

## Cabinet

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### **MINUTES OF THE CABINET MEETING HELD ON 15 JULY 2024 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 Dominic Muns and Cllr Tamara Reay

#### **Also Present:**

Cllr Allison Bucknell, Cllr Gordon King, Cllr Jerry Kunkler, Cllr Nic Puntis, Cllr Elizabeth Threlfall, Cllr Graham Wright, Cllr Robert Yuill and Cllr Sven Hocking

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#### 78 **Apologies**

Apologies were received from Cllr Ashley O'Neill.

#### 79 **Minutes of the Previous Meeting**

The minutes of the meeting held on 18 June 2024 were presented for consideration, and it was,

#### **Resolved:**

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

#### 80 **Declarations of Interest**

There were no declarations of interest.

#### 81 **Leader's Announcements**

There were no announcements.

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

Questions submitted to the meeting had been set out in the agenda supplement, together with responses.

Cllr Allison Bucknell asked a supplementary question seeking clarity regarding any need to seek support from national government should there be a requirement to further upgrade local infrastructure and highways to reduce flooding risk.

Cllr Nick Holder, Cabinet Member for Highways, Street Scene, and Flooding, responded stated if appropriate the council would make such an approach. He

added that the council had invested significant additional funding in drainage and flood mitigation across the county.

Alex Montegrifo then asked a supplementary to their question regarding furniture poverty in social housing, asking if the council would consider a trial of furnished tenancies for those who would benefit from flooring, window coverings, and potentially other items, for those who could afford the extra service charge.

Cllr Phil Alford, Cabinet Member for Housing, stated the council sought to target support for its tenants, with some who could afford their own furniture and others who could not. He stated the council worked with tenants as and when needed, but would discuss the proposal with officers.

### 83 **Financial Year 2023/24 - Outturn Revenue Budget Monitoring**

Cllr Nick Botterill, Cabinet Member for Finance, Development Management, and Strategic Planning, introduced the report providing details of the revenue budget outturn position for the financial year 2023/24. He drew attention to the £14.371m underspend as a result of the prudent management of the council's finances, much of which would be transferred to the high needs reserve to account for the pressures relating to SEND.

Cllr Botterill paid tribute to the councils' financial officers, and noted the very high delivery of planned savings, with the clear business plan, prioritisation of transformation and investment in preventative action leading to a sound financial position and further investment including for highways spending. However, he emphasised challenges remained including the Safety Valve programme delivery.

Members of the Cabinet commented further on the report. The additional £20m in highways maintenance on top of government funding was highlighted, along with investment in the Silverwood school, increases in Housing Revenue Account reserves, and modernisation of leisure services.

Cllr Graham Wright, Chairman of the Overview and Scrutiny Management Committee, noted the work of the Financial Planning Task Group, including examining the level of revenue underspend, use of highways reserves, and outcomes for savings targets.

Cllr Gordon King, Deputy Leader of the Liberal Democrat Group, stated it was correct to raise risks relating to underspend positions but welcomed the reinvestment in highways, which he hoped would include on C roads. He also noted continued risks relating to demands on children's and adults services.

Cllr Wright also raised issues relating to highways maintenance in the Durrington area.

At the conclusion of discussion, and on the motion of Cllr Nick Botterill, seconded by Cllr Richard Clewer, it was then,

**Resolved:**

**Cabinet approved:**

- a) the transfer of £0.368m to a new earmarked reserve for Health & Safety requirements as detailed in the paragraph 53 and Appendix B;
- b) the allocation of the £5.705m underspend to invest in highways improvements works;
- c) a further allocation of £5m of Community Infrastructure Levy (CIL) to increase the investment in highways improvements to £10.705m;
- d) that the balance of £0.281m from the Business Plan Priority reserve be allocated to fund additional highways litter picking activity in 2024/25 and Armed Forces Covenant in 2023/24 and 2024/25.
- e) the transfer of £0.181m to a new earmarked reserve for Local Nature Recovery Strategy (LNRS) as detailed in the paragraph 87 and Appendix B;

**Cabinet noted:**

- f) the general fund revenue budget outturn position for the financial year 2023/24;
- g) the Dedicated Schools revenue budget outturn position for the financial year 2023/24;
- h) the Housing Revenue Account outturn position for the financial year 2023/24;
- i) the contributions to and from earmarked reserves as planned and detailed in Appendix B;
- j) the final year end position of savings delivery.

**Reason for Proposals**

To inform effective decision making and ensure sound financial management as part of the Councils overall control environment.

To inform Cabinet on the financial year end revenue outturn position for the Council for the financial year 2023/24, including delivery of approved savings.

To improve the Councils financial resilience by increasing the balance on the General Fund reserve and setting aside funds in earmarked reserves to prudently assist in managing the Councils financial risks and future pressures.

84 **Year End Capital Investment Programme Financial Outturn Position 2023/24**

Cllr Nick Botterill, Cabinet Member for Finance, Development Management, and Strategic Planning, introduced the report providing details of the year end position for the council's capital programme for the financial year 2023/24. He noted the continued improvement on forecasting of the capital spend compared to previous years, which was being used effectively to lower revenue demand.

Cllr Graham Wright, Chairman of the Overview and Scrutiny Management Committee, noted the work of the Financial Planning Task Group and questions which had been raised including on spending profiles and Area Board grants.

Cllr Gordon King, Deputy Leader of the Liberal Democrat Group, welcomed the improvement in capital forecasting, and stated the key was to ensure the spend delivered maximum benefit to the public.

At the conclusion of discussion, and on the motion of Cllr Nick Botterill, seconded by Cllr Richard Clewer, it was then,

**Resolved:**

**Cabinet noted:**

- a) **the additional capital budgets of £0.470m in 2023/24 that have been added to the capital programme under Chief Finance Officer delegated powers.**
- b) **that £20.937m budget that has been brought forward from future years to the 2023/24 programme to support the delivery of accelerated projects, in year project overspend, or amendment to in year slippage under Chief Finance Officer delegated powers.**
- c) **the movement between capital schemes of £0.414m Chief Finance Officer delegated powers.**
- d) **the £26.870m of capital programme slippage to be rolled forward into future financial years.**
- e) **the capital programme end of year spend position of £163.421m for financial year 2023/24.**

**Cabinet approved:**

- f) **the removal of the following budgets as schemes are either complete or not progressing:**
  - i. **£0.014m for the Microsoft Cloud Navigator Project;**
  - ii. **£0.007m from the LED Street Lighting Project;**
  - iii. **£0.003m from the Dunnes Lane Car Park project;**
  - iv. **£0.007m from the Wiltshire Online**

**v. £0.028m from the Area Board Grants**

**Reason for Proposals**

To inform effective decision making and ensure sound financial management as part of the Councils overall control environment.

To inform Cabinet on the final year end capital outturn position for the Council for the financial year 2023/24.

**85 Treasury Management Outturn Position 2023/24**

Cllr Nick Botterill, Cabinet Member for Finance, Development Management, and Strategic Planning, introduced the report providing details of the council's treasury management outturn position for the financial year 2023/24.

It was stated the council was in a good position compared to any authorities, and details were provided of the under borrowing position and the net benefits this had accrued. The Leader noted the importance of understanding and being on top of what the council was borrowing and why.

Cllr Gordon King, Deputy Leader of the Liberal Democrat Group, agreed the importance of sound treasury management to ensure good capital and revenue returns.

At the conclusion of discussion, and on the motion of Cllr Nick Botterill, seconded by Cllr Richard Clewer, it was then,

**Resolved:**

**That Cabinet:**

- a) Note that the contents of this report are in line with the Treasury Management Strategy 2023/24; and to**
- b) Recommend to Full Council consideration of this report**

**Reasons for Proposals**

To give members an opportunity to consider the performance of the Council against the parameters set out in the approved Treasury Management Strategy for 2023/24.

**86 Gypsies and Travellers Development Plan Document**

Cllr Nick Botterill, Cabinet Member for Finance, Development Management, and Strategic Planning, introduced the report seeking approval for the pre-submission draft Gypsies and Travellers Development Plan Document to be formally published for a final stage of consultation (Regulation 19), and to set out the arrangements for that consultation. This would be subject to confirmation by Full Council on 24 July 2024.

Cllr Botterill set out the need to develop a plan including the identification of site allocations and development of criteria based policy to assess future sites. The plan will help remove present uncertainty and achieve greater control in the provision of sites, it is based on professionally assessed evidence of demand, and currently national policy prevails in the absence of an agreed local plan. It was emphasised that a Planning Inspector would examine the plan, and objections to policies or sites would need to be planning based.

Cabinet Members provided comments on the report, including requesting that the public be advised on the types of planning grounds which were relevant when people were to respond to the consultation.

Cllr Jerry Kunkler, Chairman of the Environment Select Committee, stated there had been several informal briefings to the Committee in early 2024. Though at that time this had not included details of specific sites, the process and details had been provided to explain how the sites might be identified.

Cllr Gordon King, Deputy Leader of the Liberal Democrats, noted the Member Briefing which had taken place the week prior to Cabinet, and encouraged everyone to participate in the consultation moving forward, as well as supporting further information to be provided on how to comment.

A statement was received from a member of the public, Geoff Minshell. Concerns were raised regarding a particular site in Cleverton, noting concurrent enforcement action at the existing site. It was requested that the site be removed from the draft plan ahead of any consultation.

Cllr Botterill responded by noting that part of the purpose of the consultation was to draw out details of concerns or issues with sites. The Leader and officers explained that all comments received through the consultation would be considered, but to remove a site without the evidence from such a consultation would not be appropriate at this stage.

A further statement was received from Haydn Reynolds regarding degradation of existing sites and the impact of that on the plan. It was stated in response that the conditions of a site were a relevant factor.

At the conclusion of discussion, and on the motion of Cllr Nick Botterill, seconded by Cllr Richard Clewer, it was then,

**Resolved:**

**That Cabinet:**

- 1) Approves the 'Gypsies and Travellers Plan - Pre-submission Draft Development Plan Document' at Appendix 1 subject to amendment in 3.**
- 2) Recommends to Full Council on 24 July 2024 that the Gypsies and Travellers Plan - Pre-submission Draft Development Plan Document at**

**Appendix 1 (subject to modification in (3)) be approved for publication in line with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), for a period of at least six weeks public consultation.**

- 3) Authorises the Director for Planning in consultation with the Director for Legal and Governance and Cabinet Member for Finance, Development Management and Strategic Planning: to make any necessary minor changes to the Pre-submission Draft Development Plan Document before it is published; to finalise the associated evidence documents for publication alongside the Plan; and to make arrangement for and undertake statutory consultation.**

### **Reason for Proposals**

To ensure the council continues to make progress in updating its Local Plan, and alongside the wider Wiltshire Local Plan review in line with the timescale set out in the recently approved Local Development Scheme and statutory requirements.

Alongside the wider Wiltshire Local Plan review, the Plan will help ensure that the council is planning to meet the accommodation needs of all different sectors of Wiltshire's community.

*A break was taken from 1140-1145.*

## **87 ICB Community Health Service Procurement**

Cllr Jane Davies Cabinet Member for Adult Social Care, SEND, and Inclusion, introduced the report which sought approval to bring the HomeFirst hospital discharge service in-house, removing it from the ICB Community Health Services Contract, and the associated actions as detailed further in the agenda papers, in principle agreement was sought to commit Better Care Funding, and a further formal decision required when a contract was to be awarded.

Cllr Gordon King, Vice-Chairman of the Health Select Committee, noted a briefing had been received on 14 June 2024 on the report, where he had been assured at the level of oversight and considered the proposal fitting with Wiltshire's support at home services. The Committee would receive further information in September 2024.

At the conclusion of discussion, and on the motion of Cllr Jane Davies, seconded by Cllr Richard Clewer, it was then,

### **Resolved:**

#### **Cabinet agreed**

- 1) To approve the proposal to deliver the HomeFirst service under a single provider – Reablement Wiltshire.**

- 2) To give 'in principle' agreement to commit Better Care Funding of £9,235,123 to the ICB Community Health Contract from 2025-2032 (with a potential for a further 2 years to 2034). Formal commitment is dependent on a revised and agreed S.75 Agreement (Health and Social Care Act 2012) that covers the period of the contract, along with a signed Collaborative Commissioning agreement. Formal agreement will be sought when the contract is awarded.
- 3) To delegate authority to Corporate Director People to approve the revised S.75 agreement that will cover the period of the Community Health Services contract.
- 4) To delegate authority to Corporate Director People to authorise activities related to the procurement up and until award (when the award decision will return to Cabinet).

### **Reason for Proposals**

The ICB will be tendering a BSW-Wide Community Services Health contract, to start from 1 April 2025 with a proposed length of 7 plus 2 years. The Integrated Care Board's (ICB) community health contract re-tender will have cost and service implications for Wiltshire Council Social Care and management of the Better Care Fund (BCF).

The proposal to deliver the Wiltshire HomeFirst service under one single provider – Reablement Wiltshire, has impacted the proposed contribution to the ICB Community Health Services Contract as reported to Cabinet on 14 November 2023. If approval is given for bringing the HomeFirst service under Reablement Wiltshire, this will remove £2,291,088 of the total WHC funding element of the BCF to the ICB contract. The amount will be £2,291,088 less than reported to Cabinet on 14 November 2023.

The proposals require an 'in principle' commitment of a revised amount of £9,235,123 of BCF funding, subject to appropriate S.75 and Collaborative Commissioning agreements.

Cabinet will need to be assured that the procurement process is robust and ensures that Wiltshire's contribution from the BCF is spent on Wiltshire residents. Cabinet has a responsibility to ensure the Wiltshire pound is spent on Wiltshire residents.

Cabinet will also need to be assured, as per the legal advice, that we will in-source HomeFirst without a procurement process.

## **88 Wiltshire Community Advice and Support Services**

Cllr Ian Blair-Pilling, Cabinet Member for Public Health, Communities, Leisure, and Libraries, introduced the report which set out proposals supporting the tendering and contract award process for a new citizens advice service, with the current contract due to expire in 2025. The impact on a broad array of services,



influence on the council's focus on preventative action, and details of clients supported by the current service offering was explained. The available options moving forward were detailed as shown in the report.

Cllr Graham Wright, Chairman of the Overview and Scrutiny Management Committee, commented on the assessed options including consideration of in-house provision.

Cllr Gordon King, Deputy Leader of the Liberal Democrats, noted and recognised the need for procuring the service offering.

At the conclusion of discussion, and on the motion of Cllr Ian Blair-Pilling, seconded by Cllr Richard Clewer, it was then,

**Resolved:**

**That Cabinet:**

- 1) Approves option 2 - the recommissioning, procurement and implementation of the Core and Carers elements of the Wiltshire Community Advice and Support Service for a minimum of five years with the option to extend for an additional two years with an uplift mechanism.**
- 2) Delegates authority to the Director of Commissioning in consultation with the Cabinet Member for Public Health, Communities, Leisure, and Libraries to award the new contract, including the taken of all necessary steps and the production of all associated documentation.**

**Reason for Proposals**

Option 2 will give the Council greater consistency of service across the county and the opportunity for more robust contract management. Only tendering for core and carers reduces the financial risk and pressure to the council if the grants for the refugee programme and Ukraine support were not forthcoming in future years or should the team decide to invest this money in different services.

A wide range of council service areas make daily referrals to Wiltshire Citizens Advice service and it is a service relied on heavily by Wiltshire residents. Not having this service in place would place unprecedented demand on council teams, who are not currently resourced to meet this demand and customers would not receive as timely a response, should the service be brought inhouse.

Additionally, Wiltshire Council does not have Financial Conduct Accreditation (FCA) or Advice Quality Standard (AQS) accreditation, which means that it cannot provide specialist advice around debt and housing issues. Further to

this, Wiltshire Council is not a charity, this prevents bidding on Charity specific funding which the current provider uses to bolster services. Not having this service in place would mean Wiltshire residents would be unable to seek specialist financial and housing advice.

*Cllr Phil Alford left the meeting at 1200 before the vote on the resolution.*

## 89 **Wiltshire Cultural Strategy**

Cllr Richard Clewer, Leader of the Council, introduced the report which set out the proposed Cultural Strategy, which it was proposed would be made a Policy Framework item requiring approval by Full Council. It was stated many councils were unable to focus attention on culture and the arts due to their financial position, but Wiltshire Council was utilising its budget to develop a framework to assist partners in investing in culture and the arts.

Cllr Jerry Kunkler, Chairman of the Environment Select Committee, stated the strategy would be considered by the committee on 18 July 2024.

Cllr Gordon King, Deputy Leader of the Liberal Democrats, welcomed the proposed strategy, and sought reassurance culture was broadly defined within it.

At the conclusion of discussion, and on the motion of Cllr Richard Clewer, seconded by Cllr Laura Mayes, it was then,

### **Resolved:**

#### **That Cabinet**

- 1) Endorses the proposed Wiltshire Cultural Strategy**
- 2) Recommends that Full Council adopt the Cultural Strategy and add it to Part 3B Paragraph 1.2 of the Constitution as a Policy Framework item.**

#### **Reason for Proposals**

The Wiltshire Cultural Strategy 2024-2030 supports the delivery of key priorities set out in Wiltshire Council's 2022-32 Business Plan. It seeks to address key challenges outlined above through a better connected, stronger creative and cultural sector and a more vibrant and diverse cultural offer, delivered through collaboration with strategic partners, the cultural and creative sector and communities.

## 90 **Disposal Update**

Cllr Tamara Reay, Cabinet Member for Transport and Assets, introduced the report and the procedural requirements in order for the council to consider the potential disposal of the assets detailed within that report. Details were provided in particular regarding a site in Calne.

Cllr Graham Wright, raised a query regarding engagement with local members where an asset was considered for disposal, which it was explained in part depended on the asset and the options for disposal.

At the conclusion of discussion, and on the motion of Cllr Tamara Reay, seconded by Cllr Richard Clewer, it was then,

**Resolved:**

**That Cabinet,**

- a) Note the year end position in respect of receipts for the financial year 2023/4.**
- b) Approve the sale of the freehold interest of the five assets in Appendix 2 to generate capital receipts in support of the Council's capital programme, if deemed in the best overall interest of the Council.**
- c) Authorise the Director of Assets to dispose of the freehold interest in the assets, or in their absence the Deputy Chief Executive & Corporate Director of Resources.**

**Reason for Proposals**

To note the year end position in respect of capital receipts for the financial year 2023/24, and confirm the freehold interest in the 5 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.

91 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.00 am - 12.15 pm)

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