

## AGENDA

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Meeting: **CABINET CAPITAL ASSETS COMMITTEE**  
Place: **Kennet Room - County Hall, Trowbridge BA14 8JN**  
Date: **Tuesday 10 November 2015**  
Time: **2.00 pm**

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Please direct any enquiries on this Agenda to Will Oulton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713935 or email [william.oulton@wiltshire.gov.uk](mailto:william.oulton@wiltshire.gov.uk)

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### Membership:

Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills and Strategic Transport
Cllr Baroness Scott of Bybook O.B.E	Leader of the Council
Cllr Toby Sturgis	Cabinet Member for Strategic Planning (strategic and development management), Property, Waste and Strategic Housing
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Systems Thinking, Procurement and Welfare Reform

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### Substitutes:

Cllr Keith Humphries	Cabinet Member for Health (including Public Health) and Adult Social Care
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Jonathon Seed	Cabinet Member for Housing, Leisure, Libraries and Flooding
Cllr Stuart Wheeler	Cabinet Member for Hubs, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services), Heritage & Arts and Customer Care
Cllr Philip Whitehead	Cabinet Member for Highways and Transport

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# AGENDA

## Part I

### Items to be considered while the meeting is open to the public

**Key Decisions:** Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

1 **Apologies and Substitutions**

2 **Minutes of the previous meeting** (*Pages 7 - 14*)

To confirm and sign as a correct record the minutes of the Cabinet (Capital Assets) Committee meeting held on 15 September 2015.

3 **Leader's Announcements**

4 **Declarations of interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

5 **Public Participation and Questions from Councillors**

The Council welcomes contributions from members of the public. This meeting is open to the public , who may ask a question or make a statement. Questions can also be asked by members of the Council. Written notice of questions or statements should be given to Will Oulton of Democratic Services by 12.00 noon on Wednesday 4 November 2015. Anyone wishing to ask a question or make a statement should contact the officer named above.

6 **Schools Capital Investment Priorities 2016 -2019** (*Pages 15 - 34*)

 Report by Carolyn Godfrey, Corporate Director

7 **Gypsy and Traveller Planning Document Update** (*Pages 35 - 50*)

 Report by Carlton Brand, Corporate Director

8 **Urgent items**

Any other items of business that the Leader agrees to consider as a matter of urgency.

## 9 **Exclusion of the Press and Public**

This is to give further notice in accordance with paragraph 5 (4) and 5 (5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 of the intention to take the following item in private.

To consider passing the following resolution:

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 10 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.

Reason for taking item in private:

Paragraph 3 - information relating to the financial or business affairs of any particular person (including the authority holding that information).

## **Part II**

**Items during consideration of which it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed**

## 10 **Gypsy and Traveller Planning Document Update (Part ii) (Pages 51 - 52)**

 Report by Carlton Brand, Corporate Director

The items on this agenda reflect the key goals of Wiltshire Council, namely 'Work together to support Wiltshire's Communities', 'Deliver high quality, low cost, customer focused services and 'Ensure local, open, honest decision making'.


## **CABINET CAPITAL ASSETS COMMITTEE**

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DRAFT MINUTES of a MEETING held in KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 15 September 2015.

Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills and Strategic Transport
Cllr Jane Scott OBE	Leader of the Council
Cllr Toby Sturgis	Cabinet Member for Strategic Planning (strategic and development management), Property, Waste and Strategic Housing
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Systems Thinking, Procurement and Welfare Reform
Also in Attendance:	Cllr Keith Humphries, Cllr Laura Mayes, Cllr Jonathon Seed and Cllr Philip Whitehead

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Key Decisions Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

### **67 Apologies and Substitutions**

Apologies were received from Cllr Stuart Wheeler.

### **68 Minutes of the previous meeting**

The minutes of the previous meeting, held on the 21 July 2015, were presented.

#### **Resolved**

**To approve as a correct record and sign the minutes of the meeting held on 21 July 2015.**

### **69 Leader's Announcements**

There were no Leader's announcements.

### **70 Declarations of interest**

There were no declarations of interest.

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

The Leader noted that Cllr Nina Philips and Mr Robert Ticknell were attending the meeting to address the Committee on the Middlefield item. The Leader stated that their representations could be made once that item had been reached.

## **72 Capital Budget Monitoring**

Cllr Dick Tonge presented the report which informed Cabinet on the position of the 2015/2016 Capital Programme, as at Period 4 (31 July 2014), including highlighting budget changes.


### **Resolved**

**To note the budget movements undertaken to the capital programme shown in Appendices A and B.**

Reason for Decision:

To inform Cabinet of the position of the 2015/2016 capital programme as at Period 4 (31 July 2015), including highlighting any budget changes.

## **73 Middlefields, Hungerdown Lane, Chippenham**

 Cllr Toby Sturgis presented the report which provided an update on the current position in respect of the sale of Middlefields, Hungerdown Lane, Chippenham. The report also recommended that the Cabinet provide guidance on how to proceed.

Issues highlighted in the course of the presentation and discussion included:

That a number of bids had been received; the impact of drainage and archaeological issues and the mitigations; the impact of the now adopted Core Strategy; that the Council would be considering who would be providing affordable housing as part of any proposals.

Cllr Sturgis stated, in response to a question from Cllr Nina Phillips, that there were no archaeological features on the site to hinder development; and that an agreement had been reached with the Order of St Johns agreement which should address the concerns over care provision.

Cllr Sturgis stated, in response to a statement made by Mr Robert Ticknell, that there had been conditions attached to some of the previously received bids, and it was felt appropriate to remarket the site now that further information was available. Cllr Sturgis, furthermore, stated that he hoped that the remarketing exercise would be over a relatively short period, and that he hoped that it would be concluded by Christmas.

James Cawley, Associate Director, stated that he would bring back report on what the impact of the decision was with regard to adult social care, and would seek to brief Members as soon as possible.


### **Resolved**

- 1. To note the current position in respect of Middlefields;**
- 2. To approve the sale of part of the site to OSJCT for the construction of a care home; and**
- 3. To approve an unrestricted re-marketing of the remainder of the site with the information since obtained regarding surface water disposal and archeological issues.**

Reason for Decision:

In order to progress the sale of the property and support the delivery of the Core Strategy and affordable housing policies.

## **74 Nadder Close, Tisbury**

 Cllr Jonathon Seed presented the report which sought Members' agreement to provide funding to support the remodelling of a sheltered scheme in Tisbury for the provision of accessible, fit for purpose accommodation for older people in the community and to ensure the building can accommodate the provision of an extra care service that could offer an alternative to residential care.

It was confirmed, following a question raised by Cllr Tonge, that as there was a community facility as part of the housing development, the development would be exempt from the Right to Buy scheme.

### **Resolved**

**To delegate authority to the Associate Director for Adult Care Commissioning and Housing in consultation with the Cabinet Member for Housing (excluding strategic housing), Libraries, Leisure and Flooding to authorise the commitment of Housing Revenue Account capital funding of £745,397 to support the delivery of the project, and to enter into any necessary contracts to enable the project to be delivered.**

Reason for Decision:


The Tisbury scheme will provide good quality, fit for purpose, accessible accommodation for older people with an assessed care need, thus ensuring that they are able to live independently for as long as possible. The scheme will

offer an alternative to residential care and will be able to deliver the extra care services outlined in the Older People's Accommodation Development Strategy.

Through the development of the site, the Council would benefit from the provision of remodelled housing to meet the needs of the growing older population in Tisbury. Additionally, this development would improve choice and control for older people with an assessed care need and provide a vital wider community resource, through the planned refurbished communal areas. Work is being undertaken to determine how these communal areas can be used to offer services to residents and local people in the future.

This development will protect some of the most vulnerable older people by reducing the likelihood of falls and hospital admissions whilst ensuring independence is maintained and also meets a number of the outcomes in the Business Plan.


## **75 Council House Building Programme Revision**

 Cllr Jonathon Seed presented the report which sought delegated approval to deliver a revised programme of around 226 new council homes across Wiltshire to meet identified need using council owned land and funding from a range of sources including housing revenue account (HRA) reserves and borrowing, right to buy receipts, commuted sum funding, social care and housing capital funding and grant funding secured from the Homes and Communities Agency (HCA), Department of Health (DoH) and other funding bodies.

James Cawley, Associate Director, stated that the a report would be presented to a future meeting of the Committee regarding the impact of the Government's proposals to reduce social rents by 1%; but that consideration of the likely impacts should not delay implementation of the Council House Building Programme.

The Leader proposed that the vote on the matter should take place once the Committee had considered the financial information contained in the exempt report.

## **76 Urgent items - Expansion of St Leonards CE VA Primary School - Award of Contract**

 Cllr Laura Mayes presented the urgent item which asked the Committee to approve an "Award of Building Contract" through the SCAPE minor works framework to Kier Construction Limited for the expansion of Bulford St Leonards CE VA Primary School to 1.5 forms of Entry (80 additional places).



Issues highlighted in the course of the presentation and discussion included: that officers be thanked for their hard work producing the report; that project is required as part of the army rebasing programme; that the decision had been planned to be a Delegated Decision, but must be dealt with by Committee as it went above the financial threshold; and that the project will be ready for the start of the next school year in September 2016.

Following a question from Cllr Tonge, it was confirmed that money already in Capital programme which had been provided by Central Government.

### **Resolved**

**To approve “Award of Building Contract” through the SCAPE minor works framework to Kier Construction Limited for the expansion of Bulford St Leonards CE VA Primary School to 1.5 Forms of Entry (FE) (80 additional places)**

Reason for Decision:

The approval is required to enable the Council to enter into a contract with Keir Construction to expand Bulford St Leonards CE VA Primary School by an agreed 80 places in order to ensure the Council is meeting its statutory duty to secure sufficient school places. The additional spaces are required to support the Army Re-Basing Programme of work and in particular the relocation of 5<sup>th</sup> Rifles to Bulford in 2016.

## **77 Exclusion of the Press and Public**

### **Resolved**


**To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the following items of business because it is likely that if members of the public were present there would 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.**

Reason for taking the item in private:

Paragraph 3 – information relating to the financial information or business affairs of any particular person (including the authority holding that information)

No representations have been received as to why this item should not be held in private.

## 78 Council House Building Programme Review

 After considering the information contained in the report and the appendix, the meeting:

### **Resolved**

**to delegate authority to the Associate Directors responsible for housing, finance, procurement, legal and assets in consultation with the Cabinet Member for Housing, Leisure, Libraries and Flooding, the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste and the Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform to approve;**


- a) The use of sites in Appendix 2 for affordable housing with delegated authority to substitute alternative sites of similar value as appropriate**
- b) Any appropriations necessary pursuant to s122 LGA 1972 to ensure that the sites in a) are held by the Council for housing purposes**
- c) A total budget of £42.5m with delegated authority to substitute and change funding streams within the programme for individual sites to optimise financing. HRA funding will not exceed £32.8m but other funding streams may be increased or decreased as required providing that they stay within available allocation and do not affect the total budget position.**
- d) Entering contracts for consultants, construction and other elements of the project to enable the delivery of around 226 new homes within the total scheme costs identified in Appendix 2 in accordance with the Corporate Procurement & Commissioning Board approach.**
- e) Entering funding agreements with HCA/CLG/DOH as required to secure the grant funding and borrowing approval required.**

### **Reason for Decision:**

Since the council house building programme was first approved in September 2014, further site feasibility work has been undertaken, consultation with local communities has taken place, schemes have been fully designed and costed and some of the projects have been tendered. This has resulted in changes to the estimated costs of schemes, the proposed sites and the number of homes that can be delivered with the available funding.

This report seeks approval for a revised programme to deliver around 226 new homes as detailed in Appendix 2.

## 79 **Five Rivers - proposed lease of premises**

 Cllr John Thomson presented the report which sought approval for the grant of a lease of part of the premises known as Five Rivers Campus to the new Wiltshire & Dorset Fire Authority.

### **Resolved**

- 1. To note the progress of discussions between the Fire Authority and Officers in respect of the proposed lease;**
- 2. To approve the entering into a lease with the Fire Authority on terms set out in the Appendix A;**
- 3. To delegate the final approval of the lease and its terms to the Associate Director Communities and Communications following consultation with Associate Director Finance, the Associate Director Law and Governance and the Cabinet Member for Communities, Campuses, Area Boards and Broadband.**

Reason for Decision:

To ensure that the community facility is utilised for the purposes that it was developed, fostering partnership working with the newly merged fire authority and promoting the local economy in the Salisbury area.

(Duration of meeting: 2.00 - 2.52 pm)

These decisions were published on the 18/9/2015 and will come into force on 28/9/15
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The Officer who has produced these minutes is Will Oulton, of Democratic Services, direct line 01225 713935 or e-mail [william.oulton@wiltshire.gov.uk](mailto:william.oulton@wiltshire.gov.uk)  
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**Wiltshire Council**

**Cabinet Capital Assets Committee**

**10<sup>th</sup> November 2015**

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**Subject: Schools Capital Investment Priorities 2016 -2019**

**Cabinet member: Councillor Laura Mayes - Children's Services**

**Key Decision: Yes**

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## **Executive Summary**

The Council has a statutory duty to provide sufficient high quality school places to meet the demand arising across Wiltshire, whether from demographic or population change, Core Strategy housing development growth and the Army Re-Basing programme. The Cabinet has recently approved the Wiltshire School Places Strategy 2015-2020 and Implementation Plan which identifies the priorities for capital investment in the short medium and longer term. The Council also has landlord responsibilities for the effective management and maintenance of the schools estate.

The Council receives annual capital funding allocations from the Department for Education (DfE) to meet basic need (new places) and maintenance Improvements.

In line with the Wiltshire School Places Strategy 2015-2020, this report confirms the priorities for capital investment in schools in terms of basic need (additional places) and condition related works and seeks approval to the programme of work required to ensure our schools provide sufficient places that are fit for purpose and that the school estate is maintained.

## **Proposal(s)**

- To note the status of March 2014 approved school capital schemes as shown at Appendix A.
- To approve the Schools Capital Investment Programme (Basic Need) for 2016-2019 as outlined at Appendix B.
- To delegate responsibility to the Director for Children's Services to progress the work necessary to provide an 18 place Resource Base at Castlemead Primary Academy, as part of the proposed expansion of the school to 2FE, as at Appendix C.
- To approve the Schools Capital Investment Programme (Planned Maintenance) totalling £2.5M for 2016/17 as outlined at Appendix D and

to agree that a further £2.5M be held pending priorities for 2017/18.

- To approve the Schools Refurbishment/Replacement Programme for 2016/17 as outlined at Appendix E.
- To authorise the Corporate Director for Children Services to invite and evaluate tenders for the projects described in this report, and, following consultation with the cabinet member, to award the contract for the project (subject to approval of any necessary statutory proposals) and to authorise, in consultation with the Head of Strategic Asset & FM (or the Asset Portfolio Manager (Estates), in accordance with the relevant scheme of sub-delegation (under paragraph 7 of Part 3B of Wiltshire Council's constitution)), the acquisition of all land (and the completion of any legal documentation) reasonably required in order to facilitate the Schools Capital Investment Programme.

### **Reason for Proposal**

The Council has a statutory duty to provide sufficient high quality school places to meet the demand arising across Wiltshire, whether from demographic or population change, Core Strategy housing development growth and the Army Re-Basing programme. The Cabinet has recently approved the Wiltshire School Places Strategy 2015-2020 and Implementation Plan which clearly identifies the priorities for capital investment in the short, medium and longer term and this proposed Schools Capital Investment Programme will enable the priority works to be progressed. The Council also has Landlord responsibilities for the effective management and maintenance of the schools (for which the Council is responsible) estate and the investment programme will enable urgent and priority repairs and maintenance projects to proceed .

**Carolyn Godfrey**  
**Director Children's Services**

## **Wiltshire Council**

### **Cabinet Capital Assets Committee**

**10<sup>th</sup> November 2015**

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**Subject: Schools Capital Investment Priorities 2016-2019**

**Cabinet member: Councillor Laura Mayes – Children’s Services**

**Key Decision: Yes**

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#### **Purpose of Report**

1. To agree the Schools Capital Investment Programme for 2016-2019

#### **Relevance to the Council’s Business Plan**

2. The Council has a statutory duty to provide sufficient high quality school places to meet the demand arising across Wiltshire, whether from demographic or population change, Core Strategy housing development growth and the Army Re-Basing programme. The Cabinet has recently approved the Wiltshire School Places Strategy 2015-2020 and Implementation Plan which clearly identifies the priorities for capital investment in the short medium and longer term. The Council also has landlord responsibilities for the effective management and maintenance of the schools estate.

#### **Main Considerations for the Council**

3. The Council receives annual capital funding allocations from the Department for Education (DfE) to meet basic need (new places) and condition (capital maintenance) improvements. The formula allocations in the table below are based on annual SCAP returns to the DfE which provide details of school capacity, pupil projections and the number of new school places provided annually.

The capital maintenance allocations are adjusted to take account of schools converting to academy status, as academies then receive funding direct from the Education Funding Agency (EFA).

<b>Description</b>	<b>2015/16 £M</b>	<b>2016/17 £M</b>	<b>2017/18 £M</b>	<b>Total £M</b>
Basic Need (Sufficiency)	5,429,746	5,701,233	15,970,778	27,101,757
Maintenance	3,916,154	3,916,154*	3,916,154*	11,748,462
Total £M	9,345,900	9,617,387	19,886,932	38,850,219

\*Could decrease if more schools convert to academy status

The Council also secures wherever possible, S106 and CIL planning obligations for essential school infrastructure in areas of new housing development which are usually project or school specific.

## **Background**

4. Wiltshire Council considered and approved a Schools Capital Programme Report on 18 March 2014. All of the major projects identified in that report have been funded by previous years capital allocations and/or S106 contributions and are either complete or well under way. A summary of the expansion projects completed or nearing completion is available at Appendix A.

In response to the continuing demand for additional school places predominantly at primary phase but expecting the growth in numbers to move into the secondary phase shortly, a School Places Strategy 2015-2020 has been agreed, based on the current capacity of schools and the latest pupil number projections moving forward. This will be reviewed annually.

### Mainstream

Demand for school places can be influenced by a number of factors including changes in the birth rate, migration (inward and outward), housing development, the economic situation, parental preference etc and in Wiltshire specifically, the Army Re-Basing Programme has a significant impact. The recently approved Wiltshire School Places Strategy (SPS) 2015-2020 Implementation Plan identifies all of the current short, medium and longer term priorities for capital investment to provide additional mainstream school places and is the basis for the School Capital Investment Programme 2016-19.

Work now needs to commence on the short and medium term priority projects in the SPS Implementation Plan to ensure the Council meets its obligation to provide sufficient school places. The list of priority projects can be found at Appendix B.

The total cost of basic need capital schemes identified at Appendix B is estimated to be £41.9Million.

### Specialist Provision

Alongside mainstream school provision there is a continuing demand for additional Special School and Resource Base places. Special Schools and Resource Bases provide places to serve a wider regional demand than its immediate locality and there is a need to expand places alongside the growth in mainstream provision. Provision and future service delivery have been the subject of a recent Review of Special Educational Needs (SEN), and the outcome of this has confirmed the need to increase places and in some areas to consider the changing need or type of places required. It would be prudent therefore to consider any opportunities for providing new Resource Base accommodation alongside new school



provision to ensure the best use of sites and limited resources. At the current time there is an opportunity to consider the development of a new Resource Base to serve the West Wiltshire region, which is under pressure for places, as part of the expansion of a school in Trowbridge. Further detail on the proposal and the case for the additional places can be found at Appendix C.

Work is also underway to identify other new school development opportunities in areas of demand, which could be linked with a Resource Base.

Another long standing priority is the expansion of Special School places in the Trowbridge and Salisbury areas. A project team was established in 2013 to consider the options for the expansion and possible replacement of Larkrise Special School (Trowbridge) and a feasibility study was undertaken at that time. The preferred solution from that feasibility is no longer deliverable and further work is therefore needed to consider alternative site options and funding streams. It is proposed to look at options afresh and to ensure we can find the most cost effective and sustainable solution moving forward. In the interim, further work was carried out on the existing school site to provide a small amount of additional accommodation and the nearby vacated Ashton Street site is currently being used to provide parking for specialist transport on a temporary basis.

Exeter House Special School Academy Trust (EHAT) in Salisbury is seeking to expand its accommodation to meet additional demand. A proposal to meet this demand is that the former John Ivie Centre is taken over by the academy and used as a post 16 facility. The Academies Act requires that any site previously used as a school (in the past 10 years) must seek the consent of the Secretary of State to enable it to be disposed of. In this instance an application has been made to the EFA seeking consent to lease/dispose of the site. If the Secretary of State determines that the site be transferred to EHAT, this would provide approximately 25 additional special school places. It is proposed that a further update report on Larkrise and Exeter House will be brought forward in due course.

### Maintenance

In addition to basic need (growth related) capital projects, there is a significant backlog of priority capital repair and maintenance schemes in those schools which the Council remains responsible for. The list of priority maintenance work in community, controlled and foundation schools continues to grow against a falling budget.

Only high priority maintenance works are included and the current list of priorities can be found at Appendix D. At the current time none of the schools on the list are planning to convert to Academy status. However, in the event that a decision is taken by a school to convert to Academy status, prior to commencement of any approved maintenance work, and before a contract is committed, then the work will be reviewed and where appropriate, removed from the list. As there continues to be a number of

schools converting to Academy status, building maintenance responsibility for those academies transfers to the academy itself and the Council's capital funding allocation correspondingly reduces. That funding is transferred to the EFA who fund academies direct.

The maintenance schemes recommended for inclusion in the 2016/17 programme of work total an estimated £2.5Million. A further £2.5Million is proposed to be held pending confirmation of priority schemes for 2017/18.

There are a small number of urgent replacement school or refurbishment schemes, where either permanent accommodation is of such poor quality or no longer fit for purpose and is in need of refurbishment/replacement or that there are old temporary classrooms that require removal from a site or require replacement with permanent accommodation. These proposed schemes are identified at Appendix E and currently estimated at £4.5Million.

#### Capital Investment Programme Estimated Costs in 2016-19

Capital Investment	Budget Allocation £M	Estimated Cost £M	Comments
BN (Schemes to Progress)		41.9	Short to medium term priority schemes
Maintenance (Planned)		5.0	Two year programme of work
Maintenance (Refurbishment/ Replacement)		4.5	Priority refurb or replacement schemes
BN and Maintenance (Schemes in Development)		9.9	Funding held for schemes in development
Schools Basic Need Grant	27.1		3 year allocation
Schools Condition Grant	11.7		3 year allocation
S106 Contributions (agreed)	22.5		S106 and CIL allocations
Total	61.3	61.3	
Army Re-Basing Basic Need Schemes (S106)	24.6	24.6	As at 2015 prices

#### **Safeguarding Implications**

5. All school projects are designed to ensure that schools provide safe and secure places for children and young people in the immediate locality. If a decision was taken not to extend a school to meet demand in a local community then there is a risk that young people would be transported to

schools a long distance from their locality leaving them more vulnerable due to the distance they are from home.

### **Public Health Implications**

6. The development of quality school buildings and site infrastructure will provide a range of sports facilities for pupils, students, staff and the local community including dedicated sports halls, primary activity halls, hard games courts and grass football/hockey pitches. The investment in school sites provides the opportunity for young people in the community to participate in sports and thereby promote healthy behaviours and practices in the population.

### **Corporate Procurement Implications**

7. Responsibility for commissioning approved capital building projects rests with the Council's Property Services Team. Responsibility for approving related procurement activity rests with the Corporate Procurement and Commissioning Board (the Board). This report is about a series of procurements of works contracts to deliver school places capacity. The service will adhere to corporate governance by providing the forward plan to the Board, identifying options for their procurement and seeking approval of the recommended route(s) to market.

### **Equalities Impact of the Proposal**

8. Through detailed planning and effective design, officers continue to ensure that all accommodation improvements promote and deliver equality of opportunity and access to facilities.

The Equalities Act 2010 states that reasonable adjustments must be taken into consideration in design. By adopting compliant design principles, and ensuring all schemes meet Building Regulations it should be possible to eradicate disability access difficulties and discrimination in new school buildings. This will be a fundamental objective of any rationalisation and/or expansion works carried out at existing school properties.

The Local Authority has a duty and responsibility to provide sufficient school places both in terms of mainstream and specialist provision to meet demand arising from all areas of the community including in response to inward migration. The programme of work has also taken into account the needs arising from the Army Re-Basing programme.

### **Environmental and Climate Change Considerations**

9. In all education related capital investment schemes, officers continue to work with establishments to develop and enhance the learning environment taking account of sustainability and environmental impact, including the move towards reduced carbon schools for the benefit of pupils, staff and the community

All new build schemes are designed to meet BREEAM 'Good' and the design process provides opportunities for minimising lifetime carbon emissions. Additionally, schools are no longer subject to the Carbon Reduction Commitment (carbon tax payable by large energy consumers), but with ever increasing energy prices, every effort will be made through the design process to reduce lifetime costs.

## **Risk Assessment**

10. The main risk to Wiltshire Council is that it will be failing in its duty to provide sufficient school places for children and young people resident in Wiltshire.

### **Risks that may arise if the proposed decision and related work is not taken**

11. The Cabinet has approved the School Places Strategy 2015-2020 which identifies the need for additional school places across Wiltshire. If this capital investment programme is not approved then the Council will not be able to meet its statutory obligations to provide sufficient school places for children resident in Wiltshire.

Capital funding has been allocated by the Department for Education (DfE) based on the annual SCAP return data which identifies current school capacity and projected future numbers of pupils, for the purpose of delivering additional school places (basic need). The Council must report annually on how this funding is being spent. If this funding is not allocated to deliver school basic need schemes there is a risk that this funding will not be made available to the Council in the future.

The Council, in its capacity as Landlord, has a responsibility for managing its sites and building assets efficiently and to ensure all school buildings under its control (community, voluntary controlled and foundation) are maintained appropriately. If these assets are not maintained then there is an increasing risk to health and safety of users as buildings fall into disrepair and increasing costs when more extensive work is required to make sure buildings remain operational.

Capital funding has been allocated by the DfE for urgent and priority maintenance works in schools. The Council must report annually on how this funding is being spent. If this funding is not allocated to maintenance or improvement works in schools then there is a risk that this funding will not be made available to the Council in the future.

### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

12. It is important that the Council meets its statutory duty to provide sufficient school places and this programme of work will ensure that places are provided in appropriate locations and delivered in a timely way. There is a

risk however than costs could increase and exceed the funding envelope agreed. To mitigate this, project briefs and specifications will be in line with policy and the project management and design teams will ensure that where possible, value engineering exercises are undertaken to reduce costs and keep within budget.

There is a risk that projects could be delayed due to unforeseen circumstances. Project managed timelines will be closely monitored to avoid slippage where at all possible.

Many schools have now converted or are in the process of converting to Academy status. There is a risk that an academy may not want to expand its places to meet additional demand in an area. The Council will work in partnership with all providers to ensure that expansion projects to provide additional places can be delivered in a timely way to support all communities.

### **Financial Implications**

13. The funding allocations for basic need and maintenance works in school are shown in the table at para 3 above. There is a risk that future years maintenance allocations could be reduced if more schools convert to academy status and the relevant funding is withdrawn from the Council to be transferred to the EFA. In the event of this happening the maintenance programme would be scaled back appropriately.

In addition to formula allocations, the proposed School Capital Investment Programme is supported by S106 developer contributions allocated to location specific schemes and CiL funding secured from major developments.

The School Capital Investment Programme is funded in full by grant and S106/CiL with no WC capital borrowing. The programme is managed within its allocation and actions taken where necessary to ensure it remains within budget.

### **Legal Implications**

14. Wiltshire Council in the exercise of statutory duties and obligations is required to undergo a continuous programme of monitoring and review in accordance with the Wiltshire School Places Strategy 2015 -2020 and Implementation Plan.

The School Capital Investment Priorities 2016 – 2019 paper does not present immediate legal issues over and above the implementation, monitoring and due diligence obligations associated with the exercise of statutory powers

### **Recommendations**

15. The schemes identified in the Schools Capital Investment Priorities Report are required to ensure the Council can provide sufficient school places and that school buildings are maintained to a good standard of accommodation. It is recommended that the work identified in Appendices B, C D and E be approved.

## **Conclusions**

16. The Council has a statutory duty to provide and maintain sufficient high quality school places to meet the demand arising across Wiltshire, whether from demographic or population change, Core Strategy housing development growth and the Army Re-Basing programme. The Cabinet has recently approved the Wiltshire School Places Strategy 2015-2020 and Implementation Plan which clearly identifies the priorities for capital investment in the short, medium and longer term and this proposed Schools Capital Investment Programme will enable the priority works to be progressed.

## **Proposal**

17.
  - i. To note the status of March 2014 approved school capital schemes as shown at Appendix A.
  - ii. To approve the Schools Capital Investment Programme (Basic Need) for 2016-2019 as outlined at Appendix B.
  - iii. To delegate responsibility to the Director for Children's Services to progress the work necessary to provide an 18 place Resource Base at Castlemead Primary Academy, as part of the proposed expansion of the school to 2FE, as at Appendix C.
  - iv. To approve the Schools Capital Investment Programme (Maintenance Work) totalling £2.5M for 2016/17 as outlined at Appendix D and to agree that a further £2.5M be held pending priorities for 2017/18.
  - v. To approve the Schools Refurbishment/Replacement Programme for 2016/17 as outlined at Appendix E.
  - vi. To authorise the Corporate Director for Children Services to invite and evaluate tenders for the projects described in this report, and, following consultation with the cabinet member, to award the contract for the project (subject to approval of any necessary statutory proposals) and to authorise, in consultation with the Head of Strategic Asset & FM (or the Asset Portfolio Manager (Estates), in accordance with the relevant scheme of sub-delegation (under paragraph 7 of Part 3B of Wiltshire Council's constitution)), the acquisition of all land (and the completion of any legal documentation) reasonably required in order to facilitate the Schools Capital Investment Programme.

## **Reason for Proposal**

18. The Council has a statutory duty to provide sufficient high quality school places to meet the demand arising across Wiltshire, whether from demographic or population change, Core Strategy housing development growth and the Army Re-Basing programme. The Cabinet has recently approved the Wiltshire School Places Strategy 2015-2020 and Implementation Plan which clearly identifies the priorities for capital investment in the short medium and longer term and this proposed Schools Capital Investment Programme will enable these priority works to be progressed. The Council also has landlord responsibilities for the effective management and maintenance of the schools estate and the investment programme will enable urgent and priority repairs and maintenance projects to proceed.

**Carolyn Godfrey**  
**Corporate Director – Children’s Services**

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10 November 2015

## **Background Papers**

None

## **Appendices**

Appendix A - Position Statement on March 2014 Previously Approved Schemes

Appendix B – Proposed Schools Basic Need Capital Programme 2016-2019

Appendix C – Proposal to include SEN Resource Base at Castlemead Primary Academy in Trowbridge

Appendix D – Proposed Schools Maintenance Capital Programme 2016/17

Appendix E – Proposed Schools Refurbishment/Replacement Capital Programme 2016/17

**Previously Approved School Expansion Projects in Progress/Complete in 2015/16**

School	Project	Status
Wellington Primary, Tidworth	New 2FE (420 place) primary school	Complete
Castlemead Primary, Trowbridge	New 1FE (210 place) primary school – phase 1	Complete
Forest & Sandridge Primary	Expanded and rebuilt 2FE (420 places) primary school on new site	Complete
Amesbury Primary	Expansion of school from 1FE to 2FE (to 420 places)	Complete
Wellington Academy	Provision of 180 additional secondary places	Complete
Holt Primary	Expansion to 180 places	Complete
Stratford Sub Castle	Replacement of old mobile	Complete
Pembroke Park Primary	Expansion to 2FE (420 places)	In progress
Amesbury Christ the King	Expansion to 1.5 FE (315 places)	In progress
Bulford Kiwi Primary	Expansion to 2FE (420 places)	In progress
Bulford St Leonard's Primary	Expansion to 1.5FE (315 places)	In progress
Greentrees Primary	Expansion to 2FE (420 places)	In progress
Chirton Primary	Mobile classroom to add 30 places	In progress
Minster Primary	New teaching block to replace old Pratten	In progress
Downton Primary	Provision of 60 additional primary places	Awaiting planning permission



## Schools Basic Need Proposed Programme of Work 2016/19

## Appendix B

### Key to Capital Project Cost Estimates

Project Cost Estimate	Reference
Under £500k	A
£500k to £1m	B
£1m to £3m	C
£3m to £5m	D
£5m to £7m	E
More than £7million	F

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Planning Area	School	Places to be Provided	Work Proposed	Cost Estimate £
Amesbury	NEW - Kings Gate	210	Phase 1 (1FE) of new 2FE primary school on Kings Gate housing development, part funded by S106	D
Amesbury	Stonehenge School	250	Phase 1 expansion of Stonehenge Secondary School to meet demand from Amesbury and Durrington housing developments.	E
Bradford on Avon	Christchurch CE Primary	60-90	Additional primary places, subject to review of latest birth data. Part funded by S106.	B/C
Calne	Priestly Primary	120	0.5FE additional primary places at existing primary school in Calne.	C
Chippenham	Ivy Lane Primary	30	Provision of one classroom to return school to 2FE (PAN 60)	A
Chippenham	NEW - North Chippenham	210	New primary school funded in part from S106 to serve new North Chippenham housing development	D

Corsham	Corsham Primary (Broadwood)	120	0.5FE additional primary places at Corsham Primary (Broadwood site)	C
Malmesbury	Malmesbury Primary	120	Expansion of Malmesbury Primary by 0.5FE to 2.5FE (site for 3FE) to meet demand arising from new housing - funded from S106	C
Malmesbury	Malmesbury Secondary	120	Small expansion of Malmesbury Secondary School to provide 120 places (PFI)	C
Royal Wootton Bassett	RWB Secondary School	130	Small expansion of RWB School to provide 130 places (PFI)	C
Salisbury	Old Sarum Primary	210	Expand Old Sarum Primary from 1FE to 2FE to meet demand from new housing (part funded from S106)	C
Salisbury	Wilton & Barford Primary	30	Provision of one classroom and expansion of communal areas to bring school to 1FE (PAN 30)	B
Salisbury	NEW – Longhedge	210	New primary school funded from S106 to serve new Longhedge housing development (final size yet to be confirmed)	D
Salisbury	NEW – Fugglestone Red	315	New 1.5FE primary school funded from S106 to meet demand from new housing development in North Salisbury.	E
Trowbridge	Castlemead Primary	210 + 18	Expansion from 1FE to 2FE with 2 class SEN Resource Base (see Appendix D) Part funded by S106.	D
Westbury	Bitham Brook Primary	60	Expansion of Bitham Brook Primary to meet demand for places arising from new housing development (funded by S106)	B
<b>Total</b>			<b>Total Estimated Programme Cost</b>	<b>£41.9M</b>
<b>Army Re-Basing</b>				
Army Re-Basing	Castle Ludgershall Pry	60	Two classroom extension to Castle Primary to make school 2FE (subject to Army Re-basing S106)	B
Army Re-Basing	NEW Larkhill Pry	420	Expand and relocate Figheledean St Michaels to provide new 2FE primary school in Larkhill (subject to Army Re-basing S106)	E
Army Re-Basing	NEW Ludgershall Pry	210	Provision of a new 1FE primary school at Perham Down to meet demand arising from families returning from Germany (subject to Army	D

			Re-basing S106)	
Army Re-Basing	Avon Valley College	300	Expansion of AVC to meet demand arising from families returning from Germany (subject to Army Re-basing S106). Final number to be confirmed	E
Army Re-Basing	Wellington Secondary Academy	150	Expansion of Wellington to meet demand arising from families returning from Germany (subject to Army Re-basing S106). Final numbers to be confirmed	D
<b>Total</b>			<b>Total Estimated Programme Cost</b>	<b>£24.6M</b>
<b>Feasibilities</b>	<b>Schemes in Development</b>			
Chippenham	Abbeyfield Secondary	tbc	Initiate feasibility study to determine options for school expansion arising from new housing development (PFI)	tbc
Corsham	The Corsham School	tbc	Initiate feasibility study to determine options for school expansion arising from new housing development	tbc
Melksham	Melksham Oak School	tbc	Initiate feasibility study to determine options for school expansion arising from new housing development	tbc
Royal Wootton Bassett	Primary provision	tbc	Initiate feasibility study to determine options for school expansion arising from new housing development (see Appendix E also)	tbc
Salisbury	Secondary provision	tbc	Initiate feasibility study to determine options for expansion of secondary places arising from new housing development	tbc
Trowbridge	Larkrise Special School	tbc	Review feasibility study to determine options for school expansion and/or replacement	tbc

Funding information is shown in table at Section 4 of Report

## School Basic Need Programme of Work 2016-2019

### Future Schemes Pending Housing Development Planning Consent and subject to S106/CIL

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Planning Area	School	Places to be Provided	Work Proposed	Cost Estimate £
Chippenham	NEW – Primary	210	New 1FE (210 place) primary school to meet demand from Rawlings Green housing development	D
Trowbridge	NEW – Primary	735	New 2FE (420 place) and 1.5FE (315 place) primary schools to meet demand from Core Strategy housing development	F
Trowbridge	NEW – Secondary	700*	New secondary provision (*size to be confirmed) to meet demand from Core Strategy housing development	F
Westbury	Westbury Infants and Juniors	30 + 30	Expand both the Infant and Juniors by one class to 3FE and bring PAN up to 90	B
Warminster	Princecroft Primary	60	Expand school to 1FE to meet demand arising from new WWUE housing development (funded from S106).	B
Warminster	NEW - Primary	420	Initiate feasibility study to determine options for providing 2FE primary places arising from new WWUE housing development	E
Warminster	Kingdown Secondary	325	Initiate feasibility study to determine options for expansion of secondary places arising from new WWUE housing development	F

Negotiations currently ongoing to secure S106/CIL contributions to deliver essential school infrastructure

### Proposal for a Special Needs Resource Base at Castlemead School, Trowbridge.

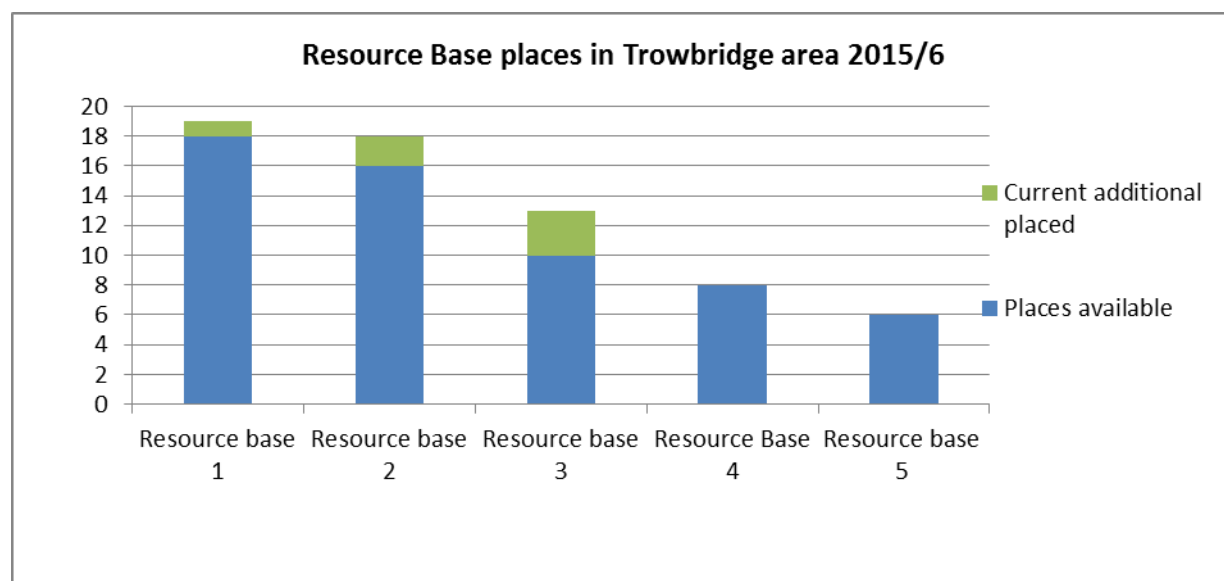
Castlemead Primary Academy is a 1FE (210 place) primary school which has been built to provide primary education to meet the growing population in Trowbridge and specifically in respect to the new housing development in West Ashton. Phase one has been completed and the second Phase is in the process of being developed to take the school up to 2FE (420 places). In light of the growing demand for SEN places, the proposal is to provide a purpose built Resource Base for children with SEN as part of the Phase 2 expansion project.

Resource Bases have provided a particularly positive approach to educating children with SEN as, in collaboration with the Department for Education (DfE), Wiltshire is able to offer primary age children an inclusive education with the benefits of specialist and experienced staff.

#### SEN Pupils in Trowbridge

The current School Census collected by the DfE<sup>1</sup> suggests that within Wiltshire about 2.6% of children will have SEN and a Statement/EHCP who would need extra support. For Castlemead School this would mean that around 11 children out of the 420 are likely to have an SEN.

In addition we are aware of the pressure on other local schools in the Trowbridge area. Currently, in 2015/6, we have had to place around 40 Trowbridge children with SEN in schools out of area. In addition our Resource Bases in the area are now full and having to create 6 extra places<sup>2</sup>. This creates significant pressures on these schools.



#### High Needs Provision

We also have significant pressure on the current Larkrise Special School provision which has a wider remit to the West Wiltshire area. This school provides a specialist provision for children with SEN with both complex needs and ASD. The school is now full at 85 places and despite substantial development on the site there is now no physical space left to create further classrooms. A significant re-development is needed to meet the

<sup>1</sup> Special Educational Needs in England: January 2015 DfE July 2015

<sup>2</sup> Information from BRIGHT Wiltshire data collation

growing demand. Some (potentially 4 - 5 children a year dependant on parental choice) but not all of the children who join this Special School may be appropriate to be schooled within a Resource Base for some of their primary years. This could ease pressure on the Special School and forge strong links between the Castlemead Primary Academy and the Special School thereby strengthening the expertise and capacity available in Trowbridge and the wider West Wiltshire area.

#### Early Years and Future demand

We are aware of an additional 15 children with SEN currently in early years settings (Nurseries, Playgroups and District Centres) who will want Reception school places in 2016/17. It is anticipated that a further 10 also in early years settings, will also need Reception places in the following years.

This would suggest that a Resource Base of around 15 – 18 places would be filled quite quickly.

A Resource Base of this size would ideally need two standard size classrooms a small breakout room, a small consultation/therapy/office space and accessible toilets/changing room. This can be accommodated on the Castlemead site.

#### Revenue

The revenue for this Resource base would come from the Delegated Schools Grant, (DSG), High Needs Block (HNB). In real terms all these children will need special provision of some form which will draw on this budget. The most cost effective way to fund this is through keeping the travel budget down and avoiding placing children out of area/county and reducing the need to place in Independent Special Schools. Creating this Resource Base would, over time, achieve both of these requirements, reducing travel costs as children would not need taxi's to schools and limiting the need to use high cost Independent Special Schools as the Resource base would work within the funding agreement that we have with all Wiltshire Schools and Academies.

#### SEN Strategic direction

In October 2015 Wiltshire Council published the “Wiltshire Special Educational Needs Strategy Supporting Schools 2015 – 18” noting six priorities for action. This proposed development supports the achievement of these actions specifically by;

- Enabling children to receive their education closer to home within their own community
- Offering an inclusive learning environment which supports both their wellbeing and that of the children without SEN
- Over time reducing expenditure by limiting the need for travel costs and a reduction of the need to use high cost independent special schools.
- Building up provision in Wiltshire to enable expertise and knowledge to be shared to the benefit of Wiltshire's children.

#### Consultation

In light of the short term opportunity to develop a purpose built Resource Base as part of a new primary construction project, discussion has taken place with the academy and the Mead Trust, and the Trust has confirmed it is supportive of the proposal.

#### Recommendation

Taking into consideration this latest needs analysis and the short term window of opportunity to develop a Resource Base facility as part of a new school building project it is recommended that a Resource Base is included as part of the Phase 2 expansion of Castlemead Primary Academy Phase to provide capacity for up to 18 children with SEN.

## Priority School Planned Maintenance Projects 2016-17

School	Type of Maintenance Works	Est Cost £
St Barnabus Market Lavington	Roof, windows/doors, playground, heating system	249,100
Amesbury Archer Primary	Floor screed	60,000
Ramsbury Primary School	Windows/doors, fencing, rewiring	159,000
Westbury Junior School	Roof	25,000
Wilton and Barford	Roof	30,000
Lea and Garsdon CE Primary	Dry linings, ceilings	15,000
Minety CE Primary	Roof, windows/doors,	30,000
North Bradley CE Primary	Windows/doors, boiler	50,000
Salisbury Harnham Infant	Windows/doors	7,000
Westbury Infants School	Drains	10,000
Trowbridge Newtown Community	Roof, windows/doors, playground, rewire	192,920
Wootton Bassett Infants	Roof, windows/doors, playground	88,000
Wootton Bassett Longleaze Primary	Roof, drains, windows/doors, fencing, playground, heating system, water heaters	136,440
Wootton Bassett Longleaze Primary School caretakers bungalow	Windows/doors	9,000
Lyneham Primary School	Roof, windows/doors, playground	212,000
Lyneham Primary School Caretakers bungalow	Windows/doors	9,000
Salisbury Greentrees Primary School	Roof	50,000
Five Lanes Primary School - Potterne	Roof, windows/doors	30,000
Five Lanes Primary School - Worton	Windows/doors	15,000
Luckington Community School	Roof, windows/doors, boiler	90,100
Ludwell Community Primary	Roof, drains, windows/doors	26,000
Ramsbury School	Rewire, heating system	127,200
Stanton St Quintin Primary	Windows/doors	6,000
Trowbridge Walwayne Court	Windows/doors, fencing, playground, rewire, heating system	218,360
Warminster Princecroft Primary	Drains, fencing	30,000
Westwood-with-lford School	Drains, fencing, rewire	132,500
Bratton Primary	Fencing	10,000
Devizes Downlands	Roof, redecorations	137,800
Harnham Juniors	Roof	50,000
Lypiatt primary	Drains, damp works, rendering	55,000
Paxcroft Primary	Toilets	15,000
Woodlands primary	Repainting	40,000
Preshute CE Primary	Roof, drains, windows/doors	50,000
Contingency for emergency and unforeseen works	Various	134,580
<b>Total</b>		<b>2,500,000</b>

Costs include direct fees and charges associated with work planned.

## School Improvement Replacement Projects 2016-2019

## Key to Capital Project Cost Estimates

Project Cost Estimate	Reference
Under £500k	A
£500k to £1m	B
£1m to £3m	C
£3m to £5m	D
£5m to £7m	E
More than £7million	F

School	Work Proposed	Cost Estimate £
Westbury Infants	Replacement of poor quality temporary classrooms with permanent accommodation	B
Ivy Lane Primary, Chippenham	Refurbishment and upgrading of Pratten accommodation and adaptation to provide sufficient toilets etc	A
Preshute CE Primary, Marlborough	Replacement School (subject to site being identified)	D
<b>Total</b>	<b>Total Estimated Project Cost</b>	<b>£4.5M</b>
<b>Feasibility Schemes</b>		
<b>Royal Wootton Bassett (town review)</b>	Feasibility study to consider options for replacing poor quality temporary accommodation and providing basic need expansion to meet demand in town	<b>tbc</b>

Funding information is shown in table at Section 4 of Report



**Wiltshire Council**

**Cabinet Capital Assets**

**Committee 10 November 2015**

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**Subject: Gypsy and Traveller Development Plan Document (DPD):  
Site Allocations**

**Cabinet Member: Councillor Toby Sturgis  
Strategic Planning, Development Management,  
Strategic Housing, Property and Waste**

**Key Decision: Yes**

## **Executive Summary**

The Council is in the process of preparing the Wiltshire Gypsy and Traveller Development Plan Document (DPD), as set out in the Council's Local Development Scheme. National planning policy requires local planning authorities to plan for at least 10 years in terms of the level of deliverable and developable permanent sites for travellers. Local planning authorities are also required to provide transit/stop-over sites to address the needs of transient travellers. The Wiltshire Gypsy and Traveller Accommodation Assessment (GTAA) published December 2014 informs the DPD by setting out the number of pitches that need to be provided within the plan period.

At this point in time, although a call for sites has been undertaken and Council owned land considered for inclusion, there is insufficient suitable and available land to meet the pitch requirements in the GTAA. It is proposed that suitable land be purchased on the open market in order to enable officers to prepare a sound plan for submission to the Secretary of State. The timetable for preparation of the Plan will need to remain under review until such time as the Council can identify sufficient suitable and available land for inclusion within the DPD.

## **Proposal**

To help deliver a sound and effective Gypsy and Traveller DPD members are asked to Delegate authority to the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste in discussion with the Associate Directors of Economic Development and Planning, Finance and Property Services for the identification and acquisition of land on the open market to deliver the permanent pitch requirement for 2014-2024; and suitable additional emergency stopping places for travellers; and to allocate budget to do so.

### **Reasons for Proposal**

There are a number of drivers for pursuing the option to purchase land for allocation in the emerging Gypsy and Traveller DPD. These include:

- (i) The legal requirement in the Housing Acts for councils to provide for the accommodation needs of Gypsy and Travellers in its area.
- (ii) The requirement in national planning policy for councils to respond positively to the accommodation needs of travellers, a commitment the Council has also made to the Wiltshire Core Strategy Inspector.
- (iii) The benefits of reducing unauthorised encampments / developments.
- (iv) The need to provide a choice in the size, type and location of traveller sites in Wiltshire.
- (v) The requirement to maintain a five year supply of housing included in national policy.

**Dr. Carlton Brand**  
**Corporate Director**

**Wiltshire Council**

**Cabinet Capital Assets Committee**

**10 November 2015**

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**Subject:** **Gypsy and Traveller Development Plan Document (DPD):  
Site Allocations**

**Cabinet Member:** **Councillor Toby Sturgis  
Strategic Planning, Development Management, Strategic  
Housing, Property and Waste**

**Key Decision:** **Yes**

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**Purpose of Report**

1. To inform members of the outcome of an assessment of land for inclusion as potential new traveller sites in the Gypsy and Traveller Development Plan Document (DPD) and seek endorsement for the next steps; and to include providing capital budget.

**Relevance to the Council's Business Plan**

2. This proposal is relevant to a number of outcomes and actions identified in the Business Plan 2013-2017. Outcome 3 (Everyone in Wiltshire lives in a high quality environment) specifically mentions that everyone should be able to live in a decent, safe home.
3. The 2014 Gypsy and Traveller Accommodation Assessment (GTAA) specifies the level of accommodation need in the traveller community. The Council has a legal obligation under Section 225 Housing Act 2004 to plan for the accommodation needs of travellers; and national planning policy requires local planning authorities to identify deliverable and developable land for travellers for at least 10 years.
4. The proposal furthermore responds to the identified actions in the Business Plan, such as reducing inequalities between the most and least deprived communities; promoting equal opportunities; and health improvements.
5. The Council's Gypsy and Traveller Strategy (2010) notes that the traveller community is still disadvantaged and that the health and the level of education amongst its members for example is poor compared to the settled community. Access to health and education services can be an important equality issue. In addition, the 2014 GTAA notes that in some instances multiple households are living on permitted sites in overcrowded conditions.
6. Addressing the accommodation needs of travellers through site allocations in a DPD can provide the basis for creating better and healthier living conditions and access to education, employment and health care. Provision of emergency stop-over sites can reduce vulnerability of travellers and the potential for harassment and conflict.

## Background

7. The preparation of the Gypsy and Traveller DPD is included in the Council's Local Development Scheme, January 2015 with a programmed adoption date of May 2016. This timetable is under review due to issues around identifying sufficient sites for inclusion within the draft Plan.
8. The process for the assessment of sites for inclusion within the DPD was agreed at Cabinet Capital Assets Committee (CCAC) on 20 May 2014. This has been used in the assessment of sites that is summarised in this report and is set out at **Appendix 1** for information.
9. National Planning Policy for Traveller Sites (PPTS)<sup>1</sup> requires that local planning authorities identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets (paragraph 10). It furthermore requires that authorities identify a supply of specific, developable sites or broad locations for growth, for years six to ten and, **where possible**, for years 11-15 and maintain a 5 year supply of sites throughout the proposed plan period. National planning policy also requires local authorities to identify the number of transit pitches required in their local plan (paragraph 9).
10. The adopted Wiltshire Core Strategy (Core Policy 47) and the Gypsy and Traveller DPD will provide local planning policy to ensure the accommodation needs of the Gypsy and Traveller communities in Wiltshire can be delivered. The supporting text to Core Policy 47 at paragraph 6.61 commits the Council to considering the release of publicly owned land to aid meeting travellers' accommodation needs. The pitch requirements set out in Core Policy 47 are included at **Appendix 2** for information (see Table 2A). However, these are being updated in the light of more up to date information within the GTAA and will form part of the DPD.
11. The Gypsy and Traveller DPD will:
  - (i) provide a review of the overall permanent pitch requirements by Housing Market Area (to update the Core Strategy requirements);
  - (ii) identify sites for allocation as new traveller sites; and
  - (iii) include supporting development management policies.
12. The review of the overall permanent pitch requirement is being informed by a GTAA which was carried out by consultants Opinion Research Services (ORS). The GTAA was published in December 2014.<sup>2</sup> The pitch requirements identified in the GTAA are also included at **Appendix 2** for information (see Table 2B).

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<sup>1</sup> Revised in August 2015

<sup>2</sup> <http://www.wiltshire.gov.uk/wiltshire-gtaa-final-report.pdf>

### Permanent gypsy and traveller pitch requirements

13. The number of permanent pitches required to meet the 15 year requirement (2014 to 2029) for permanent pitches is established in the GTAA, which has a base date of July 2014. This will inform the pitch requirements to be included within the new policy within the Gypsy and Traveller DPD. The aim is to update the pitch requirements in Core Policy 47 through the new evidence underpinning the emerging DPD. That evidence is contained in the GTAA. Core Policy 47 will be reviewed following adoption of the DPD but only in terms of the numbers. As set out above, national policy requires local planning authorities to plan for at least 10 years in terms of the level of deliverable and developable sites for travellers.
14. Officers have followed the site assessment approach in **Appendix 2** in order to identify land to meet the pitch requirements. A Sustainability Appraisal was also undertaken on these. The cascading approach advocates the use of privately owned land submitted to the Council's Call for Sites, including intensification of existing sites, before considering publicly owned land for allocation.
15. Private land supply is, at this point in time, poor. The predominant number of private sites which were considered already benefit from planning permission for traveller pitches. These sites qualify for intensification due to an identified housing need on site; or they benefit from temporary permissions and could be allocated in the DPD with the aim to make them permanent traveller sites.
16. A total of four private Greenfield sites were tested in line with the agreed methodology. One site in the South HMA capable of supplying at least five pitches was withdrawn by the landowner in June 2015. One privately owned site in the North and West HMA which could supply one pitch was also withdrawn by the landowner for viability reasons. Two sites were taken forward by the landowners through the planning application process and have either been approved or are still being determined at this point in time. Approval of the application would mean a reduction of the pitches that need to be found. Therefore, there are likely to be no privately promoted greenfield sites available for allocation in the DPD.
17. Officers then undertook an assessment to consider Council-owned land. The Asset Management Team was consulted as to title deeds and land availability. Sites that may have been suitable from a planning perspective were generally not available with the exception of one site that had the potential for five pitches. As a result, at this point in time there are insufficient available and suitable sites to meet at least a 10 years pitch requirement in the GTAA.
18. The tables below illustrate the shortfall for the relevant housing market areas. The tables also set out permissions which have reduced the requirement since July 2014, the base date of the GTAA. The table also suggests the number and type of sites potentially required to address this shortfall. Individual sites which currently form part of the supply are not named for confidentiality reasons.
19. In the North and West HMA currently there is a shortfall of six pitches to be addressed in 2019-24; and in the South HMA there is a shortfall of eight pitches.

**Table 1: Proposed supply of sites in the North and West Housing Market Area**

GTAA requirement		
Housing Market Area/Pitch supply	No. of Pitches (2014-19)	No. of Pitches (2019-24)
GTAA requirement	<b>21</b>	<b>22</b>
North and West HMA residual requirement	-1  (22 pitches permitted between July 2014 and October 2015)	22-11 = 11  (11 pitches oversupply from the first 5 years)
Supply from review of temporary permissions, unauthorised sites and intensification of existing privately owned traveller sites	10 <sup>3</sup>	0
Private land supply through 'call for sites' exercise	0	0
Supply through review of publicly owned land	Not required	5
Residual requirement to be met	None	<b>6</b>
<b>Residual requirement</b>	<b>-11</b>	<b>6</b>

**Table 2: Proposed supply of sites in the South Housing Market Area**

GTAA requirement		
Housing Market Area/Pitch supply	No. of Pitches	No. of Pitches (2019-24)
GTAA requirement	<b>1</b>	<b>10</b>
South HMA residual requirement	0  (1 pitch permitted as of	10-2 = 8  (2 pitches oversupply from previous 5 years)
Supply from review of temporary permissions, unauthorised sites and intensification of existing privately owned traveller sites	2 <sup>4</sup>	0
Private land supply through 'call for sites' exercise	0	0
Supply through review of publicly owned land	0	0
Residual requirement to be met	<b>0</b>	<b>8</b>
<b>Residual requirement</b>	<b>-2</b>	<b>8</b>

<sup>3</sup> The housing need on relevant permitted sites is acute and would need to be met in the first 5 years of the plan

<sup>4</sup> The housing need on permitted sites is acute and would need to be met in the first 5 years of the plan

### Next Steps

20. In order to identify sufficient land to meet the GTAA pitch requirement for at least 10 years, it is proposed that land is purchased on the open market pursuant to the Council's general powers to acquire land under Section 120 of The Local Government Act 1972.
21. There are a number of ways to do this. The Council could respond to private landowner's advertisements for land sale and purchase land on the property market to make it available to travellers through an allocation in the DPD. The Council could advertise for sites to come forward to be considered for this purpose, as it has done to find sites in Melksham for the campus and also for potential alternative salt stores to replace Warminster and Mere Depots in the A303/A350 junction area. Both these campaigns proved to be useful. Finally, the Council could explore opportunities as part of other land acquisition activities.
22. Before responding to candidate sites for permanent traveller sites advertised on the property market an assessment under Tier 1 and 2 of the assessment would be made to determine their potential suitability. Potential sites would need to be referred to Legal Services at an early stage to undertake legal due diligence and assess any third party rights, interests or covenants which may affect use of the sites for the relevant purpose. This would ensure that unsuitable sites are not pursued or purchased. If the Council is to acquire private land, it could secure first refusal on suitable sites by, where appropriate, entering into an option over the land or by exchanging contracts conditional upon the grant of planning consent.

### Transit Strategy

23. In accordance with national policy, the GTAA considers and provides advice on the development of a transit strategy in Wiltshire.
24. Transit and stop-over site provision serve the following purposes:
  - To provide travellers with a safe and secure place for short term stay.
  - To enable the police and the Council's enforcement officers to effectively manage unauthorised encampments, and direct travellers to a suitable pitch on a relevant caravan or transit site within the same Local Authority area under the Criminal Justice and Public Order Act 1994
25. It recognises that it is not feasible for the Council to manage more than the one transit site at Odstock and recommends that the Council considers the provision of Emergency Stopping Places at locations near to Trowbridge, Salisbury and to the north of the county, as illustrated in the broad locations on the Map set out in **Appendix 3**.
26. Based on the GTAA recommendation officers have been developing a transit strategy to inform the emerging Gypsy and Traveller DPD. The following key principles are proposed:
  - (i) Maintain the existing transit site at Odstock in the short term (see v),

- (ii) Encourage private transit capacity on existing sites to be available to family and friends
  - (iii) Monitor and extend the network of emergency stopping places in the medium term in collaboration with neighbouring authorities
  - (iv) Close the existing transit site at Odstock as the network of emergency stopping places expands.
27. Officers have worked with the Council's highway enforcement team to establish if there are suitable sites in council ownership which could serve as emergency stop-over sites.
28. It is proposed that Planning Officers continue to work with Highways Enforcement and the Asset Management Team to identify suitable sites within Council ownership including the ongoing review of highway depots which by their nature are often in suitable locations on the road network. If this yields no suitable sites, officers would seek to find new sites based on the proposal for the identification of permanent sites set out above.

#### Delivery

29. Officers are exploring delivery options which currently involve outright sale; lease; and Community Land Trust Model. Further work will be carried out with the intention of identifying specific delivery mechanisms. At this point in time approval is sought regarding the principle of land purchase to deliver the DPD.

### **Overview and Scrutiny Engagement**

30. Overview and Scrutiny has not formally been engaged in the proposals set out in the report. Environment Select Committee has requested elements of the DPD process (specifically Delivery) to be scrutinized by its Gypsy and Traveller sub-group.

### **Safeguarding Implications**

31. Provision of suitable permanent sites with access to facilities ensures that both vulnerable adults and children have better access to support services available within Wiltshire, e.g. health, welfare, financial and education services.

### **Public Health Implications**

32. Providing a settled base for travellers in sustainable locations that are also connected to main service infrastructure (gas, electricity, water, sewage) has public health benefits and provides access to health and education services. There may also be wider benefits from the proposal in reducing unauthorised development and encampments. Assessment of the health impact of proposals will be undertaken as part of the site assessment process.



## **Corporate Procurement Implications**

33. The purchase of land is excluded from the Contract Rules and legal services will assist with the necessary contracts. Should there be any works requirements in relation to the development of these sites, once acquired, to make them fit for purpose, a competitive exercise to appoint the contractor(s) will be undertaken. Advice will be sought in good time from the Corporate Procurement Unit to ensure procurement governance is adhered to and best value procurement is undertaken.

## **Equalities Impact of the Proposal**

34. The DPD overall will involve comprehensive consultation and communication with the local Traveller and settled communities to ensure that proposed sites are appropriate for the needs of Traveller communities, balanced against the needs of the settled population.
35. The Plan is being developed in accordance with the adopted Statement of Community Involvement which recognises the need to consider the requirements of different elements of society. As such, the specific requirements of the traveller community are recognised and embedded in the process. Ultimately, an Equality Impact Assessment of the DPD will be carried out alongside policy development and is required to be submitted with the DPD to the Planning Inspectorate as part of the examination process.
36. The provision of new sites should help reduce the need for unauthorised development and encampments in the county, providing a better quality of life for travellers who wish to settle in Wiltshire or travel through Wiltshire as well as meeting the needs of the settled population.

## **Environmental and Climate Change Considerations**

37. The tiered assessment to be applied to all candidate sites seeks to exclude sites which are covered by environmental designations and/or hazardous land uses. A Sustainability Appraisal/Sustainable Environmental Assessment and a Habitats Regulation Assessment are a required part of the development plan process in accordance with European law. These will report on the social, economic and environmental impacts of all the policies and proposals contained within the Gypsy and Traveller DPD. Draft reports for each document will be published for consultation at each stage of the plan's development.

## **Risk Assessment**

38. There is a risk that the purchase of new traveller sites will generate negative publicity for the Council. However the Council has a duty to address the accommodation needs of travellers and strategies can be put in place to manage communication and consultation to mitigate this risk and outline the positive benefits of the proposal for local communities.
- (i) It minimises the risk of losing candidate sites should private landowners withdraw a site due to public pressure;
  - (ii) The Council would be able to control the release of the site in line with any proposed phasing in the DPD following its adoption.

### **Risks that may arise if the proposed decision and related work is not taken**

39. Risks that may arise if work is not progressed to increase the supply of land to meet the GTAA requirement for at least 10 years, and deliver emergency stop- over places include:
- (i) The Council has committed to the Core Strategy Inspector to identify how it will adopt a positive approach towards the Gypsy and Travelling Community. If the proposed work is not progressed the Council could be seen to be not showing, as far as is practicable, that it is responding positively to national planning policy for traveller sites.
  - (ii) It would result in insufficient suitable land available for allocation. Consequently the Council would be unable to complete the Gypsy and Traveller DPD which it has committed to deliver as set out in the Core Strategy and LDS.
  - (iii) Planning applications that are refused may be won on appeal because the Council cannot demonstrate a 5 year supply of sites and has not met its duty to allocate sites for travellers as per Planning Policy for Traveller Sites (2015).
  - (iv) An increase in unauthorised developments and encampments in unsustainable locations may arise.
  - (v) Increased difficulty in enforcing against unauthorised encampments because of a lack of suitable stop-over sites to move to.
  - (vi) The travelling community would lose further trust in the Council's ability to deliver the DPD, a process which was embarked on in 2010.

### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

40. The risk identified with this proposal are:
- (i) Sites could be found unsustainable or inappropriate by a Planning Inspector during plan examination leaving the council with surplus assets.
  - (ii) Public opinion may be unsupportive of the use of Council money to buy land for travellers.
  - (iii) Concerns by the local community about why a specific piece of land and not others had been purchased. This could be seen more as a reactive process than a proactive process of site selection disadvantaging communities where land just happened to be available.
  - (iv) The future use of the site being proposed may influence the sale price
41. Robust sites assessments and due diligence process will be carried out prior to the purchase of suitable land. The consultation on the draft DPD will involve community engagement to ensure that the reasons for this approach are clearly communicated.

### **Financial Implications**

42. The Council will acquire a new asset that may benefit from some uplift in land value once the DPD is adopted depending on how the site is released to the traveller community. This could be in the form of the sale of the land or

ongoing lease arrangements. Options on the best way to release new sites to the traveller community are being investigated. A financial breakdown is provided at Part II – Confidential Appendix 4.

## **Legal Implications**

43. The process of land acquisition on the property market has legal implications.

## **Options Considered**

44. Officers have worked through a number of reasonable options prior to considering the proposal to purchase land on the open market.
45. The assessment methodology, as set out in **Appendix 1** includes the use of a 3 kilometer search area. Consideration has been given to extending the area of search to beyond 3 kilometers. However, this has been discounted as this would result in traveller sites in unsustainable locations further away from services and facilities; and could be in conflict with national planning policy which requires to very strictly controlling traveller sites in open countryside.
46. Officers further considered a review of privately owned sites submitted as part of the Strategic Housing Land Availability Assessment. However, the withdrawal of land by private landowners later on in the process, as reported above, poses a high risk and could leave the Council vulnerable in land supply terms, undermining the DPD.

## **Conclusions**

47. The Gypsy and Traveller DPD will enable the planned release of new traveller sites in accordance with a clear set of criteria. The inclusion and allocation of Council owned land in this process will support the maintenance of a 5 year supply of deliverable and at least a 10 year supply of developable and sites within the county over the plan period and ensure there is a mix of sites both geographically and in terms of size, type and tenure. In short, a comprehensive, planned strategy for the release of homes for travellers.
48. The planned purchase and release of new traveller sites will:
- (i) help meet the legal requirement in section 225 Housing Act 2004 and the PPTS for councils to provide for the accommodation needs of Gypsies and Travellers in their area.
  - (ii) demonstrate that Wiltshire Council is responding positively to the accommodation needs of travellers a requirement of national planning policy, and
  - (iii) help reduce the occurrence of unauthorised encampments / developments.
49. Once the assessments of all suitable and available sites are complete and sufficient land is identified and acquired for inclusion in the Gypsy and Traveller DPD the next step will be to prepare the draft DPD for Pre-Submission Consultation. Reports will be prepared for Cabinet to approve the Pre- Submission Draft Plan for consultation and a report for Cabinet Capital

Assets will be prepared to seek formal agreement to the release of Council owned land as allocations in the Plan.

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Report Authors:  
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Date 14 October 2015

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### **Background Papers:**

**The following unpublished documents have been relied on in the preparation of this report:**

None

### **Appendices**

- Appendix 1: Pitch requirements from Wiltshire Core Strategy and Gypsy and Traveller Accommodation Assessment
- Appendix 2: Site identification process and summary of tiered assessment
- Appendix 3: GTAA 2014: Broad locations for emergency stop-over sites

### **Part II**

- Appendix 4: Cost Breakdown - Exempt from Publication

## Appendix 1: Site Identification Process and Summary of Tiered Assessment

### Process for the identification of potential new traveller sites

STEP 1	Review current temporary permissions
STEP 2	Review known unauthorised developments ie unpermitted sites on Gypsy owned land
STEP 3	Consider sites submitted as part of the call for sites exercise carried out in 2010
STEP 4	Consider sites submitted as part of the call for sites exercise carried out in 2014
STEP 5	Consider the intensification or extension of existing sites
STEP 6	Review council owned land
STEP 7	Review sites submitted as part of the strategic housing land availability assessment.

<b>Summary of Three-Tier Site Identification/Assessment Approach</b>	
<b>Tier 1: Location, Policy &amp; Environmental Constraints</b>	
<i>Relationship to Settlements</i>	Sites should ideally be within an agreed acceptable distance of a neighbourhood/district centre via safe walking/cycle route(s).
<i>Policy Constraints</i>	Sites should avoid any adverse impact on local/national designations (such as conservation areas and Areas of Outstanding Natural Beauty)
<i>Environmental Constraints</i>	Sites should avoid any hazardous areas (such as flood zones, contaminated land)
<b>Tier 2: Access &amp; Infrastructure</b>	
<i>Physical Infrastructure</i>	The capacity of local infrastructure to accommodate the maximum number of pitches on a site.
<i>Transport Infrastructure</i>	Access to site options should be in line with adopted highway guidance and standards. Access to public transport should be within an agreed distance and frequency.
<i>Social Infrastructure</i>	Sites should be within an acceptable walking distance of at least 3 local amenities/services, including schools, shops, medical facilities, recreational facilities via safe walking/cycle route. Capacity of existing infrastructure is also considered.
<i>Other Considerations</i>	The relationship of a site with existing Gypsy and Traveller sites (if any) is considered.
<b>Tier 3: Design &amp; Deliverability</b>	
<i>Design &amp; Impact</i>	The use of a site for Gypsy and Traveller accommodation is assessed in terms of its impact on the character/appearance of the surrounding area, along with the impact on the residential amenity of nearby properties.
<i>Deliverability</i>	The ease of acquisition is considered along with indicative costing of bringing the sites forward for development (detailed site layouts and costing are prepared for top-performing sites).

## Appendix 2: Pitch Requirements

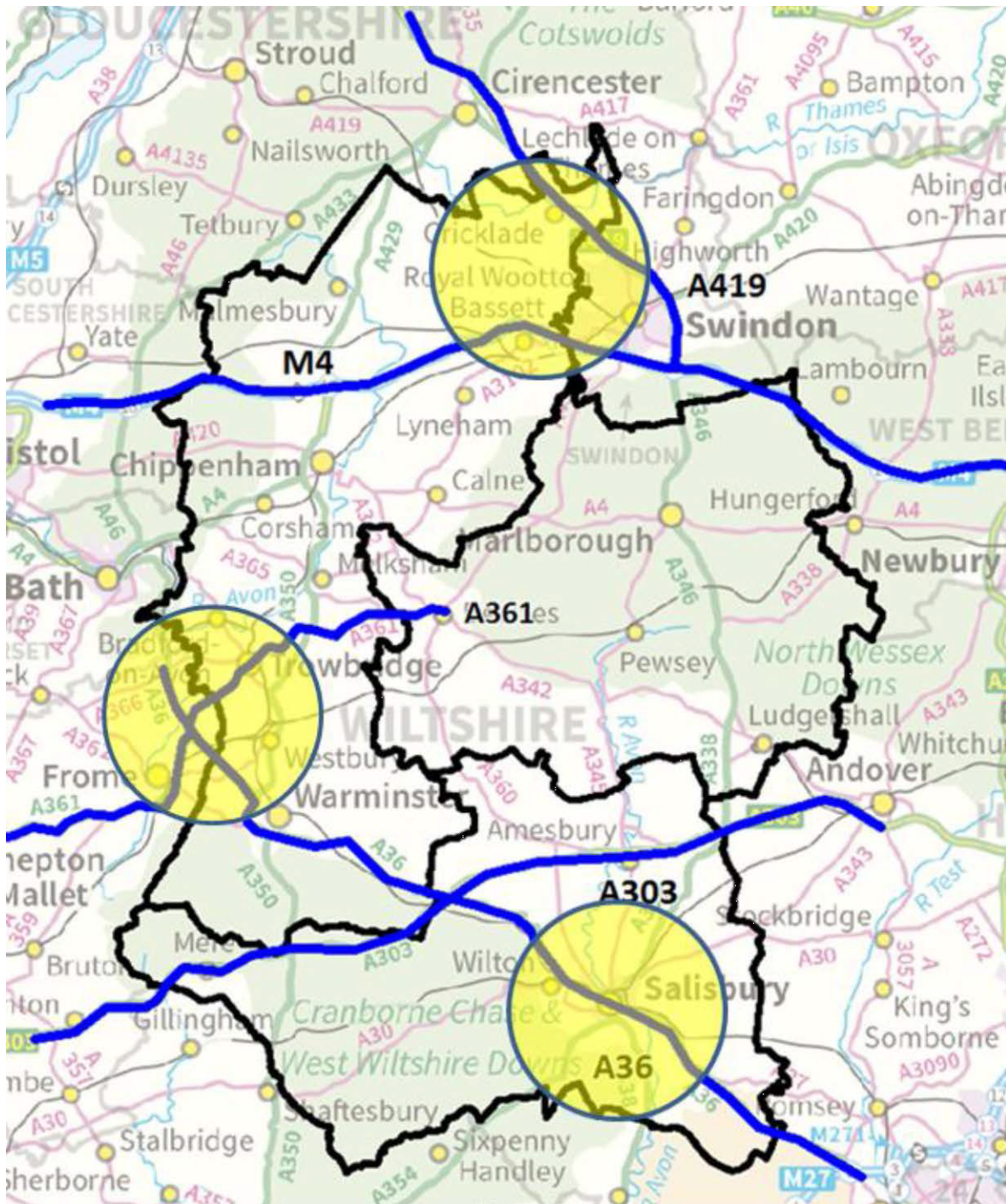
**Table 2A: Wiltshire Core Strategy Core Policy 47**

Housing Market Area	Proposed Requirement (2011-2016)	Proposed Requirement (2016-2021)	Transit provision (2011-21)
North and West Wiltshire	26	22	10
South Wiltshire	37	19	8
East Wiltshire	3	1	7
<b>TOTAL</b>	<b>66</b>	<b>42</b>	<b>25</b>

**Table 2B: 2014 GTAA Requirement**

Housing Market Area	Requirement (2014-19)	Requirement (2019-24)	Requirement (2024-29)	Total
<b>North &amp; West Wiltshire</b>	21	22	25	68
<b>South Wiltshire</b>	1	10	11	22
<b>East Wiltshire</b>	0	0	0	0
<b>Total</b>	<b>22</b>	<b>32</b>	<b>36</b>	<b>90</b>

### Appendix 3: Broad Locations for Emergency Stop-Over Sites



Source: Wiltshire Gypsy and Traveller Accommodation Assessment, Dec 2014



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