

## Cabinet

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### MINUTES OF THE CABINET MEETING HELD ON 27 SEPTEMBER 2021 AT ONLINE.

#### Present:

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

#### Also Present:

Cllr Clare Cape, Cllr Gavin Grant, Cllr Bill Parks, Cllr Elizabeth Threlfall, Cllr Suzanne Wickham, Cllr Graham Wright, Cllr Helen Belcher, Cllr David Bowler, Cllr Allison Bucknell, Cllr Dr Brian Mathew, Cllr Dominic Muns, Cllr Tamara Reay, Cllr Pip Ridout, Cllr Martin Smith, Cllr Ian Thorn, Cllr Jo Trigg, Cllr Mary Webb, Cllr Trevor Carbin, Cllr Ruth Hopkinson, Cllr Carole King, Cllr Gordon King, Cllr Stewart Palmen, Cllr Tony Trotman, Cllr Derek Walters, Cllr Christopher Williams, Cllr Bridget Wayman, Cllr Sven Hocking, Cllr Ross Henning, Cllr Tony Jackson, Cllr Kevin Daley, Cllr Bob Jones MBE, Cllr Jerry Kunkler and Cllr James Sheppard

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#### 59 Apologies

There were no apologies.

#### 60 Declarations of Interest

Councillor Ian Thorn, as Leader of the Liberal Democrat Group, declared that he would not participate in the meeting during consideration of the Stone Circle Governance Review.

#### 61 Leader's Announcements

##### Online Meeting

The Leader confirmed that on 24 September 2021 the meeting location was changed to be an online meeting as a result of Public Health advice following a Member of the Cabinet testing positive for Covid-19 and having previously been in the same room as other Cabinet Members and senior officers. He stated social distancing had been adhered to but that advice from the Director of Public Health had been not to meet in person until PCR tests had all been conducted.

As a result, the meeting was being held online and was of informal status. Views of Cabinet Members and others would be taken, and then the formal decisions would be taken by the Leader as an individual delegated Cabinet

Member decision. A copy of the Leaders decision can found at this link - [Decision - L-06-21: Cabinet 27 September 2021 | Wiltshire Council](#))

#### Councillor Simon Jacobs

It was announced that Councillor Jacobs would be standing down from as Cabinet Member for Public Health, Public Protection, Licensing, Staffing, Communities and Area Boards due to work commitments.

From 1 October 2021 the position will be taken up by Councillor Ashley O'Neill.

The Leader paid tribute to Councillor Jacobs for his service on the Cabinet, before Councillor Jacobs gave thanks to the Leader, and the previous Leader Councillor Whitehead, for his appointment, and extended thanks to his colleagues in the Cabinet and supporting officers for their assistance.

#### Furlong Close Update

Later in the meeting the Leader took an announcement on Furlong Close, following the release of the CQC report which had found the provision of services at the facility to be inadequate. Councillor Jane Davies detailed the results of the inspection, and past inspections, and noted that the Council was working with residents and their families regularly to consider the future of Furlong Close. It was stated that HfT remained responsible for the quality of care and to respond to the concerns identified, but that the safety of residents was the principal concern for the Council, which was monitoring the situation closely. Members would be kept updated as the situation progressed.

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

No questions or statements were received from the Public.

Although not attached to the extraordinary meeting agenda, Councillor Ian Thorn asked a question relating to the minutes of the previous meeting regarding responses to some of the points he had raised regarding a loan to Wiltshire College and School buses. It was agreed the minutes could reflect that there had been an offer to provide written responses.

Councillor Thorn also asked about reports of fuel shortages, and if this would have any impact on the council's services, in particular its caring responsibilities. The Leader and the Chief Executive outlined details of the council's fuel plan and that it had previously increased its stockpiles, and that there should be no impact on the council's functions.

Councillor Thorn also asked a question about signage in areas of long-term roadworks and encouraging drivers to switch off their engines in long queues, if this was permissible. Councillor Dr Mark McClelland, as the relevant Cabinet Member, asked to be provided details of specific locations and would discuss the matter with the Director for Highways, Transport and Waste.

Councillor Clare Cape noted the meeting taking place online and commented about carbon estimates and savings from online meetings. The Leader noted the comment, but also the legal position in respect of physical and online meetings.

## 63 **Business Plan Principles 2022-2032**

The Leader of the Council, Councillor Richard Clewer, introduced the report on the Business Plan. The Business Plan sets out the council's overarching principles by which the organisation would be managed across a long period. The current plan was set out for 2017-27. This had been updated on 21 July 2020 to include an addendum relating to climate change.

Following the elections in May 2021 the Business Plan had been reviewed and the Leader detailed that it would consist of three elements. Firstly, the Business Plan Principles 2022-2032, setting out the main principles driving the council's operation and policies. This would be followed with service delivery plans, linked to those principles. Lastly, there would be metrics on which each service delivery plan would then be able to be assessed, providing data which could be analysed.

The process of developing the plan in discussion with Cabinet and officers was detailed. It was stated the Plan needed to be strategic in its approach as the local authority would be expected to be in place for the long term, and the principles of the plan needed to focus on systemic issues, which would need collaborative working with partners both public and private. Although much had been achieved in breaking down isolated 'silo' working, there remained work to do to ensure all relevant areas of the council work together to bring all resources to bear on particular issues. This was why the plan was not specific on particular service areas such as children or highways, as it was a case of guiding themes, then targeting all services together to address issues. Budgetary implications would need to be understood, and service plans would need to be reviewed at least annually.

It was intended that the service delivery plans would be considered by Cabinet in February 2022, and then by Full Council later that month.

Members of the Cabinet then commented upon the draft Plan. Comments included the importance of early prevention work on many issues, commitment to work with partners such as parish councils or housing associations, developing the council's assets, the flexibility of the plan to enable response to evidence before reaching specific policy conclusions, and the importance of connected communities and a strong economy.

The draft Plan had been considered at a meeting of Overview and Scrutiny Management Committee on 21 September 2021. The Chairman of that committee, Councillor Graham Wright, stated there had been a good debate where Overview and Scrutiny had made a number of comments on specific details, and in particular was keen to involve all the select committees in scrutinising the finalised plan, including service delivery plans which would contain greater detail.

The Leader then opened the meeting up to comments and questions.

Councillor Ian Thorn asked about analysis of the previous Business Plan and what could be learned from its impact, though the Leader stated that it and new Plan were structured very differently, and he did not consider comparative analysis with the previous Plan to be beneficial as the council moved forward from Covid-19. There was also discussion of consultation on the Plan principles as well as the budget.

Councillor Dominic Muns welcomed the Business Plan, noting particularly the importance of working with education providers across the county.

Councillor Helen Belcher asked about criteria for success, measurable end points, to enable changing position if the evidence suggested this was appropriate. In response it was stated some service areas could be harder to measure than others, but that there would be metrics for all service delivery plans to enable analysis, which might evolve over time, and where evidence indicated adaption was necessary this would occur.

Councillor Derek Walters asked about metrics for carbon emissions on large scale development plans. It was noted that measuring carbon output would be important, though government making measuring a requirement might be necessary.

At the conclusion of discussion, and noting that any decision would need to be taken individually by the Leader under delegated executive authority due to the nature of the meeting, the Cabinet was asked for its view and it was,

**Resolved:**

**That the Leader of the Council should**

- 1) Agree the Business Plan Principles for 2022-2032.**
- 2) Agree to seek feedback from a broad range of stakeholders and residents, in tandem with engagement on the budget proposals for 2022/23.**
- 3) Agree to review and incorporate feedback at its meeting on 1 February in preparation for a final version to be considered at Full Council in February 2022.**

*Reason for Proposals*

*To enable wider feedback ahead of its consideration by Full Council in 2022 and to provide Services with strategic direction ahead of the planning cycle commencing.*

#### 64 **Prioritisation of Community Infrastructure Levy Spending**

Councillor Nick Botterill, Cabinet Member for Development Management, Strategic Planning and Climate Change presented the report on prioritisation of Community Infrastructure Levy (CIL) spending. CIL was a charge paid by landowners based on the floor area of developments to contribute toward infrastructure needs. Cabinet agreed a process for prioritising CIL spending in 2017, and this needed to be updated to take account of spending priorities and minor legislative changes. Councillor Botterill stated prioritisation needed to be agile to support the Business Plan and other strategies, and the proposals would achieve that.

The largest priority allocation would be Abbeyfield School, Chippenham, with £6.43m for its phase 1 expansion, £1.35m to mitigate the impact of recreational pressures on bat habitats, up to £0.220m for measures to mitigate the impact of development on the Salisbury Plain Protection Area, and up to £0.750m for mitigation to reduce and manage impact arising from development on the New Forest Special Protection Area.

The Leader and other Cabinet Members welcomed the report and noted the importance of CIL funding to deal with the strain of new developments.

Councillor Ian Thorn noted the importance to communities of any CIL spending and asked whether there could be annual reporting to council on prioritisations decided by Cabinet. The Leader stated annual reporting may not be necessary or appropriate, but would consider how best to report on the committing of funding. Councillor Botterill also noted that an infrastructure funding statement was required to be published to ensure transparency over intended funding. There was also discussion of the possibility of parish and Wiltshire Council CIL being able to be combined.

Councillor Gavin Grant sought detail on figures listed in the report, with financial implications listed to 31 March 2021. It was stated that the Infrastructure Statement up to that period should be updated in December 2021. Councillor Grant also requested that the relevant parish council be listed in relation to S106 funds as well as CIL and asked further around working with in particular larger towns on their CIL contributions. It was noted that these could be discussed, but there could be strategic issues, with lots of demand on CIL which would not meet all issues.

Councillor Trevor Carbin raised an issue in Holt where there had been an error in initially calculating whether the parish should receive a large amount of CIL funding. Councillor Botterill stated he would be happy to talk to the local council around the issue.

Councillor Ruth Hopkinson sought detail on how projects were placed on the list for prioritisation, for example how Abbeyfield rather than other local schools had been identified as highest priorities, with a response to be provided by officers.

Councillor Stewart Palmen requested that local Members be kept up to date on matters relating to their Divisions, and Councillor Gordon Kind raised matters relating to Westbury rail links.

At the conclusion of discussion, and noting that any decision would need to be taken individually by the Leader under delegated executive authority due to the nature of the meeting, the Cabinet was asked for its view and it was,

**Resolved:**

**That the Leader of the Council should:**

**1) Approve revisions to the process for prioritising spending of strategic funds raised through the Community Infrastructure Levy (CIL) as set out in Appendix 1.**

**2) Following approval of (i), to approve the updating of the infrastructure List to remove the Timber Street and A420 Marshfield Road/Dallas Road Safety Schemes and ensure the inclusion of the projects in (iii).**

**3) Following approval of (ii), to approve the allocation of:**

- a) Circa £6.43m CIL funding for Phase 1 expansion of Abbeyfield School.**
- b) Up to £1.35m CIL funding for measures to mitigate the impact of recreational pressures on bat habitats associated with the Bath and Bradford on Avon Special Area of Conservation in line with the Trowbridge Bat Mitigation Strategy.**
- c) Up to £220,000 CIL funding for measures (visitor surveys and ongoing monitoring) to mitigate the impact of development (recreational pressure) on the Salisbury Plain Special Protection Area.**
- d) Up to £750,000 CIL funding for mitigation to reduce and manage recreational impact arising from development on the New Forest Special Protection Area.**

**4) Delegate authority to the Corporate Director for Place in consultation with the 'Corporate Director for Resources and Deputy Chief Executive', 'Cabinet Member for Development Management, Strategic Planning and Climate Change' and 'Cabinet Member for Finance, Procurement, Commissioning, IT, Digital and Commercialisation' to oversee the funding allocated in (iii) and to approve any variances.**

**5) Agree that further work be undertaken by the Corporate Director for Place in consultation with the 'Corporate Director for Resources and Deputy Chief Executive', 'Cabinet Member for Development Management, Strategic Planning and Climate Change' and 'Cabinet Member for Finance, Procurement, Commissioning, IT, Digital and Commercialisation' to**

**consider how the strategic fund can be used, in accordance with the CIL legislation, to align delivery of projects with the Council's budget setting process and the Council's new Business Plan.**

*Reasons for Proposals*

*To assist with the effective operation of CIL and ensure open and transparent decision making in the allocation of strategic funds; as well as ensuring that strategic funds are committed to securing mitigation measures for internationally important wildlife sites and support plan-led growth*

65 **Stone Circle Governance Review**

Before the report the Leader of the Council, Councillor Richard Clewer, noted that he had been a Director of Stone Circle until he was appointed Leader.

Councillor Pauline Church, Cabinet Member for Finance, Procurement, Commissioning, IT, Digital and Commercialisation, presented the report on the review of the Stone Circle companies' governance. Cabinet had requested a review of the governance arrangements for the Stone Circle companies on 2 February 2021, to examine governance in relation to shareholder requirements, processes for decisions, performance and risk reporting and other matters.

Among the changes proposed was the absence of elected Members on the Board, to be replaced by a shareholder group which would act as a conduit with the council, reducing conflicts of interest and operating in a more commercial manner as delivery of housing was increased.

The Leader stated he considered the transition to new arrangements as part of what was envisaged when the companies were set up, as they developed over time.

Councillor Graham Wright, Chairman of the Overview and Scrutiny Management Committee stated the Cabinet report had been received at a meeting of the committee on 21 September 2021. He had had pre meetings with relevant officers and welcomed there being future scrutiny input.

Councillor Gordon King stated he was supportive of the restructure and sought confirmation, which was provided, that the Director of Housing would be one of the roles appointed to the Board. He also raised the issue of future councillor involvement.

Councillors Pip Ridout and Tony Jackson raised the future involvement of the Audit and Governance Committee.

Councillor Gavin Grant asked whether the model proposed would be followed for future council set up companies, without interim steps taken as with Stone Circle, which had been an entirely new enterprise. Councillor Church stated matters would be looked at on an individual basis, but that the experience and

understanding of legal obligations gained through the Stone Circle process would be utilised.

At the conclusion of discussion, and noting that any decision would need to be taken individually by the Leader under delegated executive authority due to the nature of the meeting, the Cabinet was asked for its view and it was,

**Resolved:**

**That the Leader of the Council should:**

- 1) **Adopt and commit to implementing the recommendations of the governance review over the next 12 months.**
- 2) **To request the companies to create Business Plans with greater detail including market analysis, risks, sensitivity, performance and forecasting to be presented to Cabinet at a future meeting.**
- 3) **To create a sub-committee called the Stone Circle Shareholder Group chaired by the Leader with two other Cabinet Members and the option to co-opt external expertise and delegates to the Director of Legal & Governance in consultation with the Leader to make the necessary arrangements and Constitutional amendments.**
- 4) **To agree that the Articles of Association of the Stone Circle companies be amended to include a 3 year maximum term for the Chairman of its boards.**
- 5) **To request the Stone Circle companies to provide quarterly reporting to the Council with reports shared with Corporate Leadership Team, Scrutiny and the Stone Circle Shareholder Group starting from January 2022 and to produce its accounts to the Audit and Governance Committee from 2022.**
- 6) **To delegate to the Corporate Director of Resources in consultation with the Leader the recruitment and appointment of new non-executive board directors and officer director to replace current members of the Stone Circle companies and to take all further necessary steps to complete this.**
- 7) **Subject to agreeing the above recommendations to agree the revised Stone Circle Housing company business plan as submitted to cabinet at its February 2021 meeting such that individual acquisition budgets are increased.**

*Reasons*

*To give effect to the recommendations contained in the Governance Review of Stone Circle companies which provides best practice advice, academic sources and other local government learning on the governance and commercial success of council owned companies.*

Councillor Richard Clewer, Leader of the Council, presented a report on an urgent item in respect of the Afghan Citizens Resettlement Scheme (ACRS) and Afghan Relocations and Assistance Policy (ARAP) Scheme.

Councillor Clewer stated he wanted the council to do everything it could to assist with the schemes and help the Afghan citizens in need of assistance, particularly given Wiltshire's status as a military county. An offer of providing at least 20 properties for refugee families had been made to government, and had sought to put pressure on the Ministry of Defence to offer further assistance given vacant military housing.

The Deputy leader of the Council, Councillor Laura Mayes, provided further details of Afghan children currently in the county, and school provision and activities provided, with teams working with the adults to improve English skills. Councillor Philip Alford, Cabinet Member with responsibility for Housing, also confirmed that the housing being offered was not in competition with Wiltshire residents through Homes4Wiltshire.

Councillor Graham Wright, as Chairman of Overview and Scrutiny Management Committee, welcomed the item, which he had been approach regarding as an urgent item.

Councillor Ian Thorn thanked the Leader for bringing the item forward, and agreed with comments from the Leader around a moral responsibility to assist and disappointment at the current position of the Ministry of Defence. He sought details on financial support and implications in the longer term. The Leader stated there would be amounts over three years of the scheme, though unlike the previous Syrian refugee scheme it was expected more of the families would have at least one member with reasonable English comprehensive given many had worked with British armed forces, which may help them adjust sooner, though he noted the trauma all those arriving will have faced.

Councillor Ruth Hopkinson supported the comments made and noted the importance of community groups in helping refugee arrivals.

Councillor Gavin Grant asked for details of relevant ministers or Ministry of Defence personnel who Members could contact to lobby them, which the Leader said could be provided. He thanked Danny Kruger MP for his work on the issue.

Councillor Bridget Wayman supported efforts to approach the Ministry of Defence and Councillor Derek Walters raised the possibility of using empty National Trust properties. Councillor Tony Trotman noted there may be some security issues with residential properties owned by the military near to its sites, though the Leader noted significant checks had been made for all arrivals.

At the conclusion of discussion, and noting that any decision would need to be taken individually by the Leader under delegated executive authority due to the nature of the meeting, the Cabinet was asked for its view and it was,

**Resolved:**

**That the Leader of the Council should approve:**

- 1) The offer to Government of Wiltshire's commitment to house 20 households in long term settlement through the ACRS and ARAP schemes;
- 2) The acceptance to receive funding of £20,520 per person over the 3 year duration of the scheme, with an estimated total value of £1.6m;
- 3) The acceptance of additional funding in the first year only of up to £4,500 per child and £850 per adult for Education and English Language respectively as well as £2,600 per person for Health;
- 4) The £28 per person per night funding to provide the wrap around support required to support citizens at the bridging hotel within Wiltshire;
- 5) The acceptance of funding provided by the Afghan housing costs fund.

*Reasons*

*In line with the Councils constitution, to allow the acceptance of funding associated with the offer to resettle, long term, up to 20 households through the ACRS as well as the wrap around funding to support those citizens in the bridging hotel*

(Duration of meeting: 10.00 am - 12.15 pm)

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