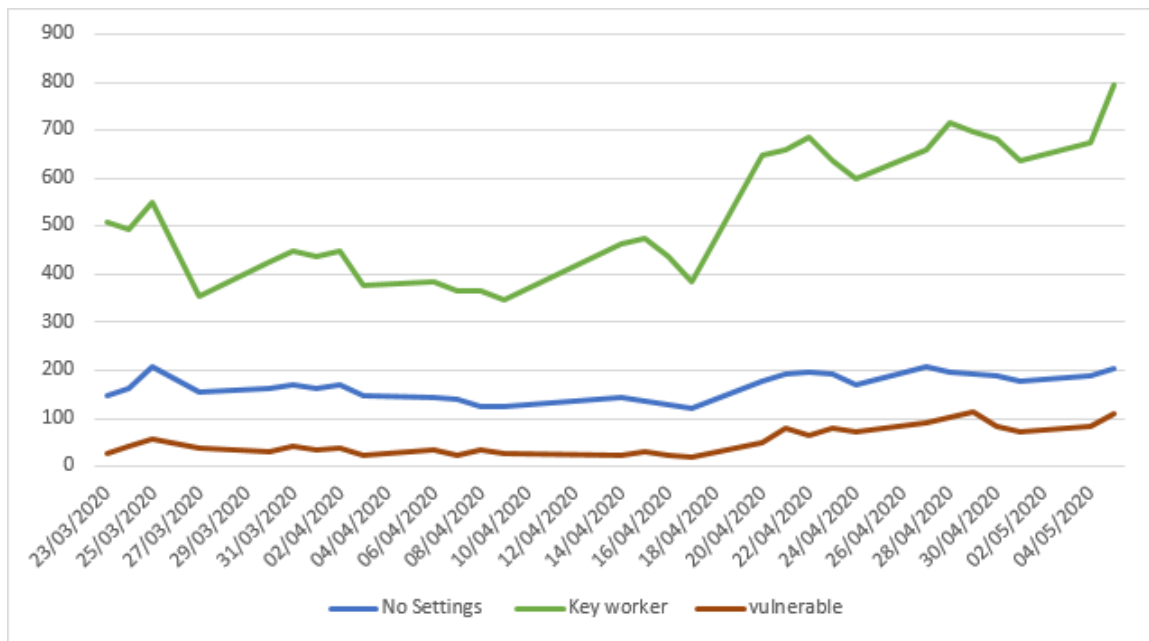
45. Over the period since the 23rd March, the places available to children and young people in schools has increased along with the numbers attending.



46. The numbers of vulnerable children attending schools has also increased.



47. The number of early years settings and children attending has also increased



48. Individual, multi-agency risk assessments were developed for all vulnerable children; this included those with a social worker, an EHCP or other vulnerability, to ensure they attended school if safe and appropriate for them to do so or were monitored at home by relevant professionals. To achieve this, health, social care and education had to redesign ways of working to adapt to the situation, over 3,500 risk assessments were created, a daily attendance return had to be designed and completed by all schools and settings on a daily basis. Schools and settings needed to adjust to new ways of working to ensure COVID safeguarding procedures were adhered to. The sufficiency of early years places needed to be addressed and settings needed support to access the range of financial options open to them. Home-learning resources were developed and shared freely via RightChoice. Communication with educational settings has been maintained throughout via a daily newsletter and a weekly newsletter for children.

49. The service continues to work to address the implications for capital projects, schools in financial difficulty, school admissions appeals, online access and personal education plans for looked after children. It will continue to support all settings with plans for the return of children once that is announced.

50. Child employment licensing arrangements were initially suspended however businesses have now been informed as to how they can apply for dispensation provided they meet clear criteria to ensure the child's well-being is safeguarded and the child is able to work in safe conditions.

Public Health

51. Public Health advised on the emerging science and national guidance and worked with services on their continuity plans. The early modelling work undertaken by Public Health informed the decisions the Council have made when dealing with response. Public Health set up an internal information hub to inform colleagues and mobilised staff to put in place early frameworks, deciphering emerging science and national guidance.

52. The Council established a risk register for Covid and ensured Business Continuity Plans were updated and in-line with emerging evidence.

Economy Cell

53. The Economy Cell has focussed on:

- Accessing, advising and mitigating the impact of COVID-19 on the economy in Wiltshire;
- Daily meetings with central government (BEIS) to provide feedback on government policy and initiatives arising from COVID-19 and ensuring a two-way flow of information about issues businesses are facing and how these can be addressed;
- Setting up and running a partnership forum of economic infrastructure organisations across Wiltshire, meeting weekly.
- Provide workforce support to businesses (a team of 3.5 FTE being seconded to work within the SWLEP Growth Hub).
- Initiating a Contact Centre providing advice and support to over 2300 Wiltshire businesses (7 days a week).
- Designing and delivering a £100m grant process for 8500 eligible businesses, including mobilising a separate team who have identified and contacted 2500 eligible businesses who had not applied for the grant. As of 5 May this team has distributed £71m to 6000 businesses.
- Designing and preparing to deliver a new £5m business grant scheme recently announced by government.
- Communicating clear signposting and messaging about support for businesses.
- The determination of planning applications, Building Control applications and Land Charge Searches has also continued throughout lockdown, in order to support the economy.

54. The priority for the team moving forwards will be the transition from Response to Recovery. This will draw on local intelligence, further business support, additional grants and bidding and ensuring strong support for local workforces and communications.

Death Management

55. The Death Management cell has led on the planning and delivering required places with funeral directors, mortuaries, crematoria, burial grounds and transport and ensure relevant ethical aspects are considered, and ensure the process is managed with dignity and respect for the deceased and their families across Wiltshire and Swindon.

56. The biggest challenge in planning for dealing with excess death has been the lack of credible forecasting nationally on numbers of COVID-19 deaths that may have to be managed. The initial predictions and modelling from various agencies produced numbers that varied significantly, sometimes by a factor of 10. The predictions could not be specific about the period in which excess death was likely to occur. Our planning was therefore based on an element of estimation but

backed up by advice from experts who deal with storage, transport and burial of the deceased in normal times.

57. The infrastructure put in place to deal with any excess death was planned and acquired during a period of high demand, as other local authorities were looking the same facilities at the same time. The task was however completed successfully and all the logistical challenges were overcome thanks to the hard work of the team involved, including a military planner.

Communications

58. Since the outset of COVID-19 the Council has ensured that key messages are delivered in a co-ordinated, targeted and timely manner to the media, partners, councillors, businesses and the public.
59. This has included the design and distribution of a COVID-19 Community and Volunteers Pack and Community Groups Directory which has gained national recognition; approximately four Members Briefings a week; A large number of service-focused newsletters for COVID-19 for residents; (Communities, Business, Schools and Wellbeing); A hugely successful social media campaign, which has generated greatest reach of any Wiltshire Council campaign to date with a 7.6m cumulative reach; 121K COVID-19 webpage visits and 6,500 views of videos on YouTube with significant views directly on social media. Further details can be accessed via <http://www.wiltshire.gov.uk/public-health-coronavirus>

Staffing and Organisation Resilience

60. The staffing and organisational resilience cell has been responsible for ensuring the workforce is mobilised to respond to COVID-19.
61. With a workforce approx. 4600, workforce data has been important in supporting the mobilisation and redeployment of staff. Daily "situation reports" created to provide a snapshot of service status have been completed by each head of service and have assisted with identifying staff who are not working or can be diverted to higher priority work.
62. A new COVID-19 policy was implemented fully on 24 March to support the redeployment of staff quickly. This has temporarily superseded some existing policies and was developed with the involvement of Trade Unions representatives, recognising that the successful application of this policy would only be possible through the goodwill, flexibility and commitment of our staff. The policy continues to be reviewed as the situation and national guidance changes, and further changes will be made if necessary.
63. Since the confirmation of the lockdown arrangements all staff, except those in essential services or doing essential work in the community, have been working from home and told not to come into their workplace until further notice. Guidance has been issued to staff about how to work effectively remotely and IT support is being provided as a priority to ensure employees can work from home.
64. There are numerous examples of staff redeployment, but the Community Wellbeing Hub required an initial and rapid response resulting in 75 staff

volunteers being assembled to make calls to vulnerable residents from 27 March until 9 April, including over the weekends. These staff volunteers gave reassurance that the workforce would respond when other issues of capacity needed to be addressed.

65. Subsequently there has been redeployment of nearly 400 staff to roles supporting essential services, including 86 staff currently supporting calls to and from the hub. Alongside this, many hundreds of the workforce have been undertaking other duties to ensure their services are providing the response needed. For example, staff from the Economic Development & Planning Directorate processing applications for business grants as part of a team of 80 staff doing this work. As part of the council's response many cases staff are working as part of a 7-day rota to ensure the response is provided over weekends and on bank holidays.
66. To prepare for increased demand 37 additional care support workers have been recruited with their training focused on the delivery of domiciliary care and condensed from 5 days to 2.5 days. Work with the health and care cell to develop domiciliary care support for care homes and care providers is likely to require this additional resource.
67. The cell is exploring opportunities to furlough income-funded staff, for example in leisure and City Hall who have not been redeployed, with advice from the office of the Minister of Housing, Communities and Local Government. The cell has also been co-ordinating COVID testing for all staff.
68. Work to identify specific workforce issues that may require additional focus to enable our staff to continue to perform during the ongoing challenges will continue and will support forward planning in preparation for the easing of lockdown restrictions and the anticipated surge in demand for some services. Timescales for returning to a steady state are yet unclear.
69. Further interventions to support the workforce have been:
 - a. A comprehensive staff welfare support offer, with a focus on the mental, emotional and physical wellbeing recognising the impact of COVID-19 on our staff and their families as well as the impact of current working arrangements. We are aware that some staff have struggled with this, particularly where they live alone or have caring responsibilities.
 - b. The roll out of Microsoft Teams which has enabled more 'virtual' face to face meetings and discussions and is supporting staff with the interaction needed with their managers and colleagues. This has been with training provided virtually or via videos, and nearly 1,200 staff have accessed this.
 - c. Regular communications have been key throughout the response and there has been a variety of ways in which these have been delivered to ensure staff receive the information they need as well as positive messages to maintain morale. As well as the usual manager wires and global messages this has included video logs by the senior leadership team and The Leader, a live CEO webinar for staff to ask questions and a range of staff engagement initiatives

including #CommunityHeroes, a social media campaign to highlight the great work of our staff in the response.

70. Work to develop a return to the workplace plan is now underway. This will take account of any reducing of restrictions and is anticipating that working at home will continue to be a requirement wherever possible.
71. An employee wellbeing and engagement survey has been launched with the aim of understanding the impact of the working arrangements during the response and to get information that can inform planning for the future phases of restrictions. It will be important that we maximise the learning and positives from current working arrangements as these will also support recovery and the further need for more agile working and the council's climate change ambitions.

Legal, Democracy and Governance

72. The new legislation introduced in March to support the Government and local authorities in responding to the pandemic is covered in paragraphs 19-25 above. The legal team have been providing advice and support on a wide range of issues arising from COVID 19 and on the application of the Act and Government guidance in the local context.
73. Regulations made under the Act have enabled local authorities to hold council meetings remotely. This relaxation of the requirements for council meetings will apply up until 7 May 2021.
74. Arrangements have therefore been made for meetings of this Council, Cabinet and Committees to be held remotely to discharge essential business. Details are set out in Briefing Note 20-16
<https://cms.wiltshire.gov.uk/ecSDDisplayClassic.aspx?NAME=SD4373&ID=4373&RPID=21765589&sch=doc&cat=13483&path=13483>.
75. Specific arrangements have been made for planning committee meetings to be held remotely. The Strategic Planning Committee is holding its first virtual meeting on 13 May 2020. Arrangements for area planning committees will be confirmed shortly.
76. Area Boards are not meeting formally, though Area Board Members are engaging with the public, community groups and parish councils with support from Community Engagement Managers. Urgent decisions, such as grant determinations, continue to be taken by the Leader, after consultation with the relevant Area Board Members. Other informal Area Board business, such as Community Area Transport Groups, Local Youth Networks, Health and Wellbeing Groups, ABC meetings may be conducted remotely where officer and Member resources allow. Arrangements are being made to ensure that the election of chairman and vice-chairman of Area Boards takes place as close as possible to the usual timeframe.
77. Local by-elections and other polls scheduled until 6 May 2021, including the Police and Crime Commissioner election, have been postponed under the legislation.

78. Urgent Executive decisions made by officers under delegated authority in response to the COVID-19 pandemic, including those made under emergency powers under the Council's Scheme of Delegation to Officers are included at appendix 1.

79. Arrangements for Overview and Scrutiny during the pandemic have been agreed as outlined in Briefing Note 20-17

<https://cms.wiltshire.gov.uk/documents/s176470/BriefingNote20-17OverviewandScrutinyduringCOVID19.pdf>

Specific Council Services

80. The Council has continued to maintain essential services throughout the COVID-19, including highways, new waste collection rounds and maintain progress on strategic transport and highways plans. However, following advice and guidance from the Government certain services have been reduced or stopped, e.g. Household Recycling Centres. Many of these staff have been redeployed to undertake other essential work.

81. Government published guidance on 23 March regarding the requirement for people to stay at home to reduce the spread of COVID-19. The four reasons given that effectively defined what would be regarded as being essential travel did not include visiting a household recycling centre to deposit waste. Along with all neighbouring authorities, Wiltshire Council decided on 24 March to close all ten of its HRCs in order to support the public in staying at home, protect the NHS and save lives. We continue to monitor Government guidelines and will review our position alongside this.

Recovery

82. Under the Civil Contingencies Act 2004, Wiltshire Council, as the Unitary Authority in Wiltshire, has a responsibility to establish and lead the Recovery Coordinating Group and develop a strategic recovery plan based on a comprehensive needs assessment across the Wiltshire footprint, Swindon Borough Council likewise have the same remit for their respective local authority footprint.

83. The Chief Executive Officers are already planning for recovery and developing the associated governance, notwithstanding the fact that the timing of the transfer from response to recovery is at this point in time unknown.

Overview and Scrutiny Engagement

84. The COVID-19 task group which has been established in accordance with the arrangements agreed in paragraph 21 above will provide initial views on the Council's response as outlined in this report. The terms of reference of the task group will be determined by the Overview and Scrutiny Management Committee on 2 June.

Safeguarding Implications

85. Safeguarding implications have been fully considered as part of the work of on support for vulnerable people within the Communities cell. This has included children at risk, domestic abuse, mental health, learning disabilities, rough sleepers and substance misuse.

Public Health Implications

86. This has been referred to throughout the report.

Procurement Implications

87. A sequential approach to supplier relief has been agreed, ensuring that suppliers access central government support where possible first and work with us on an open book basis when necessary.

Equalities Impact of the Proposal

88. Work is still underway to fully understand the impact of the pandemic on those with protected characteristics. The Council has been working with partners across the footprint on Wiltshire, to ensure that those most vulnerable in the community are supported through this incident. Advice has been drafted to Directors on ensuring equality implications are considered as part of decisions made and in interim changes to service delivery.

Environmental and Climate Change Considerations

89. The pandemic has had a highly disruptive effect on the economy and consequently seen a reduction in greenhouse emissions. As recovery begins, the good practice and lessons learnt on areas such as video-conferencing and alternative service delivery will be evaluated to ensure this continues where appropriate.

Risk Management

90. Risks associated with COVID-19 response have been incorporated into this report and COVID 19 related risks are owned and regularly reviewed by the Chief Executive Officers through the Council's Gold Response structure.

Finance Cell Update - Section 151 Officer Commentary

91. The response to the COVID-19 pandemic will have immediate and undoubtedly long lasting significant financial implications for Wiltshire's economy, communities and residents as well as the Council itself.

92. Government, to date, have announced two tranches of emergency COVID-19 grant funding to Local Government amounting to £3.2bn, for Wiltshire this amounts to £25.5m. In addition, the Council was awarded £3.2m in Hardship Grant funding to provide further council tax relief for vulnerable residents. The Council, together with partners, will continue to press Government hard on ensuring further funding support.

93. In early April an assessment of the financial impact was undertaken by the Section 151 Officer. This took the view of two potential scenarios, the first a period of 3 months lockdown and the second a 6-month lockdown, with both scenarios having knock on consequences over the course of the financial year. The latter scenario formed the basis of the Councils return back to the Ministry of Housing, Communities & Local Government (MHCGL) on 15 April.
94. It should be noted that estimates at this stage should be caveated, and whilst some are known and can be estimated with a level of clarity e.g. lost income, others are assumptions and much depends on the timescales of the lockdown impact, as well as key metrics and data e.g. universal credit claimants, to gauge the severity of the financial impact.
95. At this time, it is estimated that the total financial impact, that is additional spend, lost income as well as changes to Council plans that can no longer be delivered e.g. saving plans, will be between £47.6m and £80.3m. When this is offset against the total level of Government funding support received to date of £28.8m, leaves a shortfall in Council finances of between £18.8m and £51.5m. The level of General Fund reserves the Council holds, prior to the finalising of the outturn for 2019/20, is £15.1m.
96. The Council will continue to refine and update its modelling based on actual data and updates from Government, particularly around the anticipated lifting of lockdown. Normally, monthly budget monitoring would not take place in April, but this will now be undertaken in detail to assess the activity within the accounts with specific focus on those functions and services where there is additional spend as well as providing an assessment on income lost.
97. With the financial landscape constantly changing, it is hoped that the improved accuracy and clarity on the current forecast will provide a more informed position to enable future critical decisions to be made. Integral to this is the assessment of collection rates and debt that will arise from the Councils main core funding resource, council tax and business rates. It is unlikely that, given the Councils move to support residents and businesses by deferring payments for 2 months until June, this position will not be understood fully until that time.
98. It is without doubt that this represents a significant risk and threat to the continuation of the Council in its current form, and whilst the full picture will become clearer it is almost inevitable that decisions will be required in future to ensure the Council delivers a balanced budget in 2020/21 and ongoing.
99. Many of the funding bases and assumptions around the base level of demand for services within the Council's approved base budget will have now shifted, potentially permanently, e.g. level of car parking income, level of residents claiming council tax support, added to this the anticipated latent health and social care demands within the population that will arise over the long term. The metrics for these will have to be reviewed and assessed to understand the ongoing longer-term impact on Council finances.
100. With the Government's spending review now delayed there is even further uncertainty over the funding position for 2021/22, however the MTFs already had

a gap of £24.5m that would have had to have been addressed before the consequences of the COVID-19 pandemic.

101. CLT have already started to look at existing plans and programmes for 2020/21 with a view to recommending to Cabinet plans to focus and/or defer programmes until there is clarity on the financial position as well aligning the Councils resources for recovery. Proposals on mitigations to the Councils financial position are also be worked on during the coming months, with the focus on right sizing the Councils budget, as far as practical, and reducing the Council's current cost envelope and the forecast financial impact in 2020/21.

Conclusions

102. Overall, Wiltshire Council has overseen a significant and timely response to the emerging threat of the pandemic in Wiltshire. This has involved the suspension of a number of services, the redeployment of staff to support the most vulnerable, extensive support to business and suppliers, strong partnership working with health and care and other agencies, and a significant communications effort and close working with local communities and voluntary groups. Schools and early years settings have also been supported to rapidly adjust to new government guidance. The council is committed to continuing this effective partnership working as we move towards a renewal of strong local communities and a return to growth in our local economy.

103. A further report will be presented in June, which will include further information on the Council's response and recovery plans.

Alistair Cunningham, Chief Executive Officer, Place
Terence Herbert, Chief Executive Officer, People

Report Author: All Directors

11 May 2020

Appendices

Appendix 1 – list of officer decisions

Appendix 2 – Timeline associated with the COVID-19 response

Background Papers

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

[Integrated Emergency Management Plan](#)

[https://www.gov.uk/guidance/coronavirus-covid-19-information-for-the-public.](https://www.gov.uk/guidance/coronavirus-covid-19-information-for-the-public)

<https://local.gov.uk/sites/default/files/documents/Changes%20to%20local%20authority%20powers%20and%20duties%20resulting%20from%20the%20Coronavirus%20Act%202020%20WEB.pdf>

<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/deaths/bulletins/deathsinvolvingcovid19bylocalareasanddeprivation/deathsoccurringbetween1marchand17april>

Appendix 1: List of executive officer decisions taken during the pandemic

- 17/03/2020 Pause on all group activity and gatherings in Libraries across Wiltshire
- 17/03/2020 Closure of City Hall to the Public
- 18/03/2020 Suspension of sports related activity
- 18/03/2020 Removal of the 9.30am bus pass activation time
- 18/03/2020 Postponement of Neighbourhood Planning referenda and elections scheduled from 19 March
- 20/03/2020 Closure of all Libraries and Leisure Centres
- 20/03/2020 Cessation of food inspections (pursuant to FSA advice)
- 20/03/2020 Staffing Policy – COVID-19 Policy
- 23/03/2020 Approach to commercial tenants' rent payments
- 25/03/2020 Closure of Household Recycling Centres
- 25/03/2020 Closure of Play areas

25/03/2020	Cancellation of Indoor and Outdoor Markets (excepting food stalls)
26/03/2020	Free parking and relaxation of civil enforcement
26/03/2020	Closure of Salisbury Park and Ride
26/03/2020	Approach TEN tenants rent payments
27/03/2020	Approach to council tax and business rate collection
27/03/2020	Closure of chapels at our seven crematoria
27/03/2020	Lease of accommodation for rehousing homeless
30/03/2020	Deferral of green waste collection charges
31/03/2020	Treasury Counterparty Management Limits increased from £15m to £30m
01/04/2020	Suspension of non-urgent housing repairs
01/04/2020	Suspension of child employment arrangements during COVID 19.
06/04/2020	Emergency food parcel service enabling payment from those that can.
13/04/2020	To include BANES patients in the S136 Suite in Devizes, Green Lane Hospital. (with Police, AWP and BSW CCG)
14/04/2020	Additional financial support to Food Banks
15/04/2020	Extension of existing licenses under the Animal Welfare (Licensing of Activities Involving Animals)(England) Regulations 2018
20/04/2020	Move to payment of all Adult care domiciliary providers to advanced payments (based on support plan hours)
20/04/2020	Variation to payment for early year providers for the summer term 2020
20/04/2020	Revision to Child Employment suspension proposal enabling employers to apply for dispensation with health and safety assurances (DfE guidance)

Appendix 2: Timeline associated with the COVID-19 response

December 2019	Outbreak starts in Wuhan, China
January 2020	Heathrow begins screening arrivals from Wuhan. First two UK cases – two Chinese nationals test positive Britons arriving back from Wuhan are quarantined for 14 days
31 January 2020	Local Resilience Forum (LRF) Strategic Coordination Group (SCG) considers local preparedness
February 2020	Health Protection (Coronavirus) Regulations are laid enabling enforced quarantine for those believed infected First repatriation flights to Boscombe Down Voluntary restrictions, social distancing and self-isolation if symptomatic are advised. First community transmission of cases within the UK
3 March 2020	Coronavirus Action Plan published by Government
5 March 2020	First 3 positive cases in Wiltshire identified. SCG meets weekly.

11 March 2020	Daily meetings of Wiltshire Council 'Gold' commence
12 March 2020	Government announces we are moving from 'Contain' to 'Delay' phase – handwashing for 20 seconds and self-isolation for those with symptoms advised
16 March 2020	Prime Minister advises against non-essential travel and contact with others; ends emergency service support for mass gatherings. First related death in Wiltshire announced.
17 March 2020	Chancellor announces business loans, rate relief and grants
18 March 2020	Closure of schools to most, from 23 March, announced
19 March 2020	Major incident declared by Wiltshire and Swindon Local Resilience Forum
20 March 2020	Prime Minister orders all pubs, cafes, leisure centres, libraries to close. Furlough scheme announced.
21 March 2020	Shielding of extremely clinically vulnerable commences for 12 weeks
23 March 2020	Nationwide lockdown announced, with police to be granted powers to enforce social distancing
25 March 2020	Coronavirus Act passed, postponing elections, enabling virtual meetings, easing some statutory requirements
26 March 2020	The Health Protection (Coronavirus, Restrictions) Regulations 2020 permit people to leave their house for limited reasons - food, medicine, exercise or essential work
16 April 2020	Lockdown extended for 'at least a further three weeks'
24 April 2020	Mobile testing unit opens at Salisbury Park and Ride

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Wiltshire Council

Cabinet

19 May 2020

Subject: Capital Programme - Transport

Cabinet Member: Cllr Bridget Wayman – Cabinet Member for Highways, Transport & Waste

Key Decision: Key

Executive Summary

Following recent and continuing success in bidding for major transport projects, the Council needs to consider its capacity to manage an increasing programme of scheme development and delivery activity.

Whilst the sharp upturn in funding for projects incorporating transport infrastructure is of course welcome, the scale of that increase necessitates a corresponding shift in the Council's current approach in that regard.

This report illustrates the extent of funded and pending activity and proposes arrangements to ensure that appropriate resource is in place.

Proposals

That Cabinet notes the intention to establish a revised internal structure creating a focussed major transport projects development and delivery team.

That Cabinet approves a capital budget of £6.71 million across 2020/2021 and 2021/2022. Funded by £5.25 million grant and local contribution of £1.46 million funded by commuted sums.

That Cabinet notes that recent funding awards are conditional on the Council providing a 'local contribution' in terms of both development and construction costs, and agrees the need for suitable financial provision to be made - the final extent of that to be determined once:

- costs have been finalised
- negotiations on the percentage contribution has been agreed with the funding agency and
- the outcome of all pending bids are known

Reason for Proposals

The Council has succeeded in securing government funding for a substantial programme of major transport investments in the county that require local funding and resourcing for a project team to secure the successful delivery of the programme.

The proposals are made to:

- secure Council's ability to respond convincingly to bidding opportunities
- ensure Council's is able to develop and deliver major transport projects in line with agreed programmes
- improve the ability to secure conditional funding via external bodies

Alistair Cunningham, Chief Executive Officer, Place

Wiltshire Council

Cabinet

19 May 2020

Subject: Capital Programme - Transport

**Cabinet Member: Cllr Bridget Wayman – Cabinet Member for Highways,
Transport & Waste**

Key Decision: Key

Purpose of Report

1. To ask Cabinet to acknowledge the resource and financial implications of recent funding awards by Department for Transport and to agree appropriate provision to progress the schemes.
2. To ask Cabinet to acknowledge the potential resource and funding implications of a number of projects awaiting decisions on Government funding and to recognise that appropriate provision will need to be made.

Relevance to the Council's Business Plan

3. Investment in transport infrastructure accords with the overarching aims of the Council's Business Plan 2017-2027 including:

Growing the Economy – Transport & Infrastructure

- Bid in further rounds of government funding (which will be a competitive process and require project development and assurance work) to build on the success to date and deliver the Swindon and Wiltshire Strategic Economic Plan.;
- Explore funding sources and secure planning obligations to fund new infrastructure; and put in place supply chains capable of the timely delivering of new infrastructure; and
- Promote with Department for Transport and Highways England improvements to the A303 and North-South connectivity across Wiltshire.

Background

4. In March 2018, Cabinet considered a report¹ advising of a new significant funding opportunity for major road scheme funding, and to seek views on the need to establish associated regional governance.
5. The source of that funding is the 'National Roads Fund', being £28.8 billion between 2020-2025, £3.5 billion of which is to be spent on local roads.
6. Government indicated that access to the local roads fund would require prioritised investment planning within a consistent national framework. Government made it equally clear that Sub-national Transport Bodies (STBs), should carry out this important strategic role – i.e. as bodies designed to enable regions to speak with one voice on strategic transport planning
7. The Western Gateway Shadow Sub-National Transport Body (WGSSTB) was officially formed in a shadow status in December 2018 with Cllr Bridget Wayman elected as Chair.
8. The constituent authorities are: Bath and North East Somerset Council; BCP Council (Bournemouth, Christchurch and Poole); Bristol City Council; Dorset Council; Gloucestershire County Council; North Somerset Council; South Gloucestershire Council; West of England Combined Authority; and Wiltshire Council.
9. Guidance for STBs on submitting their priority schemes was issued by DfT in December 2018, with a deadline for submission of priorities in July 2019.
10. The WGSSTB considered candidate schemes from all member authorities – following their meeting in June 2019, the Board agreed to submit 9 schemes to DfT, 4 of which are in Wiltshire.
11. The Wiltshire schemes are:
 - A350 - M4 J17 Improvement
 - A350 Chippenham Bypass Improvements – Phases 4 & 5
 - A350 Melksham Bypass
 - A338 Southern Salisbury Improvements
12. On 11th February 2020, the Prime Minister announced 6 schemes across the country that had been successful in securing development funding. The Melksham and Salisbury schemes referred to above were in that list.

¹ <https://cms.wiltshire.gov.uk/documents/s140984/Report%20-%20Proposals%20for%20the%20Creation%20of%20a%20Major%20Road%20Network%20-%20Consultation.pdf>

13. As part of his budget announcement on 12th March 2020, the Chancellor confirmed development funding for another 15 schemes across the country – improvement at M4 Junction 17 was included in that list.
14. At the same time, government published their road investment strategy for the period between April 2020 to March 2025 known as Road Investment Strategy 2 or RIS2².
15. As well as identifying the investment plan of how money will be invested in maintenance and enhancements of the trunk road, RIS2 also identifies funding for a strategic research and development pipeline. In that regard, RIS2 commits to funding 3 new national strategic studies, one of which responds to the significant lobbying by Wiltshire Council, in partnership with BaNES and Dorset Councils, who have determinedly argued for improved north/south connectivity between M4 and the south coast.
16. The Secretary of State confirmed:

There are few north-south connections across the South West of England. The present strategic road for this area is a mixture of the A36 and A46, via Bath, Warminster and Salisbury. Local authorities in the area have suggested that there is a strategic case for adopting an alternative corridor – the A350 – as the main strategic route for the area; and then beginning a coordinated programme of upgrades to provide a high-quality route linking the M4 to the Dorset Coast including Bournemouth and Poole, with its economically-important port facilities.

This raises a number of related questions, which are best considered together as part of a strategic study. We expect that this study will identify which corridor provides the main strategic route for the area; may recommend the trunking and detrunking of key routes; and may identify priority investments in the area that can be taken forward after the dualling of the A303/A358 is complete.

17. This is a major achievement, offering an unprecedented opportunity to argue for investment far beyond levels available to us through usual channels.
18. More announcements will follow, with additional schemes being added to those approved for funding, which may yet include further schemes in Wiltshire.

2

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/872252/road-investment-strategy-2-2020-2025.pdf

Main Considerations for the Council

19. The Council's Highways & Transport service areas regularly submit bids in response to competitive funding opportunities.
20. Whilst we already have a good track record of success in these areas, this most recent announcement clearly represents a major achievement for the Council and our STB, and public reaction has been supportive.
21. Maintaining a portfolio of projects developed to a credible state of readiness is key in that regard – continued success requires the Council to have corresponding capacity and funding to progress development of the schemes. That requirement has been recently heightened following the Council's success where Melksham Bypass, Southern Salisbury Junction Improvements and M4 Junction 17 have thus far been accepted by DfT as being eligible for development funding.
22. These three schemes now form part of a significantly wider programme of existing and emerging commitments, a summary of which is attached at **Appendix 1**.
23. To date, responsibilities associated with scheme development and delivery have been shared between a very small number of staff in the transport planning and asset management service areas. That very low client base results in a high dependence on external consultancy support.
24. Whilst the sharp upturn in funding for projects incorporating transport infrastructure is of course welcome, the scale of that increase necessitates a corresponding shift in the Council's approach to, and capacity for managing those projects.
25. All of the projects referred to in **Appendix 1** require a significant resource input from the Council.
26. Some relate to competitive opportunities, where the Council is (or will be) engaged in bidding activity. Those schemes require a tactical input, crafting submissions that best fit the criteria and constraints on offer.
27. Others relate to projects that have secured conditional awards of funding. Several of them require a 'local contribution' towards their overall capital cost (including development costs) – (DfT's expectation (to some extent negotiable) is that scheme promoters will contribute 15% towards the capital cost, and around 1/3rd of development costs).
28. Many of the schemes are complex, requiring co-ordination of, inter alia, design, land acquisition, compulsory purchase, planning permission (including assessment and mitigation of ecology and environmental implications), as well as external funder approval of detailed business cases.

29. Most of the schemes rely on the availability of funding which is time limited, resulting in programmes that require tasks to be carried out at risk.
30. If the Council is to deliver against current and anticipated programmes, the potential associated costs to the Council need to be acknowledged and suitable provision made – the Council also needs to establish a dedicated resource to manage development and delivery.

Overview and Scrutiny Engagement

31. No engagement has taken place with the relevant leading Members of the Overview and Scrutiny function at this stage.

Safeguarding Implications

32. There are no safeguarding implications arising from the proposals.

Public Health Implications

33. There are no public health implications arising from the proposals.

Procurement Implications

34. There are no procurement implications arising from the proposals – specialist work will be commissioned through the Council's term consultants (Atkins)

Equalities Impact of the Proposal

35. None

Environmental and Climate Change Considerations

36. There are no energy consumption implications relating to the proposal the subject of this report.
Business case development and detail design for individual schemes will consider this issue in due course.
37. Business case development and detail design for individual schemes will consider this issue in due course.
38. There are no day to day environmental management implications relating to the proposal the subject of this report.
Business case development and detail design for individual schemes will consider this issue in due course.
39. There are no climate change implications relating to the proposal the subject of this report.

Business case development and detail design for individual schemes will consider this issue in due course.

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

40. If the proposal is not agreed, it would result in:
- compromising the Council’s ability to respond convincingly to bidding opportunities
 - compromising the Council’s ability to develop and deliver major transport projects in line with agreed programmes
 - a significant risk that conditional funding secured via external bodies being lost

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

41.

Risk	Action
Cost overrun	Close project and financial management key component of scheme development
Insufficient resource	Creation of dedicated team(s)
Unknown factors ie detailed planning, ecology and environment implications	Detailed surveys and analysis being undertaken to help identify and reduce/remove risk

Financial Implications

42. There are short, medium and longer term financial implications.
43. In the short term, the Council will need to establish a budget to fund the Council’s ‘share’ of schemes development costs. A Budget totalling £6.71 million will need to be added to the capital programme across 2020/2021 and 2021/2022. At this stage it is recommended the Wiltshire Council commitment totalling £1.46 million should be funded by commuted sums. The remaining £5.25 million would be funded by the grant.
44. In the case of Melksham Bypass and Salisbury Junctions and M4 J17, DfT have given approval and funding to help progress to the next stage of development under the Major Road Network (MRN) and Large Local Majors (LLM) programme.
45. To help the scheme progress to the next stage, DfT have confirmed that they will make a contribution of £1.33 million and £0.170 million respectively towards the costs of developing the Outline Business Cases (OBC). These contributions are based on a 2/3rd 1/3rd split, i.e.

46.

	OBC total cost £'m	DfT offer £'m	Residual cost for WC £'m
Melksham Bypass	£2.00	£1.33	£0.670
Salisbury Junctions	£0.250	£0.170	£0.080
M4 J17	£0.250	£0.170	£0.080

47. In the medium/longer term, providing the above projects progress through all of DfT's funding requirements, the Council will be requested to make a local contribution to the capital cost of the scheme.

48. That amount is not fixed as yet, however the following table shows the implication of a (worst case) 15% contribution:

	Possible level of required capital support (£m)					
	2022	2023	2024	2025	2026	2027
Melksham Bypass			5	5	5	5
Salisbury Junctions	0.9	0.9	0.9			
M4 J17		1.95	1.95			

49. In terms of the wider programme, several of the other schemes in **Appendix 1** have the potential to require as yet undetermined contributions from the Council.

50. The Council is still awaiting a decision on one more MRN Scheme (Chippenham dualling stages 4 & 5) decision anticipated shortly.

51. The need for this provision broadly accords with the Capital Strategy 2020/2021 report presented to and approved by Full Council on 25th February^[1] (para 24).

52. At this stage funding options for the medium/long term Local Contributions need to be confirmed but should include the use of CIL and S106, other options will need to be reviewed in light of current position and will include prioritising existing funding to these schemes. The medium/long term position will be developed as part of future Budget Setting.

Legal Implications

53. There are no immediate legal implications arising from the proposals, however it will require additional legal support in connection with legal

^[1] <https://cms.wiltshire.gov.uk/documents/s174404/Capital%20Strategy.pdf>

orders, land acquisition as the scheme progresses.

Workforce Implications

54. Given the increasing extent, value and complexity of the projects referred to above, it is considered essential to establish a revised internal structure creating a focussed major transport projects development and delivery team.
55. That team, under a new Head of Service, would report to the Director of Highways and Environment.
56. The size and skill set of the team will need to be flexible to adapt to variation in the volume and complexity of the programme at any given time.
57. The scope will be confined to capital projects and staff costs could be capitalised from scheme budgets.

Options Considered

58. Consideration has been given to managing this programme within existing resource. That is not practicable considering the size of the new capital roads programme, and capacity within existing team.

Conclusions

59. The Council has succeeded in securing funding for a substantial programme of major transport projects that require local funding and resourcing to an extent that cannot be delivered within existing budgets and team structures.
60. As long as the government prefer competitive 'opportunity' funding for major transport initiatives, the Council's continued success relies on creating a focussed increase in capacity for managing such projects.

Alistair Cunningham, Chief Executive Officer, Place

Report Author:

Allan Creedy – Head of Service · Sustainable Transport

Date: 20th April 2020

Appendices:

Appendix 1 – Capital Projects

Background Papers:

None

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	2020				2021				2022				2023				2024				2025							
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4				
A303 Stonehenge (Delivered by Highways England)	Approvals				Construction (preliminary works Autumn 2020 – Main works Winter 2021 – Open to Traffic Winter 2026)																							
Yarnbrook West Ashton (Delivered by Developer)	FBC				Construction																							
Chippenham Futures	Detailed Design				Planning				Construction																			
	Procurement																											
Melksham Bypass	OBC								Planning		FBC		Procurement				Construction											
Salisbury (Exeter St, Harnham, Park Wall)	OBC				FBC		Procurement		Construction																			
Salisbury Recovery	Wide programme of funded and unfunded projects – all with assumption that delivery could occur prior to 2025																											
A36 Southampton Road	Joint Study with HE																											
Chippenham Accessibility (LEP funded)	Construction																											
Trowbridge Future High Streets	Bid/OBC/FBC				Construction																							

Awaiting Approval

<i>DfT Bus/Cycle invitation (£5bn)</i>	Develop/Design/Delivery																											
<i>MRN/LLM2 schemes (Westbury Bypass)</i>	SOBC & STB approvals?																											
<i>A350 Chippenham (Phases 4 & 5)</i>	FBC				Procurement				Construction																			
<i>M4 Junction 17 (HIF & others)</i>																	Construction											
<i>Pinch Point – Longfield Gyratory</i>	FBC				Construction																							
<i>Response to RIS 2 – N/S Strategic Study (M4 to South Coast)</i>	Input to Strategic Study																											

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