

## Cabinet

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### **MINUTES OF THE CABINET MEETING HELD ON 29 MARCH 2022 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.**

#### **Present:**

Cllr Laura Mayes (Vice-Chairman, in the Chair), 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 Clare Cape, Cllr Jon Hubbard, Cllr Bob Jones MBE, Cllr Johnny Kidney, Cllr Gordon King, Cllr Dr Brian Mathew, Cllr Dominic Muns, Cllr Tamara Reay, Cllr Pip Ridout, Cllr Martin Smith, Cllr Caroline Thomas, Cllr Ian Thorn, Cllr Jo Trigg, Cllr David Vigar and Cllr Derek Walters

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#### **24 Apologies**

Apologies were received from Cllr Richard Clewer.

#### **25 Minutes of the previous meeting**

The minutes of the meeting held on 1 February 2022 were presented.

#### **Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 1 February 2022.**

#### **26 Declarations of Interest**

There were no declarations of interest.

#### **27 Leader's announcements**

The Deputy Leader made an announcement about the Council's response to the Ukraine crisis and the Homes for Ukraine Scheme.

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

General questions were submitted from the following members of public:

- Mel Boyle – Road closures / landslides / flooding / future Chippenham / traffic lights and roads
- Andrew Nicolson – future Chippenham

Cllr Laura Mayes, Deputy Leader and Cabinet member for Children's Services, Education Skills 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](#).

Questions were also submitted from Councillors, which received responses on the following topics, which can be accessed [here](#):

- Cllr Cape – Council investments.  
Cllr Cape encouraged Councillors to respond to a consultation from the Department for International Trade on ethical investments.
- Cllr Martin Smith – Planning applications data.  
Cllr Smith commented on the non-determination of planning applications and the potential impact on residents and businesses. He asked if performance figures could be published every three months to demonstrate improvements within the service. Cllr Botterill, Cabinet member for Development Management, Strategic Planning and Climate Change explained that procedures had been updated and improvements made.

In addition, the following comments and questions were raised by Councillors at the meeting:

- Cllr Ian Thorn
  - Commented on the number of residents and organisations flying the Ukrainian flag demonstrating support for Ukraine. He asked if the Council would also be flying the flag. Cllr Laura Mayes, Deputy Leader and Cabinet member for Children's Services, Education Skills explained that officers were concentrating their efforts in undertaking work to help people from Ukraine.
  - Requested an update in relation to housing for Afghan refugees. A written update would be provided.
  - Requested an update on the Towns Recovery budget. Cllr Laura Mayes agreed that a written update would be provided.
  - Commented on residents' eligibility for the Council Tax energy rebate for bands A-D. A detailed written response would be provided.
  - Requested reassurances that applications for Omnicron grants would be settled prior to the deadline of 31 March 2022. The Corporate Director Resources confirmed that the Council were committed to settling grant applications by the deadline detailed above.
- Cllr Richard Walters
  - highlighted an issue where holiday accommodation would not be available to house Ukraine refugees due to a planning condition associated with holiday homes preventing this type of use. Cllr Botterill, Cabinet member for Development Management,

- Strategic Planning and Climate Change, confirmed that the condition would not be enforced in these circumstances.
- Commented on an asset disposal in his division and subsequent public consultation. He expressed a concern that following 70 responses objecting to the proposals the Council would be approving the proposals. A written response would be provided.
  - Cllr Brian Mathew – commented on a recent conversation with a GMB union representative and concerns about staff pay and conditions. A written response would be provided.
  - Cllr Jo Trigg – residents receiving care and future access to Lateral Flow Tests. The Director of Public Health confirmed that the Council were waiting for the availability of national strategy and guidance in order to determine a way forward.

(Note – Cllr Ian Thorn declared a personal interest in relation to his question at bullet point 5 above as he was part owner in a hospitality business).

## 29 **Day opportunities transformation**

Cllr Jane Davies, Cabinet Member for Adult Social care, SEND, Transition and Inclusion presented the report which provided detail about a commissioning and procurement approach to transform how disabled young people, adults and older people access daytime and evening activities which meet their needs and aspirations in life.

The Cabinet received a statement submitted by Helen Dixon in relation to this agenda item. A copy of the statement is available to read in agenda supplement 1 on the Council's website [here](#). In addition to the statement, Ms Dixon asked if the timeframes could be extended to allow organisations to adjust to the new arrangements. Cllr Davies offered to meet with Ms Dixon and Cllr Bob Jones MBE to discuss the matter further.

Cllr David Vigar also submitted a statement and questions prior to the Cabinet meeting. Additional comments and questions would be raised later in the meeting. A copy of the statement and questions are available in Supplement 1 on the Council's website [here](#).

The report highlighted the Council spend on commissioned and grant-funded day opportunities, with the service being delivered to about 800 adults with varying needs which should be assessed under the Care Act. The current model of commissioning day opportunities did not fully meet the aspirations of people using the service, and therefore the report sets out a plan of how to modernise the offer and a route to achieve this.

Cllr Laura Mayes and Cllr Ian Blair-Pilling welcomed the proposals and the widening of choice for users of the service. Cllr Blair-Pilling commented on the help offered by local communities to those in need.

Cllr Johnny Kidney, Chair of the Health Select Committee confirmed that a rapid scrutiny exercise was undertaken on 2 March 2022 at the request of Full Council and in addition the Health Select Committee considered the report at its meeting on 16 March 2022. He explained that the Select Committee has requested that a future update is brought back to Committee later in 2022 detailing the progress made following the launch of the open framework, outlining the take up from the luncheon and friendship clubs and also from the wider market.

Cllr Pip Ridout, Chair of the Financial Planning Task Group, commented on the financial implications section of the report and raised a concern about unintended outcomes of encouraging additional assessments which may increase costs and needs due to loneliness and isolation implications as a consequence of lockdown measures to tackle Covid.

Cllr David Vigar commented on the proposals and felt that the provision is uneven, with some clubs attracting more funding than others and many clubs receiving no funding at all. He explained that in practice it is the end of the current funding arrangement and clubs would need to work to a completely different model should they be successful in bidding to provide for those people assessed as requiring day care. Cllr Vigar asked for the proposals to be suspended for one year and that the Area Board distribute the funds as appropriate. Cllr Davies confirmed that responses had previously been provided on these matters and suggested that the two Cllrs meet to discuss Cllr Vigar's concerns further.

Cllr Ian Thorn congratulated Council on its request for a rapid scrutiny exercise on the matter. Cllr Thorn raised the following matters:

- The influence and impact of the rapid scrutiny on the final report being considered by Cabinet. Cllr Kidney confirmed that the rapid scrutiny exercise asked for clearer language to be used in the report and in communication with the clubs, stressed the importance of the engagement events and requested an update on progress and would provide a watching brief going forward.
- Concern about the number of elderly people not assessed under the Care Act and the provision being made for those people. Cllr Davies explained that wider provision would be available with the new framework, the Council would work with clubs to break down any perceived stigma, support a broader range of clubs and meet their needs. The desire is for more people to be assessed so that their needs can be met. Cllr Alford indicated that the service could be provided to those without an assessment.

Cllr Jon Hubbard, Chair of the Children's Select Committee, also commented on:

- The unintended consequences of additional costs in assessing more people.
- consideration of a fairer way in distributing costs at a community level.

- potential for a two-tier system, with those already assessed receiving a level of funding not applied to those who had not been assessed. Cllr Davies indicated that the service would be demand led and needs would be met. No intention to develop a two-tier system and clubs would operate an open doors policy to everyone.

Cllr Jo Trigg commented on:

- It's My Life report by Wiltshire Centre for Independent Living, attached in the supplementary agenda [here](#), and encouraged Councillors to read the report.
- the proposals, in the main, being supported by all, the only issue related to their timing.
- Care assessments and increase in need and likely impact on budgets.

Cllr Bob Jones MBE confirmed that he would meet with Cllr Davies to discuss the matter further.

Cllr Gordon King commented on the appropriate providers of services and their availability, and the higher level of support required for some people. Cllr Davies confirmed that providers were available and support for users would be appropriate to their needs and escalated as necessary.

Cllr Caroline Thomas commented on transition being the key, with a high level of assessment to determine the geographical spread of need. Cllr Davies confirmed that these areas would be included in the service, and that officers recognised the possibility for an increase in need.

**Resolved:**

**Cabinet agrees**

- **To the procurement of day opportunities that are goal-oriented and outcome-focused**
- **To the development of a service specification that is informed by the views of disabled and older people and the people who support them**
- **To the procurement of an open framework arrangement under the light touch regime**
- **That the decision to award contracts against the framework is delegated to the Director of Procurement and Commissioning in consultation with the Corporate Director of People, the Corporate Director of Resources & Deputy Chief Executive, the Cabinet Member for Adult Social Care, SEND and Transition and Inclusion, and the Cabinet Member for Children's Services, Education and Skills.**

*Reason for Decision:*

*Currently, day opportunities offer limited choice and control for customers. The offer is usually building-based and provides a traditional menu of activities. Whilst services are often valued, we have heard from customers and carers that whilst they access what is on offer, if a more diverse choice of opportunities was available, they would have higher aspirations for themselves.*

*Wiltshire Council has engaged with disabled and older people about what a good life looks like, and what support they would need to live that good life. The current model of spot-purchasing day opportunities does not enable the Council to shape the market, nor to have sufficient assurance of the quality and capacity of commissioned providers to deliver good outcomes to residents.*

*Procuring an open framework under the light touch regime will ensure that all providers are vetted to ensure they adhere to legal and quality standards and financial parameters. Successful providers will join the open framework, which will be clearly publicised to customers, carers and practitioners. People assessed under the Care Act as requiring a day opportunity will then be placed with the most appropriate service, using a combination of customer choice, geography, availability, etc – with the most cost effective option that meets need and choice being chosen. Each service user is placed with an individual service contract (rather than an overarching or block contract) which matches the needs of the individual.*

(Note: Cllr Bob Jones MBE declared a personal interest as a Trustee of Open Door)

### 30 **Wiltshire's Children's Community Health Services future delivery model**

Cllr Ian Blair-Pilling Cabinet Member for Public Health and Public Protection, Leisure, Libraries, Facilities Management and Operational Assets presented the report which provided information for Cabinet to decide on the short-term future of Wiltshire's Public Health Nursing Services (PHNS), currently delivered by HCRG Care group as part of Wiltshire's Children's Community Healthcare Services contract.

Cllr Blair-Pilling explained that The HCRG contract is a collaborative commissioning arrangement between the Council and NHS Bath and North-East Somerset, Swindon and Wiltshire Clinical Commissioning Group (BSW CCG). The total contract value for 20/21 is £13.3m of which Wiltshire Council contributes 47.4% to fund Public Health Nursing (PHN) Services and 2.5% to fund Speech and Language Therapy services to support children with Education Health and Care Plans (EHCPs). The five-year contract for WCCHS, awarded to HCRG Care Group (HCRG) in 2016, was extended by two years and expires on 31 March 2023.

The report highlighted the impact of Covid in delaying the implementation date for Integrated Care Boards which in turn delayed a long-term model being

endorsed . In addition, CCG capacity is affected due to staff being diverted to the Covid response.

Cllr Johnny Kidney, Chair of the Health Select Committee confirmed that he, along with Cllr Gordon King, Vice Chairman of the Health Select Committee, the Cllr Jon Hubbard, Chairman of the Children's Select Committee and Cllr Threllfall from the Financial Planning Task Group had received a briefing on the report on 24 March 2022. The members recognised the impact of Covid on the commissioning exercise and there were no objections to the proposals in the Cabinet report. Cllr Kidney requested that Overview and Scrutiny continued as an integral part of the process, particularly as the post 2024 specification is developed and taken to market.

Cllr Jon Hubbard, Chairman of the Children's Select Committee, thanked the Cabinet member and officers for the briefing and highlighted a concern that the targets for contractors were lower than the statutory requirements set for the Council to meet. Cllr Blair-Pilling noted the concerns and confirmed that the target would be raised when framing the contract.

Cllr Ian Thorn confirmed his support for the contract extension and noted that option 3 would be more challenging than the other options detailed in the report. He asked if the one year contract extension was adequate. Cllr Blair-Pilling confirmed that the contract extension to 31 March 2024 would enable officers to complete due diligence on the options outlined in the report and undertake a full consultation on the proposals.

**Resolved:**

- **Cabinet agrees to the negotiation of a one year contract which is held by the CCG with HCRG Care Group for a further 12 months until 31st March 2024 to enable officers to complete due diligence on the options outlined and undertake a full consultation with children, young people and families as required.**
- **The decision to award a one year contract is delegated to the Director of Procurement & Commissioning in consultation with the Director of Public Health, Corporate Director-People and Corporate Director-Resources/Deputy Chief Executive, and 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.**
- **A further paper will come to April Cabinet to recommend the long-term model of a future service.**

*Reason for Decision:*

*The contract with HCRG Care Group to deliver the Wiltshire Children's Community Healthcare Service expires on 31 March 2023 following completion of a 2-year extension to a 5 year contract. There is a need to decide on the provision of Public Health Nursing Services from 1 April 2023.*

31 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.00 am - 12.10 pm)

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