

Cabinet

MINUTES OF THE CABINET MEETING HELD ON 12 DECEMBER 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 Nick Holder and Cllr Caroline Thomas

Also Present:

Cllr Richard Budden, Cllr Clare Cape, Cllr Tony Jackson, Cllr Gordon King, Cllr Jerry Kunkler, Cllr Dominic Muns, Cllr Tamara Reay, Cllr Christopher Williams and Cllr Robert Yuill

106 **Apologies**

Apologies were received from Cllr Jane Davies and Cllr Phil Alford.

107 **Minutes of the Previous Meeting**

The minutes of the meeting held on 14 November 2023 were presented for consideration.

Resolved:

To approve and sign the minutes of the meeting as a true and correct record.

108 **Declarations of Interest**

There were no declarations of interest.

109 **Leader's Announcements**

The Leader made the following announcements:

1. Cllr Tony Trotman

The Leader paid tribute to Calne Councillor Tony Trotman who passed away on 30 November 2023. He represented Calne Chilvester and Abberd on Wiltshire Council since 2009 and was the Chair of the Northern Area Planning Committee throughout that time. He had previously been a member of both Wiltshire County Council and North Wiltshire District Council. He served on Calne Town Council for over 20 years, including serving as mayor on four occasions. He would be sadly missed as a friend and Councillor.

2. Programme 3 Integrated Community Based Care (ICBC) Update
The Leader referred to the update which was available to read in [Agenda Supplement 1](#).

3. Children's Services - Ofsted Report Results

Cllr Laura Mayes, Deputy Leader and Cabinet member for Children's Services, Education and Skills congratulated the hardworking staff who have been recognised by Ofsted as providing Outstanding support and care to make a positive difference to children and young people's lives.

She stated that "We want the very best for all our children and young people, so they are not held back by circumstances. We will do everything in our power to be the very best corporate parent and provide excellent support and care. Ofsted has recognised across the board the council is fully committed to supporting every child to achieve. We have always wanted to focus on achieving the highest rating as a reflection of our firm commitment to our children and young people".

"We listen to our children and young people and families, and this feedback and interaction has really steered the way we have moved forward. We are never complacent, and we will always be looking at how we can improve still further to maintain high standards and to provide the best opportunities for all".

The full article is available at this link - [Wiltshire Council rated "Outstanding" for making a "positive difference to children's lives - Wiltshire Council](#)

Cllr Jon Hubbard – Chair of the Children's Select Committee and Cllr Gordon King, thanked both the officer team and the Cabinet for accepting the challenge of transforming Children's Services in Wiltshire. Members recognised the work undertaken to allow the changes to take place over the years and thanked Cllr Mayes and the Cabinet for supporting these changes.

110 **Public Participation**

[Agenda Supplement 1](#) included details of questions submitted for the meeting, together with responses.

Cllr Richard Budden asked a supplementary question about following other council's lead in the reduction of greenhouse gas emissions resulting in savings to Wiltshire Council.

Cllr Nick Holder, as the relevant Cabinet Member, referred to a response that he provided at Full Council on 17 October 2023 about this issue. Cllr Holder was disappointed that he had to refer to his earlier response and comment on particular wording in Cllr Budden's original question.

Cllr Jerry Kunkler, Chair of the Environment Select Committee invited Cllr Budden to attend the Select Committee in 2024 when they would be considering a report on the collection of food waste and the associated environmental impacts.

111 **Fleet Strategy 2023 - 30**

Cllr Caroline Thomas, Cabinet Member for Transport, Street Scene, and Flooding presented a report which provided detail about the Fleet Strategy 2023 to 2030.

Cllr Thomas explained that the Strategy gives a clear road map for capital investment, vehicle replacement, revenue funding and climate outcomes. It details how the management of the fleet will ensure the Council is a high performing organisation, recognises effort by monitoring outcomes with rewards for achievement, focusses operations on making a difference by maximising the use of resources to deliver the best outcomes Wiltshire communities and the environment, and underpins the move to sustainable business travel with the Council committed to working towards zero carbon emissions by 2030 with the fleet playing a major role in achieving this.

Cllr Thomas commented on the engagement with the Energy Savings Trust to establish a baseline and outcomes for the new strategy, which were reviewed by an officer group to include in the new strategy. It was noted that capital funding was approved for the delivery of the Strategy's vehicle replacement programme, however, any additional vehicles would need capital/revenue bid(s) to be made at the time and the replacement costing built into the financial plan if required. In addition to the Strategy identifying how the Council manages its owned fleet it also considers other associated Council travel, such as contractor and Grey Fleet (personal vehicles) travel.

Cllr Ian Blair-Pilling, Cabinet Member for Public Health, Leisure, Libraries, Facilities Management and Operation Assets welcomed the Strategy and recognised that the current fleet was due for replacement. He also noted the many different types of vehicles in the current fleet.

The Leader thanked officers for a very detailed report and for taking into account the many and varied type of vehicles in the Council fleet.

Cllr Gordon King, Deputy Leader of the Liberal Democrat Group, agreed that the fleet needed to be renewed, he asked about the use of sustainable fuels and the future revenue costs. Cllr Thomas and the Leader explained that the Council's desire is for a fully electric fleet with a rolling replacement programme whilst monitoring the use of alternative fuels. The report detailed the capital and revenue position, and Cabinet members were confident that revenue costs would be achievable especially as a reviews were being built into the process.

Cllr Jerry Kunkler, Chair of the Environment Select Committee, reported that the Select Committee considered the Strategy at their meeting on 7 November 2023. They welcomed the Strategy and comments were made about the use of

methane to power vehicles, reduction in the baseline number of vehicles and the launch of Demand Responsive Transport Project. The Select Committee asked for an update on the delivery of the Strategy in November 2024.

Cllr Dr Brian Mathew also commented on the potential use of methane to power fleet vehicles and suggestions from Wiltshire Climate Alliance about the use of cargo bikes. It was noted that the use of methane was currently outside of the scope of the Strategy although, as mentioned earlier in the meeting the use of alternative fuels would continue to be monitored. The Leader referred to an example of Cornwall Council in the early stages of using methane to power vehicles. The use of cargo bikes could be explored further if opportunities arise.

Resolved:

That Cabinet:

- 1) Approves the Wiltshire Fleet Strategy 2023 – 2030.**
- 2) Notes the Fleet capital and revenue vehicle replacement funding for 2023 – 2025 has already been approved and is being implemented in line with the Strategy.**
- 3) Notes the vehicle review being undertaken by the Waste Service and that a capital bid will be made on its completion.**
- 4) Recommends that Full Council approves the Fleet capital and revenue vehicle replacement requirement for 2026 – 2030 as detailed in the Strategy and adds the phase two - £7,145,955 and phase three - £4,057,430 requirements to the Capital Programme.**

Reason for Decision:

To support the Council to evolve its travel to deliver the Climate Pledge, to meet the Financial Plan, to have a vehicle replacement programme that meets the needs of its services, to ensure data led decisions and to detail a capital replacement programme.

112 Home Upgrade Grant Scheme 2 (HUG2) Procurement

Cllr Nick Holder, Cabinet Member for Environment and Climate Change presented a report which provided an update on the procurement process for the delivery of the Home Upgrade Grant, and the procurement approach being taken.

Cllr Holder reported that Wiltshire Council has been successful in securing more than £3.6m of Home Upgrade Grant (HUG2) from the government to assist with energy efficiency measures of existing housing in the county. It has been awarded to retrofit up to 210 Wiltshire Homes by March 2025, supporting the council's ambition to be carbon neutral by 2030.

Cabinet noted that the HUG2 is a grant funding scheme launched by the Department for Energy Security and Net Zero to help local authorities to provide energy efficiency upgrades and low carbon heating systems to low-income households. The scheme targets the most underperforming homes without mains gas central heating, with 60% of the national funding ringfenced for rural Local Authorities.

Cllr Holder explained that a key focus of the scheme is to increase the energy efficiency of homes and phase out the use of fossil fuel heating to make progress towards meeting the UK's 2050 Net Zero commitment. It will also support improved household health and wellbeing by reducing the number of cold homes and play a key role in the government's wider programme of green retrofit. He further explained the benefits of investing in energy efficiency upgrades.

Cllr Gordon King, Deputy Leader of the Liberal Democrat Group, welcomed the report and proposals and asked if a database existed of the properties eligible for grant funding, and whether boats and traveller sites were included for consideration. Cllr Holder noted the challenge ahead in identifying properties eligible for grant funding and explained that outreach would be undertaken with community groups and the eligibility criteria for funding was available in the appendix to the Cabinet report.

Cllr Jerry Kunkler, Chair of the Environment Select Committee, reported that he and Cllr Bob Jones MBE, Vice-Chair of the Select Committee received a briefing from officers on the Strategy at their meeting on 6 December 2023. They welcomed the report and supported the proposals.

Cllr Richard Budden supported the proposals and welcomed the outreach to community groups which would be crucial for the delivery of the programme.

Resolved:

That Cabinet:

- 1. Agree that a Find a Tender Service (FTS) compliant contract be awarded to enable the delivery of energy efficiency improvements to low-income owner-occupied homes in Wiltshire.**
- 2. Delegate authority for awarding the contract to the new service provider/s to the Corporate Director for Resources & Deputy Chief Executive, and the Director for Environment in consultation with the Cabinet Member for Environment and Climate Change.**

Reason for Decision:

The recommendations included in this paper have been proposed following extensive research and in consultation with subject matter experts. The justification for each of the procurement proposals included in this report are as follows:

- 1. Retrofit services will be procured via a FTS compliant means. This is to speed up the procurement of the services by removing the need for the council to run its own tender process.*
- 2. A turnkey contractor will be procured to manage and deliver all the services required to deliver a HUG2 project. This is more efficient than the council managing multiple contracts and reduce the level of resource required from the council.*
- 3. Quality assurance will be provided by an organisation which is independent from the turnkey contractor. Auditing of ten percent of each property archetype will check for quality and any issues can be raised early in the project.*
- 4. The council will seek to work with local SME's who can deliver the specialist retrofit services required, either as the turnkey contractor or as subcontractors to the turnkey contractor.*

113 **Setting of the Council Tax Base for 2024/25**

Cllr Nick Botterill, Cabinet Member for Finance, Development Management and Strategic Planning presented a report to ensure that the Council Tax Base for 2024/25 is set and approved by the statutory date of 31 January 2024 on which the Council, major precepting authorities and local precepting authorities set their precepts and budgets for 2024/25.

Cllr Botterill explained that the Council is required to approve its Council Tax Base annually, in accordance with the Local Government Finance Act 1992 and The Local Authorities (Calculation of Council Tax Base (England)) Regulations 2012. The Council Tax Base 2024/25 must be notified to Major Precepting Authorities (the Office of the Police & Crime Commissioner for Wiltshire & Swindon and Dorset & Wiltshire Fire and Rescue Service) and Local Precepting Authorities (Town and Parish Councils) by 31 January 2024.

He reminded Cabinet they at its meeting on 12 September 2023 they approved to consult on proposals to changes to the Council Tax Reduction (CTR) Scheme for working aged people. The report provided an update on the results of the consultation, and also raised awareness of changes to legislation giving council's the discretionary power to add premiums of up to 300% to those owning second homes.

It was noted that a further report will be brought to Cabinet with recommendations on premium charges following the enactment of the Levelling Up and Regeneration Bill for England.

Cllr Chris Williams, Vice-Chairman of the Overview and Scrutiny Management Committee commented on behalf of the Financial Planning Task Group which met on 8 December and considered the report. The Task Group welcomed the report and supported its proposals, although they felt that adding the precept for

2023/23 would have been a useful comparator to the tax base for 2024/25 as detailed in the appendix to the report.

Resolved:

Cabinet to approve:

- 1. The Council Tax Base 2024/25 of £194,423.87;**
- 2. That the Chief Finance Officer (Director, Finance & Procurement (S151 Officer)) is given delegated authority to determine the estimated Collection Fund balances (Council Tax and Business Rates) as of 31 March 2024 by 15 January 2024.**
- 3. To note the results of the Council Tax Reduction Scheme review consultation.**

Reason for Decision:

Before the Council Tax can be set by the Council in February 2024 a calculation must be made and approved of the Council Tax Base, which is an annual requirement as laid out in the Local Government Finance Act 1992. The council must set this and notify major and local precepting authorities by 31 January 2024.

Following the public consultation on proposed changes to the Council Tax Reduction scheme it is best practice to report back to Cabinet the results and any recommendations to be considered.

114 **Provision of Education Learner with Social, Emotional and Mental Health Needs**

Cllr Laura Mayes, Deputy Leader and Cabinet Member for Children's Services, Education and Skills presented a report which outlined proposals to commission an external education provider to provide 45 places for primary age children and 15-25 places for secondary age young people with Education Health and Care Plans and Social, Emotional & Mental Health (SEMH) profile of need in Wiltshire for Wiltshire children and young people.

The Deputy Leader explained that the Council has a significant need for Primary Day Special Social, SEMH provision in Wiltshire for children with EHCPs. She highlighted that currently, there is no maintained special school provision for primary-aged learners in Wiltshire, despite a growth in demand for SEMH special school places.

Cabinet noted that the Council is supporting increasing numbers of secondary age pupils currently struggling to access mainstream education due to high levels of anxiety and there is a lack of in county provision to support learners in reintegration into school settings. Due to the current lack of sufficiency the Council are placing high numbers of children in independent special schools

often result in children traveling long distances and being further removed from their local communities.

The Asset Gateway and Capital Programme Board approved in February 2023 for Melksham House to be leased to a commissioned external provider to deliver education provision following required site renovations. Cllr Phil Alford, Cabinet member for Housing, Strategic Assets and Asset Transfer recently visited the site and commented on how he was impressed with the excellent facility and pleased that it was at the heart of the community in the town centre. Cllr Caroline Thomas, Cabinet Member for Transport, Street Scene and Flooding added her support for the proposals and noted that the life chances of children would be significantly improved.

Cllr Gordon King, Deputy Leader of the Liberal Democrat Group, supported the proposal and agreed with the positive views of Cabinet members.

Cllr Jon Hubbard, Chair of the Children's Select Committee reported that he and Cllr Jacqui Lay, Vice-Chair of the Children's Select Committee received a briefing on the report on 7 December 2023. They welcomed the exciting proposals which would help with the immediate demand and the Council's reliance on out of county placements.

Cllr Hubbard, in a personal capacity, commented on the funding issues surrounding EHCPs and the need to concentrate on individual needs as one size did not fit all.

Resolved:

- 1. Approve the award a 5 plus 5 year contract to an external education provider, to provide 45 places for primary age children and 15-25 places for secondary age young people with EHCPs and Social, Emotional & Mental Health (SEMH) needs in Wiltshire for Wiltshire children and young people. This will include an annual review of the contract.**
- 2. Note that the contract award will follow officers completing the tender programme, award, and implementation of a new contract for the provision of OFSTED registered education by 31 March 2024, with a clear mobilisation period to support opening in September 2024.**
- 3. To delegate authority to approve and award a new contract and future extensions and all associated documents to the Corporate Director, People, in consultation with the Deputy Leader and Cabinet Member for Children's Services, Education and Skills.**

Reason for Decision:

To ensure primary and secondary aged children and young people with EHCPs and Social, Emotional and Mental Health (SEMH) profile are provided with

fulltime equivalent education in an OFSTED registered school, tailored to their individual needs.

To ensure cost effective placements for children and young people within buildings owned by Wiltshire Council by leasing them to a provider at a peppercorn rent through a new contract.

115 **Disposals Programme Update**

Cllr Phil Alford, Cabinet Member for Housing, Strategic Assets and Asset Transfer presented the report which provided a six-month update on the Council's disposal programme.

Cllr Alford explained that the Council had a programme for disposal of sites that are surplus to requirements which generate capital receipts which contribute to the capital programme.

The report presented a position in respect of completed and projected receipts and a request to declare eight assets as surplus. Also the report requested to authorise the Director of Assets to dispose of the freehold and approve the sale or in their absence the Corporate Director Resources, in consultation with Cabinet Member for Housing, Strategic Assets, Asset Transfer.

Cllr Alford highlighted the key points from the report. He noted that the projected Capital Receipts for the two years from 2021/22 to 2022/23 were initially set at £5.916m. The actual amounts received from sales, net of allowable costs for 2021/22 was £2.892m and £1.827m for 2022/23. A total of £4.719m. In addition, the projected Capital Receipts for 2023/24 had been set at £3.8m reprofiled for 2024/25 at £2.25m and for 2025/26 the target is £1.25m. From 2026 onwards the target is projected at £1m.

Cllr Clare Cape commented on the site at Pewsham Lodge Farms south of Pewsham Way, Chippenham and questioned why the site was on the disposal list as it appeared that the Local Plan had already been processed. The Leader explained that two sites were to be declared surplus and these had been identified in the Reg 19 Local Plan for development. He was very clear that the two sites – Land at Shoddesdon Lane, Ludgershall and Pewsham Lodge Farms south of Pewsham Way, Chippenham, were being declared surplus in order to demonstrate that the land is available for development thereby supporting the Local Plan allocation and this is not pre-judging any decision to be made by the Local plan Inspector at a later date.

Resolved:

- 1) Note the current position in respect of receipts for the financial year 2022/3.**
- 2) Approve the disposal of the 8 assets in Appendix 2 to generate capital receipts in support of the Council's capital programme.**

- 3) Authorise the Director for Assets to dispose of the assets, or in their absence the Corporate Director, Resources, in consultation with Cabinet Member for Housing, Strategic Assets, Asset Transfer.**

Reason for Decision:

To note the current position in respect of capital receipts for the financial year 2023/24, and confirm the freehold interest in the 8 assets can be sold to generate capital receipts, after a review of the options to determine how the best overall interest of the Council can be achieved.

116 Urgent Items

There were no urgent items.

117 Exclusion of the Press and Public

Resolved:

To agree in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minute Numbers 118 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 .

118 Safety Valve Agreement

Cllr Richard Clewer, Leader of the Council and Cabinet Member for Economic Development, Military-Civilian Integration, Heritage, Arts, Tourism, Health and Wellbeing, Cllr Laura Mayes, Deputy Leader of the Council and Cabinet Member for Children's Services, Education and Skills, Cllr Nick Botterill Cabinet Member for Finance, Development Management and Strategic Planning presented the report seeking agreement that the Plan should be submitted to the Department for Education to form the basis of a Safety Valve Deal for Wiltshire.

Resolved:

That Cabinet approves:

- 1. Submission of the draft Safety Valve Plan to the Department for Education on 15th December 2023.**
- 2. Submission of a capital bid for additional High Needs Places Capital Allocation (HNPCA) grant as part of the Safety Valve plan in line with DfE guidance.**

3. **Proposed addition of £10m to the capital programme in lieu of any further HNPCA grant in 2024/25.**
4. **Delegated authority to the Corporate Director for People, in consultation with:**
 - **Cabinet Member for Children’s Services, Education and Skills**
 - **Cabinet Member for Adult Social Care, SEND and Inclusion**
 - **Cabinet Member for Finance, Development Management and Strategic Planning**
 - **Chief Executive**
 - **Director of Finance & Procurement to undertake such amendments as negotiated with the Department for Education.**
5. **Submission of a final Safety Valve Plan to the Department for Education on 12th January 2024, subject to approval from the Cabinet Member for Children’s Services, Education and Skills, and the Cabinet Member for Adult Social Care, SEND and Inclusion.**
6. **A written update paper for the Cabinet meeting on 16th January 2024 that set out changes made to finalise the Safety Valve plan.**

Reason for Decision:

This proposal will allow the submission of the draft plan to government which can then be negotiated and submitted in its final form. Work can begin on delivering the DSG management plan so that SEND services can be improved and made sustainable.

(Duration of meeting: 10.00 am - 12.30 pm)

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

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