

Cabinet

MINUTES OF THE CABINET MEETING HELD ON 2 MAY 2023 AT KENNET ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

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

Also Present:

Cllr Clare Cape, Cllr Zoë Clewer, Cllr Jerry Kunkler, Cllr Dr Mark McClelland, Cllr Dominic Muns, Cllr Tamara Reay, Cllr Jo Trigg, Cllr Suzanne Wickham, Cllr Graham Wright and Cllr Tony Jackson

30 **Apologies**

There were no apologies.

31 **Minutes of the Previous Meeting**

The minutes of the meeting held on 28 March 2023 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 28 March 2023.

32 **Declarations of Interest**

There were no declarations of interest.

33 **Leader's Announcements**

The Leader reported on the continuing support being provided by the council to address the cost of living challenges, including energy support, household support fund, libraries support, interactive directories, work of the Area Boards, bus passes and holiday activities. A full announcement is published on the Council's website [here](#) as Supplement 2.

34 **Public Participation and Questions from Councillors**

General questions were submitted from the following members of public:

- Margaret Willmott – Section 106 funding

- Dave Yearsley – Self-volunteering and improvements to data systems
- Dr Celia Beckett and Lucie Castleman – Local Plan
- Anne Henshaw (CPRE) – Local Plan and Housing supply
- Mel Boyle – Station Hill, Chippenham Traffic Lights, Sadlers Mead Car Park and Cocklebury Road pot holes
- Chris Caswill – Governance of Wiltshire and Swindon Police and Crime Panel

Supplementary questions were received from Dr Celia Beckett and Lucie Castleman about the impact on Staverton and Hilperton Parish Councils in relation to speculative development and the timing of the Local Plan process. The Leader and Cllr Botterill reiterated that they needed to be careful in not prejudging any response from the government about timescales. They understood the Parish Council's frustrations and had recently lobbied local MP's about this issue. Cllr Botterill agreed to share the government's response with the two Parish Council's once it had been received.

Cllr Clewer, Leader of the Council and Cabinet Member for MCI, Economic Development, Heritage, Arts, Tourism and Health & Wellbeing explained that the questions had received written responses which were published on the Council's website prior to the meeting in the agenda supplement, which can be accessed [here](#).

In addition to the public questions, a number of questions and comments were received from:

- Cllr Helen Belcher – staffing
- Cllr Ian Thorn – filling pot holes and dentistry vacancies

The above Councillor questions received written responses which were published on the Council's website prior to the meeting in the agenda supplement, which can be accessed [here](#).

35 **Q4 Performance and Risk**

Cllr Richard Clewer, Leader of the Council presented a report which provided an update on performance against the stated missions in the Council's Business Plan 2022-32 for quarter four, along with a summary of strategic risk.

The Leader explained that the report provided the current corporate performance framework, with measures used to monitor progress against the 10 missions detailed in the Council's current Business Plan. The Strategic Risk Summary captured and monitored significant risks facing the Council in relation to in-service risks facing individual areas and in managing its business across the authority. He noted that the report brought together an expanding list of performance indicators which would eventually provide annual comparisons in addition to those received on a quarterly basis.

Cllr Clare Cape welcomed the report and the development of the information available.

Cllr Graham Wright, Chairman of the Overview and Scrutiny Management Committee, reported that the Management Committee would be considering the report at their meeting on 22 May 2023.

Resolved:

That Cabinet note and agree:

- 1. The updates and outturns against the measures and activities mapped against the Council's priorities.**
- 2. The Strategic Risk Summary.**

Reason for Decision:

To provide Cabinet with a quarterly update on the current corporate 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.

New measures and details of those being developed are also included, both within the Scorecard and in the report commentary.

The Strategic Risk Summary captures and monitors significant risks facing the Council, in relation to 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.

36 Update on Council's response to the climate emergency

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

Cllr Holder explained that the council has made significant progress in responding to the climate emergency and in particular against the seven Climate Strategy themes, with the Council being awarded the Bronze Carbon Literate Organisation award. He reported on the energy and effort of the Climate Team and is encouraged by the recruitment of an additional 3 officers to the Team. In particular, Cllr Holder commented on the Council's ranking of 5th best unitary authority in the UK for its response to climate change, an independent report from Anthesis finding that the Council is in a very strong position to meet its carbon neutral commitment by 2030, the recent LGA Peer Review stating that the Council is excelling in work to address climate change,

the Climate Emergency Task Group playing a vital role, key performance indicators developed to track progress against objectives, the role of Area Board in addressing climate change and environmental issues as a priority for 2022/23 and the work with Wiltshire Climate Alliance. Cllr Holder then spoke in detail about the seven delivery themes for Transport, Housing and the Built Environment, Natural Environment, Energy, Green Economy, Waste and Carbon Neutral Council.

The Leader reflected on his attendance at a number of high profile events and the recognition of the work undertaken by the Climate Team.

The Deputy Leader commented on the importance and impact of working in the community and Area Board involvement in and funding of environmental projects.

Cllr Blair-Pilling, Cabinet Member for Public Health, Leisure, Libraries, Facilities Management and Operational Assets highlighted the impressive and excellent work being undertaken by the Climate Team.

Cllr Clare Cape echoed the comments of the Cabinet members and welcomed the development of performance indicators, the carbon literacy training and Area Board activity.

Cllr Graham Wright, Chairman of the Climate Emergency Task Group reported that the Task Group welcomed the council's commitment to give an update every six months on progress toward tackling climate change. He confirmed that the Task Group had received and considered the report at their meeting on 28 April 2023. He also recognised and appreciated the amount of work to this point, particularly by the Climate Team, and others across the whole council.

Cllr Tamara Reay spoke about the work being undertaken in Devizes with partners and specific action with schools and travel to school, and had confidence that the Council will reach its objectives.

Cllr Tony Jackson commented on Local Electric Vehicle Infrastructure Capability Fund and future issues for those residents unable to park outside their homes. Cllr Thomas explained that it was anticipated that this funding would continue, and it could be allocated towards aiding the necessary infrastructure.

Resolved:

That the actions taken in response to the climate emergency following the last update in October 2022 be noted.

Reason for Decision:

To provide Cabinet with an update on actions taken in response to the climate emergency.

Proposal to retain and invest in Silverwood School Chippenham and Trowbridge campuses (post consultation)

Cllr Laura Mayes, Deputy Leader and Cabinet Member for Children's Services, Education and Skills, and Cllr Jane Davies, Cabinet Member for Adult Social Care, SEND and Inclusion presented a report detailing proposals to invest in the substantial refurbishment of Silverwood School at the Chippenham and Trowbridge campuses to meet growing demand for special school places.

The Deputy Leader explained that the Silverwood School leadership team consider that the educational needs of current and future secondary-aged pupils are best served at the Rowde campus, complemented by primary provision across Chippenham, Trowbridge and Rowde campuses.

Cllr Davies commented on the significant investment for young people across the Rowde, Chippenham and Trowbridge Campuses to address the increasing demand for specialist school placements. A formal consultation was undertaken from the end of January 2023 over a 5 week period, resulting in 141 responses, details of the feedback received were detailed in the Appendix to the report. In summary there was high level support to retain and invest in the Chippenham and Trowbridge campuses alongside support to increase the number of registered places available to meet demand. It was recognised that all children due to transition to Rowde will need sensitive, carefully-managed transitions to support the move, but ultimately, they will benefit from the education they receive with their peers, in a secondary campus specifically designed to meet their educational needs.

Cabinet members welcomed the proposals and were encouraged by Silverwood adapting to the changing circumstances.

Cllr Jo Trigg welcomed the report and the commitment to invest in the campuses at Chippenham, Trowbridge and Rowde. She highlighted the potential for anxiety and concern of parents during the refurbishment and transition stages and asked about timescales during this difficult time. The Deputy Leader and Cllr Davies provided assurances that the Council and Silverwood were already holding conversations and working with families to allay any concerns they had, whilst acknowledging that this would be a difficult time for them. She explained the importance of pupils growing with their contemporaries at appropriate facilities. The Executive Headteacher and Council officers commented on the process and timescales, in particular the proposed works for the Trowbridge campus were more substantial and therefore they would be sharing green space with Paxcroft Primary School during this time, it was anticipated that this work would take place over the summer period in 2024, the Chippenham campus required a more light touch approach with only cosmetic work required, due to take place during Easter 2024. Following completion of works at the campuses, the transition of accepting additional pupils would commence over a number of months.

Cllr Graham Wright, Chair of the Overview and Scrutiny Management Committee, on behalf of Cllr Jon Hubbard, Chair of the Children's Select

Committee, that the Select Committee Chair and Vice-Chair received a briefing on 26 April 2023 and were satisfied with the proposals detailed in the report.

Resolved:

That Cabinet approves:

- i) the change to Silverwood School pupil numbers, increasing registered place numbers from 410 to 460.**
- ii) the change in age range on the campuses to deliver the operating model recommended by Silverwood School. This changes all-through education at Chippenham, Trowbridge and Rowde, to primary education at Chippenham and Trowbridge campuses and all-through education at Rowde campus.**
- iii) the refurbishment of Chippenham and Trowbridge campuses, funded from pre-approved 'Silverwood Phase 5' capital funding - with decision-making in respect of implementing the proposals delegated to the Director of Education & Skills.**

Reason for Decision:

The proposal to invest in the substantial refurbishment of Chippenham and Trowbridge campuses is required if Wiltshire Council is to meet growing demand for special school places. The proposal is a cost-effective capital solution to maximising Silverwood School provision, securing 150 places.

It is unequivocally necessary to grow the school offer for learners with SEND. Through an investment in, and retention of, Silverwood School Chippenham and Trowbridge campuses, children with SEND will be able to access local primary-age provision; complemented by an all-through offer (Reception to Sixth Form) at Silverwood Rowde.

Families with SEND will have the choice to attend the local primary school at Chippenham, Trowbridge or Rowde campuses followed by the more extensive secondary school experience at Rowde campus only, located 10 miles away from the primary school campuses. Silverwood School will continue to provide a hybrid Sixth Form offer at Rowde and Silverwood College (previously known as Poplar).

Under this proposal, Silverwood children are offered the choice of a local primary school education – enjoying shorter travel times to school and a better balance between school and home time. The proposals deliver significant cost savings (place and transport costs) when compared with Independent Special School alternatives. It also satisfies a growing demand for special school places, enabling Wiltshire Council to fulfil its statutory duties in a mainstream, specialist provision.

Cllr Nick Botterill Cabinet Member for Finance, Development Management and Strategic Planning presented a report seeking approval for the Wiltshire Design Guide (WDG) in order for it to be progressed to statutory public consultation with the intention that, subject to any further amendments and approval by Council, it will be adopted as a Supplementary Planning Document (SPD).

Cllr Botterill explained that once adopted, the Design Guide will be used to ensure that developments in Wiltshire are consistently of a high-quality design. It is structured around the '10 characteristics of good design' as described in the National Design Guide, focusing on local priorities and qualities for Wiltshire. As the Design Guide is intended to be adopted as a (SPD) it will become a material consideration in the determination of planning applications. The draft design guide has been through extensive internal consultation across all relevant service areas.

Cabinet noted that, subject to their approval, the next stage is to seek the views of external stakeholders and the community through statutory public consultation in early Summer. Consideration of comments and any amendments necessary will be made during July 2023 and August 2023 in anticipation of the final version being considered by Cabinet and adopted by Council in October 2023.

In response, Cabinet members made reference to certain parts of the document as attached at Appendix 1 in relation to the application of the 20 minute neighbourhood area to villages and rural areas, the benefits of terraced homes, supporting rich and varied biodiversity, creating edible landscapes that support wildlife and better connect communities with food growing, and the appropriate naming of developments and streets. The Leader and Cllr Botterill noted the comments made and whilst acknowledging that there were other modes of transport available, the majority of travel undertaken between villages and rural areas would be by private vehicles. It was suggested that the views of external stakeholders and public are sought through the consultation process with consideration of the responses at a later stage.

Cllr Clair Cape thanked officers for the comprehensive document and commented on the work being undertaken in relation to the Chippenham Neighbourhood Plan and how it sits with the Design Guide and Local Plan. The Leader and Cllr Botterill explained that Neighbourhood Plans will remain important as they continue to incorporate design guidance which relates to specific neighbourhoods or sites, which cannot be covered by the county wide Design Guide. Cllr Cape also highlighted issues in relation to the over supply of older peoples homes in certain developments.

Cllr Jerry Kunkler, Chair of the Environment Select Committee confirmed that the Select Committee had considered the Design Guide at their meeting on 14 March 2023. The Select Committee welcomed and endorsed the report and the comments from that meeting were attached in Appendix 2 to the report pack. In addition, Cllr Kunkler commented on the sales of local authority/housing association homes with the apparent lack of replacements being made

available. In response, the Leader and Cllr Alford, Cabinet Member for Housing, Strategic Assets and Asset Transfer recognised this was a challenging situation, however the Councils enabling housing team worked with developers and 140 affordable homes were recently made available.

Resolved:

That Cabinet approves the Wiltshire Design Guide for public consultation and delegate to the Corporate Director Place in consultation with the Cabinet Member for Finance, Development Management and Strategic Planning, to finalise subsequent matters as required and take all necessary steps.

Reason for decision:

The Wiltshire Design Guide is intended to be adopted as a Supplementary Planning Document following public consultation to support the delivery of consistently high-quality design standards in new developments.

39 **Procurement of Cleaning Contracts**

Cllr Ian Blair-Pilling, Cabinet Member for Public Health, Leisure, Libraries, Facilities Management and Operational Assets presented a report which proposed the procurement of cleaning services across the Council's operational estate managed by Strategic Assets and facilities Management, within Assets & Commercial Development, with effect from 1 December 2023.

Cllr Blair-Pilling explained that the council's contract for cleaning services was awarded in 2016 through an Official Journal of the European Union procurement procedure, with that contract expiring on 30 November 2023. The intention is to use the Find a Tender Service (FTS) procurement procedure to procure cleaning services from 1st December 2023, with an anticipated cleaning contract cost exceed £4m (including any optional extension periods). He indicated that with no contract clauses in the existing contract to allow price uplifts, cleaning charges had been kept artificially low and it was anticipated contract spend from December 2023 could increase by as much as 20-30%.

Cllr Clare Cape expressed support for the proposals especially as there were no concerns raised during the scrutiny process.

Cllr Graham Wright, Chair of the Overview and Scrutiny Management Committee welcomed the report and highlighted that a briefing had been provided for the Chair and Vice-Chair of the Management Committee on 15 March 2023. He indicated that they were supportive of the proposals.

Resolved:

That Cabinet approves the use of the Find a Tender Service procurement for the re-tendering of cleaning services, with a new contract starting 1 December 2023 with a contract term for 5 years, with the option to extend

by two further one-year periods and delegates authority to enter into contracts, following the procurement and tender evaluation process, to the Corporate Director for Resources in consultation with the Cabinet Member for Leisure, Libraries, Governance, Facilities Management and Operational Assets, to take all necessary steps.

Reason for decision:

- *Existing cleaning contract is due to expire 30 November 2023 and cannot be extended further; with all extension options exhausted by this time.*
- *Procuring independently through the FTS process is considered the most cost effective and flexible approach, and the best option for delivering the most competitive outcome for this service.*
- *It is anticipated the cleaning contract will exceed £4m, including any optional extension periods.*

40 **PHNS Future Delivery Model**

Cllr Ian Blair-Pilling, Cabinet Member for Public Health, Public Protection, Leisure, Libraries, Facilities Management and Operational Assets presented a report which provided information about the future delivery model for Wiltshire's Public Health Nursing Services (PHNS) beyond April 2024, currently delivered by HCRG Care Group as part of Wiltshire's Children's Community Healthcare Services contract.

General questions were submitted from Chris Caswill about the reasons why the Appendix was contained in the private part of the agenda and not available for inspection by the public.

The Leader of the Council explained that the questions had received written responses which were published on the Council's website prior to the meeting in the agenda supplement, which can be accessed [here](#).

Cllr Blair-Pilling explained that the HCRG contract is a collaborative commissioning arrangement between the Council, NHS Bath and North-East Somerset, Swindon and Wiltshire Integrated Care Board, with a total value for 2022/23 of £14.1m.

Cabinet noted that the Integrated Care Board (ICB) began a review of community health services across Bath and North-East Somerset, Swindon and Wiltshire, with Wiltshire being an active participant in the review, whilst maintaining its intention to progress with arrangements as agreed by Cabinet in June 2022 for PHNS to be part of a single procurement of a combined universal and specialist children's community health service for Wiltshire with separate terms and conditions for the respective Council and ICB elements. The ICB has recently clarified it is not able to progress a joint procurement process with Wiltshire Council at this time and the Council is not able to extend the current contract any further under procurement legislation. The options

available have therefore evolved since June 2022 to (i) single procurement of Wiltshire PHNS by Wiltshire Council or (ii) Local Authority in-house PHNS.

The report detailed the options appraisal against the same strategic objectives set out in June 2022, which showed minimal variation in relation to strategic elements, but greater variation in relation to technical elements, with the single procurement of Wiltshire PHNS by Wiltshire Council being the preferred option.

In response to a question from Cllr Clare Cape about the importance of the outcome of the procurement process, Cllr Blair-Pilling expressed disappointment that the Council were unable to procure the service with the ICB, however, the spirit of integration still remained.

Cllr Graham Wright, Chairman of the Overview and Scrutiny Management Committee, on behalf of Cllr Jon Hubbard, Chair of the Children's Select Committee and Cllr Johnny Kidney, Chairman of the Health Select Committee, confirmed that a joint briefing was held for the Chair's and Vice-Chair's of the Health Select Committee and Children's Select Committee on 25 April 2023. No issues were raised.

Resolved:

That Cabinet agrees:

- 1. For the Local Authority to undertake a standalone procurement of Wiltshire PHNS.**
- 2. To delegate to the Director of Public Health in consultation with the Cabinet member for Children's Services, Education and Skills and Cabinet member for Public Health, Public Protection, Leisure, Libraries, Facilities Management and Operational Assets, to agree the award of a contract following the tendering process.)**

Reason for decision:

The contract with HCRG Care Group to deliver the Wiltshire Children's Community Healthcare Service expires on 31 March 2024 following completion of an exceptional 1 year contract agreed at Cabinet on 29 March 2022. Circumstances related to the agreement at Cabinet in June 2022 to undertake a joint procurement for the service with Bath and North-East Somerset, Swindon and Wiltshire Integrated Care Board (BSW ICB), have recently changed and require a subsequent decision to be made about the provision of Public Health Nursing Services from 1 April 2024.

Effective integration and partnership with interfacing services is critical to the effective delivery of Public Health Nursing Services. There is commitment from both the Local Authority and BSW ICB to continue to work closely together to align Wiltshire's universal and specialist service specifications and monitoring processes to ensure services continue to be joined up and seamless. We do not foresee any impact on children, young people, and families. The Local Authority will also ensure an emphasis on strengthening partnership and integration with

local authority and non-health services, including the voluntary and charitable sector in the best interests of children, young people and families

41 **Urgent Items**

There were no urgent items.

42 **Exclusion of the Press and Public**

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Item Number 131 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.

43 **PHNS Future Delivery Model**

The Cabinet noted the Options Appraisal report attached as an appendix to the main report at minute 40 above.

Resolved:

To note the Options Appraisal report.

Reason for Decision:

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(Duration of meeting: 10.00 am - 12.30 pm)

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