

## Cabinet

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### **MINUTES OF THE CABINET MEETING HELD ON 14 SEPTEMBER 2021 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.**

#### **Present:**

Cllr Richard Clewer (Chairman), Cllr Laura Mayes (Vice-Chairman), Cllr Jane Davies, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr Pauline Church, Cllr Simon Jacobs and Cllr Dr Mark McClelland

#### **Also Present:**

Cllr Gavin Grant, Cllr Tony Jackson, Cllr Carole King, Cllr Gordon King, Cllr Dr Brian Mathew, Cllr Horace Prickett, Cllr Pip Ridout, Cllr Martin Smith and Cllr Ian Thorn

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#### **47 Apologies**

Apologies were received from Cllr Phil Alford.

#### **48 Minutes of the previous meeting**

The minutes of the meetings held on 13 July 2021 and 21 July 2021 were presented.

#### **Resolved:**

**To approve as a correct record and sign the minutes of the meetings held on 13 July 2021 and 21 July 2021.**

#### **49 Declarations of Interest**

There were no declarations of interest.

#### **50 Leader's announcements**

There were no Leader announcements.

#### **51 Public participation and Questions from Councillors**

Statements and questions were submitted from the following members of public:

- Helen Stride – Future Chippenham Plans
- Andrew Nicolson – Future Chippenham Plans and Climate Emergency

- Mel Boyle – Future Chippenham Plans and Station Road Traffic Lights – Chippenham
- Dr Paul Martin – Station Road Traffic Lights, Chippenham
- Ian James – County Farms
- John Thorne – Refugees

Cllr Clewer, Leader of the Council and Cabinet Member for MCI, Economic Development, Heritage, Arts, Tourism and Health & Wellbeing explained that the above 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](#).

A supplementary question was received from Andrew Nicolson in relation to the content of the Cabinet minutes from the meeting held on 21 July 2021 and how additional queries raised as a result of earlier responses would be provided. The Leader explained that the minutes of the Cabinet meeting were not a verbatim note of the meeting but captured the essence of the meeting and were a record of the decisions made. He also confirmed that members of the public were able to submit additional questions outside of Cabinet meetings, if they had queries on the responses previously received.

A further public statement and question was submitted from Susan McGill in relation to agenda item 12 – Evolve Programme – Contract Award. This question and response was received at this stage of the meeting as it related to an item that would be considered with the press and public excluded.

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

- Cllr Martin Smith – Northern Area Planning – Resource Concerns
- Cllr Ian Thorn
  - Business rent increases and pressure on the local economy
  - Comments from the Police and Crime Commissioner
  - Asset Transfer – future process
  - Programme of support for business
  - Publicity about hedge trimming alongside public pavements
  - Business Planning process
- Cllr Gordon King – Furlong Close and future plans

The above questions and comments received verbal responses at the meeting, which are also available on the recording of the meeting [here](#).

## 52 **Financial Year 2021/2022 - Quarter One Revenue Budget Monitoring**

Cllr Pauline Church, Cabinet Member for Finance and Procurement, Commissioning, IT, Digital and Commercialisation presented the report which provided detail about the Revenue Budget Monitoring position 2021/22 Quarter 1 (30 June 2021) for the financial year 2021/22 with suggested actions.

Cllr Church reported that the net budget set by Full Council for 2021/22 is £412.562m, being set as a one year holding position which recognised the negative impact of the COVID-19 pandemic on funding and income generating services. It was noted that included within the budget is the planned earmarked reserve drawdowns totalling £8.444m from the Budget Equalisation and Collection Fund Volatility reserve. The budget is also supported by £20.301m one off Hardship and Emergency Funding Grant from Government in 2021/22. The quarter 1 position forecasts the Council will be underspent by £1.762m at the year end.

Cllr Church confirmed that the funding for the 'Dads Matter Too' project amounted to £12m nationally and that Wiltshire Council element of £0.125m would be transferred to a new specific reserve to fund anticipated future activity.

The Leader commented on the overspend in relation to the Dedicated Schools Grant and reminded Cabinet that this was an issue being faced by councils nationally, which the Government had acknowledged.

Cllr Pip Ridout, Chair of the Financial Planning Task Group, informed Cabinet that the Task Group had considered the report at its meeting held on 10 September 2021. The report was welcomed by the Task Group who commended the Cabinet Member and Deputy Chief Executive on the way the data was presented. Cllr Ridout and Cllr Grant, Vice-Chair of the Task Group, explained that the Task Group explored a number of areas including the controlled management of staff vacancies, impact of National Insurance changes and pressures being faced by the costs linked to Ash Die Back.

Cllr Ian Thorn raised question in relation to the following matters:

- The impact of pressures associated with Covid 19 on the Latent Demand reserve during the year. Cllr Church confirmed that the reserve is in place to protect the Council from unforeseen pressures, and it was difficult to assess these pressures at this stage.
- Clarification of the potential commercial savings detailed in the report. Officers confirmed that this saving was achieved through the re-procurement of Home to School, SEN and specialist transport contracts and a contract extension for Housing IT system.
- Overspends on Access and Reablement. Officers confirmed that part of the overspend included the impact of Covid 19, specifically in relation to the Hospital Discharge Programme. It was expected that demand would continue at the same level throughout the financial year with 50% of the costs of support would be met by the Council.
- The 'Move Forward' programme and seeking assurances about a reduction in costs. Cllr Mayes, Deputy Leader and Cabinet Member for Children's Services, Education and Skills, and officers confirmed that there was no compromise in the quality of care provided for children in the Council's care and this is combined with budgets and achieving the best value from available funding.
- The early arrival time of school buses at school sites. Cllr Church explained that the current practice was a complex issue which is

widespread across the county. A written response would be provided after the meeting.

- Clarity on savings of £7.099m not achieved. Cllr Church and the Leader confirmed that question referred to savings not achieved during the Council's response to Covid 19 and a more detailed response would be provided in writing.

Cllr Brian Mathew asked a question about the Shared Lives Programme and associated underspends. Officers explained that there was an expected underspend on salary costs due to several posts remaining vacant.

**Resolved:**

**1. Cabinet noted:**

- a. the current revenue budget is forecast to underspend by £1.762m by the end of the financial year.**
- b. the current savings delivery performance for the year.**
- c. the current forecast position of the use of Capital Receipts flexibilities of £6.146m.**
- d. the forecast level of reserves and budgeted draw down of £10.444m and £34.076m of section 31 Grant.**
- e. the savings achieved through contractual activity and subsequent budget movements.**

**2. Cabinet approved:**

- f. the drawdown from the Public Health earmarked reserve of £0.043m.**

*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 2021/22 as at Quarter 1 (30 June 2021), including delivery of approved savings.*

**53 Financial Year 2021/2022 - Quarter One Capital Programme**

Cllr Pauline Church, Cabinet Member for Finance and Procurement, Commissioning, IT, Digital and Commercialisation presented the report which provided detail about the Capital Programme position Quarter 1 (30 June 2021) for the financial year 2021/22 with suggested actions.

Cllr Church informed Cabinet that the report includes the movements from the original budget set by full Council in February 2021 to the revised programme and sets out how the programme is forecast to be financed. The report

provided an update on the significant programmes planned to be delivered and those that have been reprofiled to future years. The Q1 Capital programme is based on information as of 30 June and the report confirmed the current forecast movement of approvals between years as schemes have been assessed and the spend profile recast.

Cllr Laura Mayes, Deputy Leader, welcomed the capital investment for schools and children's homes and the progress of the Fostering Excellence Scheme.

Cllr Pip Ridout, Chair of the Financial Planning Task Group, informed Cabinet that the Task Group had considered the report at its meeting held on 10 September 2021. The new approach to reporting on the Capital Programme was very positive and the Task Group welcomed its continuation. Cllr Grant, Vice-Chair of the Task Group, commented on Task Group's discussions about the Community Infrastructure Levy and noted that a report would be considered by Cabinet on 27 September 2021, allowing more detail about the Levy to be shared within the Capital Programme.

Cllr Ian Thorn raised question in relation to the following matters:

- The assets that support the loan to Wiltshire College. Cllr Church confirmed that a written response would be provided after the meeting
- The relationship and impact on the Revenue Budget of underspends in the Capital Programme. Cllr Church confirmed that there would be a positive impact on the Revenue Budget if borrowing was reduced.
- Unused borrowing. Officers detailed how the Council financed Capital schemes and their delivery. Cabinet noted that there was no intention to borrow funds this financial year.

Cllr Tony Jackson welcomed the investment in Silverwood Build programme and asked about the future of the other associated school sites and whether consideration had been given to the potential for revenue or housing development. Cllr Church explained that this would be a matter for future consideration as part of the Council's estate strategy.

**Resolved:**

**1. Cabinet noted:**

- a. the additional capital budgets of £16.881m that have been added to the 2021/22 programme under Chief Finance Officer delegated powers.**
- b. the Grant amendment of £5.407m that have been added to the 2021/22 programme under Chief Finance Officer delegated powers.**
- c. The reprofile of £38.816m of budgets into future years under Chief Finance Officer delegated powers.**
- d. Budget Movements between Schemes.**

e. The revised 2021/22 Capital Programme as at quarter 1 of £224.555m; and

f. The capital spend as of 30 June 2021 of £11.675m

**2. Cabinet is asked to approve:**

g. Approve £2.2m of the £5m ringfenced budget for Melksham House site so development can commence once planning consent is received subject to successfully securing £3.3m Levelling Up funding and remove the balance of £2.8m as no longer required.

h. Remove £2.545m of budget allocated to Wiltshire College Loan as this has been accounted for through the balance sheet rather than the capital programme so is not required.

i. Remove £0.075m of budget allocated to HRA Council House Build Programme Phase 1 as this has completed and is no longer required; and

j. Approve transfer of up to £1.500m from “Other Capital Schemes to be approved” budget to match fund or, fully fund two new Children’s Homes.

*Reasons 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 2021/22 capital programme as at Quarter 1 (30 June 2021).*

**54 Update on the Medium Term Financial Strategy 2022/23**

Cllr Pauline Church, Cabinet Member for Finance and Procurement, Commissioning, IT, Digital and Commercialisation presented the report which provided detail about the latest assumptions for the 2022/23 budget and the updating of the Medium-Term Financial Strategy (MTFS) since the budget was set by Full Council in February 2021. The report also provided the latest financial position leading into the setting of the 2022/23 budget and the key dates in that will ultimately lead to the proposal of a balanced budget for 2022/23.

Cllr Church informed Cabinet that the report sets out the key dates to work towards and form a balanced Budget for 2022/23, taking into account the current levels of uncertainty, the process of setting plans and resources that will be essential for delivering on Wiltshire's recovery, post Covid 19. Cabinet noted that even before COVID-19 the Council was forecasting a budget gap of £24m in this year rising to £38m in 2022/23. With the onset of the pandemic the Council had no alternative but to focus on assigning resources into maintaining

services for Wiltshire residents and businesses rather than adopt plans to bridge the budget gap.

Cllr Pip Ridout, Chair of the Financial Planning Task Group, informed Cabinet that the Task Group had considered the report at its meeting held on 10 September 2021. Cllr Grant, Vice-Chair of the Task Group, commented on questions raised at the Task group meeting in relation to contract and pay inflation and whether the pre-determined figures were accurate.

Cllr Ian Thorn raised question in relation to the following matters:

- The Council's funding amount from the New Homes Bonus and the conversations taking place between the Council and Members of Parliament (MP's); and how productive the conversations are. The Leader explained that conversations take place between the Council and MP's on a regular basis and on a range of issues. The conversations with MP's were positive in respect of planning and future conversations on other issues were dependant on the details contained in the comprehensive spending review.
- Possible help and support to be offered to the Cabinet by 'backbench' members. Cllr Church confirmed that the Cabinet welcome feedback and scrutiny from 'backbench' members.

**Resolved: Cabinet noted:**

- a. The updated position in respect of the current estimated financial gap for 2022/23.**
- b. 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 current position for the setting of the 2022/23 budget, even given the current levels of uncertainty, it begins the process and focus for setting plans and resources for providing the services and support that will be essential for delivering on Wiltshire's recovery from COVID-19.*

## **55 Allocation of MHCLG funding for domestic abuse support in Wiltshire**

Cllr Simon Jacobs, Cabinet member for Public Health, Public Protection, Licensing, staffing, Communities and Area Boards presented the report seeing agreement to the proposals outlining the use of the Ministry for Housing, Communities and Local Government (MHCLG) funding to fulfil the functions of the new statutory duty on Tier 1 Local Authorities relating to the provision of

support to victims of domestic abuse and their children residing in safe accommodation.

Cllr Jacobs explained that the Council had been allocated £830,051 for 2021-22 to fulfil its duties as outlined above. The report summarised how the funding should be allocated along with detail proposals.

The Leader and Deputy Leader welcomed the funding and looked forward to the outcomes from the investment in this important area.

Cllr Gordon King, Vice-Chair of the Health Select Committee confirmed that the Select Committee had considered the report at their meeting on 8 September 2021 and made a number of points during the meeting, including congratulating the Public Health team for their suggestions to utilise the grant during 2021/22; welcoming the proposal to monitor the allocation of the grant and its impact reviewed and consideration of issues surrounding future funding.

Cllr Ian Thorn welcomed the report and highlighted that importance of this funding.

Cllr Gavin Grant asked a question about funding in future years. Cllr Jacobs explained that the direction of travel in relation to funding would be confirmed during the early part of 2022.

**Resolved:**

- 1. To accept the £830,051 from MHCLG for 2021-22 and approve the proposals for allocating the grant outlined in paragraph 12.**
- 2. To agree that any underspent grant is allocated to an earmarked reserve.**
- 3. To agree that any further decisions relating to the distribution of this grant are delegated to the Corporate Director of Resources, in consultation with the Cabinet Member for Public Health.**

*Reason for decision:*

*Part 4 of the Domestic Abuse Act 2021, details the statutory responsibilities of the Local Authority functions relating to the provision of support for all victims of domestic abuse and their children, regardless of their relevant protected characteristics, within relevant accommodation (as defined by the Regulations).*

*The Government has been clear that having the right support to protect and assist all victims of domestic abuse will make individuals and families safe, sooner.*

*Government recognises the critical importance of safe accommodation and support for victims and their children as they rebuild their lives after the trauma*



*of domestic abuse.*

*Following extensive engagement and public consultation, Sections 57-61 of the Domestic Abuse Act 2021 underpinned by this guidance introduce new requirements on local authorities and more accountability in the local delivery of domestic abuse support in safe accommodation.*

56 **Urgent Items**

There were no urgent items.

57 **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 12 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.**

58 **Evolve Programme - Contract Award**

Cllr Pauline Church, Cabinet Member for Finance & Procurement, Commissioning, IT, Digital and Commercialisation introduced the report which:

1. Sets out the recommendations and results from a council-run procurement exercise to identify an appropriate supplier to provide the council with a new, Cloud-based Enterprise Resource Planning (ERP) solution and associated best practice processes, and requests Cabinet approval to award a contract to the successful tenderer; and
2. Requests an amendment to the amount of capital funding originally approved by Cabinet on 23 July 2019 in respect of procuring a new ERP solution.

Cllr Pip Ridout, Chair of the Financial Planning Task group confirmed that the Task Group had considered the report at its meeting held on 10 September 2021. The Task Group felt that they did not have the capacity to undertake additional work on this matter and proposed that the Overview and Scrutiny Management Committee consider how best to incorporate this piece of work into its ongoing work programme.

**Resolved: To approve the recommended budget amendment and contract award as detailed in the report**

*Reason for Decision:*

- *To ensure that sufficient funding is available to provide the required resource capacity for timely implementation, effectively manage programme risks and costs, and maximise the business benefits delivered.*

- *To execute the outcome of the previously approved procurement exercise to procure a new ERP solution, contributing to the ability of council systems and processes to underpin the current organisational recovery programme and an ongoing council wide programme of transformation and business change and the creation of an agile, high performing workforce.*
- *To mitigate the need for a significant and costly upgrade to the council's existing ERP system within the next five years to maintain its supported status. Replacing it and the multiple line-of-business applications purchased since its introduction achieves this whilst also delivering a range of cashable and nontangible transformational benefits.*

(Duration of meeting: 10.00 am - 12.00 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](mailto:stuart.figini@wiltshire.gov.uk)

Press enquiries to Communications, direct line ((01225) 713114 or email [communications@wiltshire.gov.uk](mailto:communications@wiltshire.gov.uk)