

## Cabinet

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### **MINUTES OF THE CABINET MEETING HELD ON 27 SEPTEMBER 2022 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

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

#### **Also Present:**

Cllr Dominic Muns, Cllr Clare Cape, Cllr Gavin Grant, Cllr Ruth Hopkinson, Cllr Tamara Reay, Cllr Jo Trigg, Cllr Suzanne Wickham, Cllr Graham Wright, Cllr Tony Jackson, Cllr Caroline Thomas and Cllr Stewart Palmen

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#### 74 **Apologies**

There were no apologies.

#### 75 **Minutes of the Previous Meeting**

The minutes of the meeting held on 12 July 2022 were presented for consideration, and it was,

#### **Resolved:**

**To approve and sign as a correct record the minutes of the meeting held on 12 July 2022.**

#### 76 **Declarations of Interest**

There were no declarations of interest.

#### 77 **Leader's Announcements**

The Leader presented a lengthy statement in respect of the ongoing cost of living crisis. This was set out in detail in Agenda Supplement 2, including details of council actions such as the energy rebate to homes in council tax bands A-D, local welfare provision and support for initiative to address capped fuel prices through energy efficiency. It also outlined work with community groups and public service partners and central government, working with vulnerable residents, business (including schools) and staff. The Leader met regularly with local MPs to raise these issues.

Councillors Ian Thorn, Gordon King and Gavin Grant sought further details from the Leader, in respect of council tax, challenges for retail tenancies, work with voluntary groups, limiting bureaucracy wherever possible, social housing

providers, rural poverty including access to food banks, and other matters. The Leader also noted the importance of Area Boards as community based groups to focus on cost of living matters if possible.

## 78 **Public Participation and Questions from Councillors**

58 questions had been received from members of the public and elected members. Written responses were set out in Agenda Supplement 2.

Dr Celia Beckett (Question 22-144), Chair of Hilperton Area Action Group, was in attendance and asked a supplementary question regarding the core strategy and its policies regarding the villages around Trowbridge and the maintenance of open countryside between them.

Councillor Nick Botterill, Cabinet Member with responsibility for strategic planning, clarified that the existing core strategy remained in effect until any future review and adoption of a new plan, although this could not prevent the submission of applications, noting in particular the ongoing lack of a 5 year housing land supply for the council. The Leader noted recent comments from the Prime Minister on housing targets and investment zones, and that further detail was required.

## 79 **Financial Year 2022/23 - Quarter One Revenue Budget Monitoring**

Councillor Nick Botterill, Cabinet Member for Finance, Development Management, and Strategic Planning, presented a report on the first quarterly revenue budget monitoring forecast position (as at 30 June 2022) for the financial year 2022/23, and an update on the Medium Term Financial Strategy and projected budget gap for the financial year 2023/24.

Councillor Botterill noted that certainty would increase in future quarters, but that at present there was a potential year end underlying overspend of £12.35m and a net overspend of £6.02m. He noted this was before the finalisation of the pay award for 2022/23, with the forecast reflecting a position of the employers offer made at the end of July 2022.

Councillor Botterill stated the yearly deficit would be covered through reserves, which supported the position taken in the last financial year which enabled the management of the current position. The budget gap would, however, need to be addressed as part of the Medium Term Financial Strategy.

The Leader provided further comments on the constant monitoring of the financial position, as well a need to assess the impacts of inflation, particularly in areas of high relevance to local authorities.

Councillor Gavin Grant, as Vice-Chairman of the Financial Planning Task Group, provided details of recent meetings with the Cabinet Member and officers. He highlighted concerns over the dedicated schools grant, which continued to have a significant deficit, and uncertainty whether government

would continue to recognise this as beyond local authorities' direct control. There was also discussion on fees and charges, and car parking returns.

Councillor Ian Thorn sought additional details on use of the latent demand reserve, highway contract inflation and the economy and regeneration budget.

At the conclusion of discussion, it was then,

**Resolved:**

**That Cabinet approve:**

- a) the transfer of £0.110m into a SEN Inspection reserve, as detailed in paragraph 37 of the report;**

**That Cabinet note:**

- a) the current revenue budget is forecast to overspend by £6.020m by the end of the financial year and that this will be managed through the use of earmarked reserves;**
- b) the current forecast savings delivery performance for the year;**
- c) The £0.531m draw from the Transformation Reserve to fund transformation activity in 2022/23 in the Family and Children's Transformation (FACT) programme and Customer Experience programme;**
- d) the updated position in respect of the current estimated financial gap for 2023/24;**
- e) the key dates and timescales that are required to set a balanced budget.**

*Reason for Decision*

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

*To inform Cabinet on the forecast revenue financial position of the Council for the financial year 2022/23 as at quarter 1 (30 June 2022), including delivery of approved savings for the year.*

*To inform Cabinet on the current position for the setting of the 2023/24 budget, it begins the process and focus for setting plans and resources for providing the services and support that will be essential for delivering a financially sustainable council and effective, quality public services for the residents of Wiltshire.*

Councillor Nick Botterill, Cabinet Member for Finance, Development Management, and Strategic Planning, setting out the capital programme for 2022/23 as of 30 June 2022 for the first quarterly budget monitoring period, along with updates on significant schemes planned to be delivered and those reprofiled to future years.

Councillor Gavin Grant, as Vice-Chairman of the Financial Planning Task Group, commented on the high level of capital spend vs the historic annual average, and some schemes listed as progressing slower than anticipated. The Task Group was seeking further details on the process to ensure the programme remained achievable, and of the Asset Gateway Board who would review this quarterly.

Councillor Jo Trigg raised a question relating to programmes to replace school pratten buildings, and whether there was a commitment this would remain on the programme for 2023/24.

At the conclusion of discussion, it was then,

**Resolved:**

**That Cabinet note:**

- a) The additional budgets added to the programme of £12.848m under Chief Finance Officer delegated powers;**
- b) the movement of £22.598m of budgets into future years under Chief Finance Officer delegated powers;**
- c) Budget Movements between Schemes;**
- d) the revised 2022/23 Capital Programme as at quarter 1 of £269.427m; and**
- e) the capital spend as of 30 June 2022 of £21.866m**

*Reason for Decision*

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

*To inform Cabinet on the financial position of the Council on the 2022/23 capital programme as at quarter 1 (30 June 2022).*

**81 Council Performance and Risk – Quarter One Monitoring**

Councillor Richard Clewer, Leader of the Council, introduced the report which provided an update on performance against the stated missions in the Council's Business Plan 2022-32, its strategic risks, and proposed future developments.

He noted that performance boards monitoring risk and performance received significantly more detail and data than the summarising report. He noted that the monitoring would evolve over time, as improved metrics emerged, and commented on the detailed risk register, setting out mitigations wherever possible. He drew attention to scorecard reporting including on residual waste rates.

Councillor Ian Thorn raised some questions and comments including on how specific targets were set for instance for educational gaps in relation to phonics, how the percentage of physically active adults was calculated, and welcoming the risk register including details of emerging risks such as arising from a new government.

Councillor Clare Cape asked whether longer time series would be appropriate for some metrics, and impacts on services such as issuing of bus passes from staff retention and recruitment.

Councillor Caroline Thomas also made a comment about whether some key risks and progress on them could be reflected within the performance dashboard, such as on the 5 year housing land supply.

The Leader and Cabinet Members responded to the comments, including ongoing discussion on which metrics could be included, and a judgement call on how much of a timeframe would be useful for particular metrics

At the conclusion of discussion, it was then,

**Resolved:**

**That Cabinet note the updates and outturns:**

- a) Against the measures and activities ascribed against the Council's priorities and that targets for the measures will be included in the quarter two performance report.**
- b) To the Strategic Risk Register, issues and emerging risks.**

*Reason for Decision*

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

*The Strategic Risk Summary captures and monitors significant risks facing the Council, in relation to significant in-service risks facing individual areas and in managing its business across the authority.*

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

82 **Wiltshire Council Adoption Service: 2021-2022 Year End Report**

Councillor Laura Mayes, Deputy Leader and Cabinet Member for Children, Education, and Skills, presented the year end report regarding the performance of the Wiltshire Council Adoption Service, alongside a consideration of the effectiveness of Adoption West, the regional adoption agency owned and commissioned by six partner local authorities, which was now in its third year of operation. The report had been considered by a Task Group of the Children's Select Committee.

It was explained that Adoption West was inspected in January 2022 with an overall inspection judgment of good, with a realistic view from managers and the board on issues and comprehensive support and scrutiny.

Details from the report were highlighted such as the average time between a child entering care and moving in with their adopted family decreasing, the average time from the councils receiving court authority to place a child and the authority deciding upon a match also decreasing. The average time from entering care to receiving a placement order had increased. Councillor Mayes provided a case study of two children, to demonstrate how each story was different and how wider family circumstances could make targets more complex.

Councillor Ian Thorn offered his thanks to Councillor Mayes for the update, and to all the families adopting and all those involved in the process.

At the conclusion of discussion, it was then,

**Resolved:**

**That Cabinet note the report and its contents as considered against the Corporate Parenting Strategic Priority.**

*Reason for Decision*

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

83 **Wiltshire Independent Living Strategy 2022-2027**

Councillor Jane Davies, Cabinet Member for Adult Social Care, SEND, and Transition & Inclusion, presented a report summarising the draft Wiltshire Independent Living Strategy 2022-2027. This aimed to maximise the independence, choice and control for people with a mental health condition, learning disability and/or autism spectrum disorder in Wiltshire by providing the right accommodation and support in the right place at the right time.

Councillor Davies stated the strategy would involve an ambitious programme of work, and that health partners and the voluntary sector as well as social care providers had been engaged with in order to draft the strategy.

Cabinet Members offered their support for the strategy, including the creativity involved in developing constructive approaches for example in respect of housing.

Councillor Gordon King, Vice-Chairman of Health Select Committee, thanked the Cabinet Member and officers for presenting the report to the Committee. He noted the recommendations. He welcomed commitment to develop service specifications and business cases to plug gaps in services that had been identified, with the Committee looking forward to updates on delivery of the strategy.

At the conclusion of discussion, it was then,

**Resolved:**

**That Cabinet agrees the five principles outlined in the report and the following key actions:**

**In the short-term (next 12 months) we will:**

- **Make sure our processes are clear to everybody, to ensure smooth pathways for housing and social care**
- **Build on our needs analysis and agree new ways of delivering and commissioning the right housing and care**
- **Establish arrangements for indemnifying housing providers if a person lacks capacity to sign a tenancy, to give housing market confidence**
- **Explore the feasibility of deregistering residential care and be in the process of remodelling to supported living**
- **Identify where there are opportunities to provide value for money and improve outcomes by Council having a role in the provision of housing and/or care**
- **See excellent joint working across Bath & North East Somerset (BSW) Integrated Care Board (ICB)**

**In the medium-term (the next 2-3 years), we will have:**

- **Recommissioned our framework of care and support providers (known as the Good Lives Alliance (GLA))**
- **Fully implemented a dynamic system Provider Assessment and Market Management Solution (PAMMS) which will improve the collection and analysis of data**
- **Implemented the South West Association of Directors of Adult Social Services (ADASS) framework for out-of-County residential care**

**In the longer-term (the next 4-5 years), we will:**

- **Have developed a pipeline of accommodation schemes to meet needs, and be well on the way to delivering these**
- **Be consistently measuring people's satisfaction and outcomes**

*Reason for Decision*

*We currently face several challenges which stop us realising the vision set out above:*

***Housing and care markets*** in Wiltshire provide limited quality and choice – we need a new approach to commissioning accommodation and support, including where appropriate intervening in the market, building or buying new housing in the right places, providing support and modelling good-practice.

There is a **lack of focus on recovery** – especially for people with mental health conditions. With robust needs analyses, we will develop business cases for new models of support which promote independence and recovery.

There is a **lack of housing and care options** in the right place – especially for people with learning disabilities and autism spectrum conditions. This leads to an over-provision of out of County and/or residential settings, where independent living closer to home would deliver better outcomes. We will create more housing choices for people, including building where they are most needed.

**Housing and care provision is often not well aligned** – through our commissioning functions, we are developing stronger relationships with and between housing and care providers. Internally, we will review our own processes to make sure these are clear and seamless.

**Pathways are not always clear to the public** – we will provide clear information to help people find accommodation and support which meet their needs..



84 **Substance Misuse - Proposed Spend Allocations For The Supplementary Grants**

Councillor Ian Blair-Pilling, Cabinet Member for Public Health and Public Protection, Leisure, Libraries, Facilities Management and Operational Assets, presented a report to seek authority to endorse proposals for use against the Supplementary Substance Misuse Treatment and recovery grant.

Councillor Blair-Pilling set out details of the Home Office grant that was part of a 10 year plan to cut substance misuse, with the core priorities listed in the report, which also set out details of new roles and approaches as part of the plans.

Councillor Gordon King, Vice-Chairman of Health Select Committee, confirmed the Committee had received the report and commended it to Cabinet.

At the conclusion of discussion, it was,

**Resolved:**

**That Cabinet:**

- a) **Endorse the proposals outlined to use against the Supplementary Substance Misuse Treatment and recovery grant;**
- b) **Delegate authority for the decision of future spend against the Supplementary Substance Misuse Treatment and Recovery Grant to the Director of Public Health in consultation with the Cabinet Member for Public Health.**

*Reasons for Decision*

*The Home Office have awarded Wiltshire Council the sum of £351,756.00 for the financial year 2022/23 and indicative amounts of £360,000.00 for 23/24 and £630,000.00 for 24/25. Due to the total value of this three -year scheme, Cabinet are asked to support the proposals outlined in the paper for use against the Supplementary Substance Misuse Treatment and recovery grant (SSMTR grant).*

*Cabinet are also requested to delegate responsibility for future spend of the additional monies awarded for years two and three of the grant as per the proposals above.*

85 **Service Devolution & Asset Transfer Policy**

Councillor Phil Alford, Cabinet Member for Housing, Strategic Assets, and Asset Transfer, presented the report which detailed the refresh of the Service Devolution and Asset Transfer Policy. The policy enables the transfer of services and assets to town and parish councils, an activity which was paused during the Covid-19 pandemic as resources were reallocated.

Councillor Alford provided details of the review of the policy, noting legal requirements were often complex and by necessity involved lengthy negotiations from the bodies involved. The refreshed policy had clearer expectations including on exempt assets, and the Executive had accepted many of the recommendations of the scrutiny exercise which had examined the draft policy. In respect of resourcing the intention was to resource fully from April 2023 in the next budget cycle, and in the meantime draw down on transformation reserves.

The Leader welcomed the updated policy, stating examples at Salisbury and Devizes showed the positive difference that could be made despite the complexity of agreeing the transfers having been difficult.

Councillor Ruth Hopkinson, Chair of the rapid scrutiny exercise which had examined the policy, speaking on behalf of that group, responded to the update from the Cabinet Member and the report. She stated they did not consider the refreshed policy had addressed the concerns that had existed with the previous version, stating there was still a lack of resourcing, that the complexity of the process and cost to town and parishes had not been improved, that there was a lack of transparency and lack of clarity on which areas would be engaged with and how.

The Leader responded to the comments, stating he did not recognise that characterisation of the policy in any way, which he said was not grounded in fact. He stated significant resources had been committed and was being properly taken forward under budget processes once the new policy had been implemented and not before, that legal issues mandated some level of complexity, and that the council had been very open about the order in which areas would be engaged with to take forward and develop proposals. In respect of devolving services or assets on licence which Councillor Hopkinson raised, he stated where this had been done it was in order to avoid delays, but it was clear the intention was to make the transfers permanent in time.

Councillor Graham Wright, Chairman of Overview and Scrutiny Management, confirmed the policy would be discussed at his Committee on 28 September 2022.

Councillor Ian Thorn criticised the response to the scrutiny comments. Councillor Stewart Palmen raised points regarding discussions with Trowbridge Town Council.

The Cabinet Member made further comments on the resourcing of the programme, the transparency of listing assets, and the negotiation periods involved. He also pointed to recent transfers in Bradford-on-Avon.

At the conclusion of discussion, it was,

**Resolved:**

**That Cabinet:**

- 1) Approve the revised Service Devolution and Asset Transfer Policy.**
- 2) Approve a drawdown of up to £200K from the transformation earmarked reserve to enable sufficient resource to deliver on requests**

*Reasons for Decision*

*The Home Office have awarded Wiltshire Council the sum of £351,756.00 for the financial year 2022/23 and indicative amounts of £360,000.00 for 23/24 and £630,000.00 for 24/25. Due to the total value of this three -year scheme, Cabinet are asked to support the proposals outlined in the paper for use against the Supplementary Substance Misuse Treatment and recovery grant (SSMTR grant).*

*Cabinet are also requested to delegate responsibility for future spend of the additional monies awarded for years two and three of the grant as per the proposals above.*

## **86 Future High Streets Fund - Trowbridge - Update**

Councillor Richard Clewer, Leader of the Council, introduced the report which provided details on progress in delivering the Future High Streets Fund programmes in Trowbridge and Salisbury.

Councillors Stewart Palmen and Jo Trigg commented on the report, noting the works to the town hall and highways improvements. In response to queries it was stated that the vacant commercial units fund, as a capital grant, needed to be invested in buildings, but that options were being explored on how to help prospective leaseholders.

At the conclusion of discussion, it was then,

**Resolved:**

**That Cabinet:**

- 1) Notes the contents of this report**
- 2) Delegates authority to spend allocated FHSF grant funding to the Corporate Director of Place, in consultation with the Leader of the Council and Cabinet Member for Climate Change, MCI, Economic Development, Heritage, Arts, Tourism and Health & Wellbeing in line with the FHSF funding criteria as set by DLUHC.**
- 3) Delegates authority to appropriate development, procurement and delivery of individual workstreams within the programme to**

**Corporate Director for Place, in consultation with the Leader of the Council and Cabinet Member for Climate Change, MCI, Economic Development, Heritage, Arts, Tourism and Health & Wellbeing in line with programme outcomes.**

*Reason for Decision*

*Town centres have been negatively affected by a number of factors over a long period of time, resulting in a significant decline of the vitality, attractiveness and perception of the town centre. Over the previous two decades, high streets across the country have been affected by widespread change in consumer behaviours and shopping habits largely in the form of out-of-town shopping and more recently online retail.*

*These changes have contributed to the decline of the town centre as the heart of the community and continues to threaten long-term viability of business operators.*

*Government has sought to address these impacts through the formation of the High Street Task Force and Towns Fund, which includes the Future High Streets Fund.*

*Through Future High Streets Funding, Trowbridge and Salisbury have the chance to significantly kickstart the strengthening and diversification of the offers and accessibility to their high streets.*

*This report provides an update of the FHSF projects which are being developed and delivered to support enhancements to the centres of Trowbridge and Salisbury.*

*Interventions are in line with the funding criteria as set out by Government through the FHSF Prospectus and guidance documents*

*Trowbridge was awarded £16,347,056  
Salisbury was awarded £9,355,731*

*Successful and timely delivery of the Future High Streets Fund Programme will enable Wiltshire Council to work with partners to initiate that process and attract in other public and private sector funding to rejuvenate town centres.*

87 **Future High Street Fund - Trowbridge Town Hall Refurbishment and Asset Transfer**

Councillor Richard Clewer, Leader of the Council, introduced the report which provided details on progress of a scheme of works to refurbish Trowbridge Town Hall, with funding allocated from the Future High Streets Fund for Trowbridge, and to confirm Trowbridge Town Hall Trust Ltd as the preferred end user and operator.

There being no further comments, it was then,

## **Resolved:**

### **That Cabinet:**

- 1) Notes the outcome of the scoping exercises and feasibility studies which have led to the outline designs and forecast costs for the refurbishment and reconfiguration of Trowbridge Town Hall and, subject to a deliverable scheme being achieved within the funding available from FHSF;**
- 2) Confirms Trowbridge Town Hall Trust Ltd. (company registration number 08142832 and charity registration number 1157058) (“TTHT”) as the end-user and operator of Trowbridge Town Hall, once refurbishment has been completed, subject to ongoing due diligence.**
- 3) Confirms that upon completion of the refurbishment, Trowbridge Town Hall should be let to TTHT on the basis of a 125 year lease.**
- 4) Delegates authority to the Director of Assets and Commercial Development (in consultation with Solicitor to the Council) to authorise the entering into a collaboration agreement and agreement for lease, and the grant the long lease, pursuant to the agreement for lease.**

### *Reason for Decision*

*Trowbridge Town Hall (“the Town Hall”) is in urgent need of modernisation and repair to enable a sustainable legacy and maximise use of all the available spaces within.*

*Significant refurbishment is required in the short term to prevent the Town Hall from becoming completely unusable, within the next 5-10 years, which would lead to further disintegration of not only this extremely valuable community asset, but of the high street upon which it prominently sits.*

*Once refurbished, the Town Hall would have greater capacity to organise events and provide a varied offer for community events, live music, arts festivals, meetings, cinema, theatre, youth clubs, business support, workspace, training and education, whilst ensuring use of the building remains financially sustainable.*

*Modernising the Town Hall will reduce the on-going revenue and maintenance costs and ensure its long-term sustainability.*

*TTHT, as existing occupiers and operators of the Town Hall are seen as the best fit for facilitating the future sustainable use of the Town Hall. TTHT will be subject to full challenge throughout the period leading up to the grant of lease to*

*ensure it continues to be a fit organisation to take over the use and maintenance of the Town Hall as a community asset.*

*A long lease is seen as the best method of achieving the outcomes outlined for the Town Hall.*

88 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.00 am - 1.20 pm)

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