

## CABINET

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### **MINUTES OF THE CABINET MEETING HELD ON 24 APRIL 2018 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Baroness Scott of Bybrook OBE (Chairman), Cllr John Thomson (Vice-Chairman), Cllr Richard Clewer, Cllr Laura Mayes, Cllr Toby Sturgis, Cllr Bridget Wayman, Cllr Philip Whitehead and Cllr Jerry Wickham

#### **Also Present:**

Cllr Ian Blair-Pilling, Cllr Clare Cape, Cllr Pauline Church, Cllr Matthew Dean, Cllr Richard Gamble, Cllr Gavin Grant, Cllr Deborah Halik, Cllr Darren Henry, Cllr Atiqul Hoque, Cllr Jon Hubbard, Cllr Tony Jackson, Cllr David Jenkins, Cllr Jerry Kunkler, Cllr Brian Mathew, Cllr Stewart Palmen, Cllr Fleur de Rhé-Philipe, Cllr Tom Rounds, Cllr Jonathon Seed and Cllr Ian Thorn

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#### **216 Apologies**

Apologies were received from Councillor Graham Wright, Chairman of the Overview & Scrutiny Committee.

#### **217 Minutes of the previous meeting**

The minutes of the meeting held on 27 March 2018 were presented.

#### **Resolved**

**To approve as a correct record and sign the minutes of the meeting held on 27 March 2018**

#### **218 Declarations of Interest**

There were no declarations of interest.

#### **219 Leader's announcements**

There were no formal announcements.

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

The Leader outlined the approach taken to public participation encouraging representations to be made under the item for debate. There were no representations made on items not on the agenda.

## 221 **Sexual Health and Blood Borne Virus Strategy 2017-2020**

Councillor Jerry Wickham presented the report which briefed Cabinet of the results of the Sexual Health and Blood Borne Virus HNAs (Appendix 2 and 3) and presented the final Sexual Health and Blood Borne Virus Strategy (SHBBVS (Appendix 1)) for approval. In presenting the report, Councillor Wickham expressed his desire to see the strategy adopted by partners through the Health and Wellbeing Board and the option to report progress to the Board and through the Health Select Committee.

In response to an issue raised by Councillor Ian Thorn, Councillor Wickham confirmed that he was satisfied that the resources were in place to implement the strategy, and that the pilot approach taken with the new Area Coordinators would include the aims of the strategy amongst their priorities.

In response to an issue raised by Councillor Jon Hubbard, Councillor Wickham supported officer comments that there were officers available to speak to groups in the community about these issues but that he should contact him personally if support was not forthcoming.

In response to an issue raised by Councillor Clare Cape, Councillor Richard Clewer stated that dedicated outreach works were available to offer support to rough sleepers on this and other health issues.

### **Resolved**

- 1. To acknowledge the Sexual Health and Blood Borne Virus Health Needs Assessments and approve the strategy document (see appendix 1, 2 and 3);**
- 2. To delegate authority to the Director of Public Health and Public Protection and Cabinet Member for Adult Social Care, Public Health and Public Protection, to finalise the strategy document for publication and to approve a corresponding implementation plan;**
- 3. To request the Health and Wellbeing Board consider the Strategy document and note the evidence used to develop it;**
- 4. To request that updates on implementation of the strategy be made to the Health & Wellbeing Board and the Health Select Committee as appropriate.**

*Reason for Decision:*

*The finalised HNAs and the draft Sexual Health and Blood Borne Virus Strategy (SHBBVS) has gained approval from the Wiltshire Sexual Health Partnership Board and seeks Cabinet approval to action its contents and develop a corresponding implementation plan.*

## 222 **Learning Disabilities In-house Respite Services**

➤ Councillor Jerry Wickham presented the report which: provided background information regarding the current Respite offer for people with learning disabilities including the current council owned and operated residential respite services and the reduction in the usage of these services; informed cabinet of the consultation process that was undertaken regarding the proposal to close 70 Derriads Lane Residential Respite Unit; and sought approval for the closure of 70 Derriads Lane Residential Respite Unit. In presenting his report, Councillor Wickham highlighted the following matters: the description of the facilities in question; the CQC report and their view on the inadequacy of some facilities; the reduction in the demand on the facilities; the results of the consultation undertaken; the impact on those using the facility and how their needs could be met at other facilities.

Councillor Christine Crisp, in her capacity as Chair of the Health Select Committee, confirmed that the committee had not had an opportunity to discuss the report due to the timing of meetings but that the Chair and Vice-Chair had been offered a briefing by officers on the matter. She expressed her personal view that the proposal appeared reasonable and stated that the committee would consider a update report in the future.

In response to concerns raised by Councillor Ian Thorn, Councillor Wickham restated his belief that it would not be appropriate to redevelop the site as a respite unit as alternative sites provided more appropriate facilities. Councillor Wickham also confirmed, in response to a question from Councillor Laura Mayes, his view that the three remaining centres would have sufficient capacity to meet future demand.

In response to concerns raised by Councillor Brian Mathew, Councillor Laura Mayes confirmed that a decision had been made three years ago to cease funding for overnight respite stays at Rowdeford School in response to the changing demand of families most of whom preferred to seek alternative types of respite with a view to maximising their children's time at home in their communities.

In response to a representation received from Councillor Gavin Grant, the Leader stated that she would ask officers to look at how the scheduling of meetings can best accommodate the needs of effective scrutiny.

In response to a representation received from Mr Colin Gale regarding his experience as a carer, Councillor Wickham reconfirmed his commitment to providing the best respite services in the appropriate locations; and the Leader encouraged all carers to stay in contact with the Council so that they could receive up to date advice about what support was available.

## **Resolved**

- 1. To note the background information regarding the current Respite offer for people with learning disabilities including the current council**

**owned and operated residential respite services and the reduction in the usage of these services;**

- 2. To note the consultation process that was undertaken regarding the proposal to close 70 Derriads Lane Residential Respite Unit; and**
- 3. To approve the closure of 70 Derriads Lane Residential Respite Unit.**

*Reason for Decision:*

*There has been a reduction in the demand for residential respite for people with learning disabilities with 20% fewer people accessing the services compared with 2015/16 resulting in an overall reduction of 13.8% usage.*

*A recent CQC inspection of 70 Derriads Lane has highlighted concerns with the overall condition of the building and issues around limited storage of equipment. Due to the building type (adapted bungalows) the building offers limited scope to further adapt it to meet the demands of people with complex needs in the future that increasingly require respite services.*

## 223 **A303 Amesbury to Berwick Down Road Scheme**

➔ Councillor Bridget Wayman presented the report which sought: to inform Members of the actions taken by Highways England since the previous report and outline the scheme, which is the subject of this public consultation; to confirm the Council's response to the statutory public consultation; and seek agreement to the proposed delegated authority provisions to enable the Council to fulfil its statutory duties with regard to the Development Consent Order (DCO) process for this road improvement scheme. In making her presentation, Councillor Wayman drew attention to the proposals relating to Byways 11 and 12 and the option which officers were recommending Highways England pursue (paragraphs 89-101 within Appendix 1 of the report). She also stated that officers would be asked to consider including a statement proposing an assessment of the effect of the proposals on the Nile Clumps, and if necessary their potential replanting in an alternative position.

Councillor Mathew Dean spoke as Chair of the Environment Select Committee and confirmed that whilst there had not been an opportunity for the committee to discuss the report at their meeting, the views of the members of the committee had been sought. He also confirmed that whilst there was a diversity of the opinion, the majority of the members who had responded were in favour of the proposals.

Councillor Brian Mathew spoke against the proposals for the tunnel emphasising the desire to preserve the view of the site from the highway.

Councillor Fleur de Rhé-Philippe emphasised the community and heritage group support for the principle of the tunnel.

**Resolved**

- To note the contents of this report
- To agree the proposed response to Highways England for this statutory public consultation
- To restate the Council's support in principle for the proposal from HE to bring about substantial improvements to the A303 at Stonehenge by building a dual carriageway and tunnel, subject to the considerations listed in Appendix 1
- To Agree the proposed delegated authority provisions outlined below to enable the Council to fulfil its statutory duties with regard to the Development Consent Order (DCO) process for this road improvement scheme.

- 1) Endorses the response to Public Consultation document, as set out in Appendix 1 subject to amendment in (2), for the purpose of submission to Highways England
- 2) Authorises the Director for Highways and Transport in consultation with appropriate Cabinet Member(s) to:
  - a. Finalise the consultation documents and make any necessary minor changes in the interests of clarity and accuracy before they are submitted to Highways England as the Council's formal consultation response;
  - b. Make arrangements for any subsequent consultation responses that may be requested by Highways England; and
  - c. Respond to any queries that may arise as a result of the submission of this consultation response.
- 3) Delegated authority to be granted to Director for Highways and Transport to prepare the Local Impact Report on behalf of the Council and submit to the Planning Inspectorate in accordance with the timetable for the examination process
- 4) Delegated authority to be given to Director for Highways and Transport to make minor amendments to the Local Impact Report to rectify such matters as typographical or grammatical errors
- 5) Delegated authority to be given to the Director for Highways and Transport to formally contribute to, agree and sign a statement of common ground to be submitted to the Examining Authority of the Planning Inspectorate in accordance with the timetable for the Examination process and within the terms of the Council's Local Impact Report
- 6) Delegated authority to be given to Director for Highways and Transport to prepare on behalf of the Council and

**submit to the Planning Inspectorate:**

- a. **An adequacy of consultation representation (if required)**
  - b. **Representations on the Environmental Statement**
  - c. **The relevant representation and written representations on the application**
- 7) **Delegated authority to be given to Director for Highways and Transport to formally respond to the Examining Authority's Inspector's questions in accordance with the timetable for the examination process during the course of the Examination and also to make comment on the submissions of other parties including the applicant**
  - 8) **Delegated authority to be given to the Director for Highways and Transport to formally represent the views of the Council at the preliminary meeting, any topic specific hearing and subsequent requirements in accordance with the timetable for the examination process during the course of the examination, within the terms of the Council's Local Impact Report**
  - 9) **Delegated authority to be given to the Director for Highways and Transport to add formal comments on the draft requirements (conditions) and planning obligations of the Development Consent Order**
  - 10) **Delegated authority to be given to Director for Highways and Transport to carry out all non-statutory community benefit negotiations and to make decisions relevant to such negotiations in connection with or arising from the A303 Amesbury to Berwick Down Road Scheme**
  - 11) **Delegated authority to be given to Director for Highways and Transport to carry out all statutory functions of the Council under the Planning Act 2008 as both Local Authority and Planning Authority in connection with the A303 Amesbury to Berwick Down Road Scheme.**

*Reason for Decision:*

*The case for dualling the A303 between Amesbury and Berwick Down has long been established through promoting economic growth in the South West, increasing safety, improving connectivity with neighbouring regions and protecting and enhancing the environment.*

*Highways England have improved the scheme previously consulted on and are now seeking views on a detailed scheme in advance of its Development Consent Order (DCO) application. Whilst, there are issues which will require resolution and further information is required before the Council can fully assess the scheme, officers believe that the proposed scheme is capable of addressing*

*the transport, economic, heritage and community issues associated with the A303.*

*The Council will continue to work with Highways England and other key stakeholders to further develop the scheme proposals in advance of the DCO application being submitted.*

## 224 **Melksham King George V Field**

Councillor Toby Sturgis presented the report which sought approval to taking all steps necessary to ensure the transfer of the Legal Title to the King George V Field, Melksham to Melksham Town Council. A representation was received from Councillor Jon Hubbard on behalf of Melksham Town Council.

In response, Councillor Sturgis confirmed that the proposed decision should allow for further productive negotiations which he hoped would be able to lead to the successful transfer to the Town Council.

Councillor John Thomson also commented that he would discuss with officers the best way to support community groups in accessing power for events.

### **Resolved**

- a) That Wiltshire Council, in its capacity as sole trustee of the King George's Field (the Trust), make any changes to the Trust documents that may be necessary to appoint Melksham Town Council as a trustee of the Trust and to resign as a trustee following that appointment;**
- b) That officers should, if appropriate, liaise with the Charity Commission and Fields in Trust to seek, if required, the approval of either of those bodies for the appointment of Melksham Town Council as trustee of the Trust;**
- c) Following the securing of any such approval and the appointment of Melksham Town Council as trustee of the Trust to transfer the Legal Title to the King George's Field to Melksham Town Council and then resign as trustee of the Trust; and**
- d) To authorise the Corporate Director for Growth Investment & Place to enter into any legal documentation which is required to enable the above to be implemented.**

*Reasons for Decision:*

*To enable the Legal Title of the King George's Field, Melksham that is the subject of the Trust to pass to Melksham Town Council in the most cost effective and efficient way.*

## 225 **Freehold of assets to be sold**

➤ Councillor Toby Sturgis presented the report which recommended that the Cabinet declare that freehold interest of the 3 assets can be sold by the Council.

The meeting's attention was drawn to two written statements, circulated in the supplement to the agenda, made by interested parties in relation to the Marlborough site. Representations in person were made by Councillor Mervyn Hall and Councillor Guy Loosmore on behalf of Marlborough Town Council; Councillor Jane Davies on behalf of local division member Councillor Stewart Dobson; and from Councillor Jon Hubbard on behalf of Melksham Town Council.

In the course of the presentation and discussion, the following issues were raised: the possible future uses for the site; the views of different groups as to the best use of the sites; the requirement for the Council to achieve Best Value, as defined by statute; that the Cabinet was only making a decision, at this stage, about whether the sites could be declared surplus for possible sale.

### **Resolved**

- 1. That the freehold interest of the three assets identified in the report can be sold by the Council.**
- 2. That members note the continuing approach set out in paragraph 8 Authorise the Director for Housing and Commercial Development to dispose of freehold interest of the assets, or in absence Corporate Director for Growth, Investment and Place.**

*Reasons for Decision:*

*To confirm the freehold interests of the assets can be sold in order to generate capital receipts in support of the Council's capital programme.*

### **226 Urgent Items**

There were no urgent items.

(Duration of meeting: 9.30 am – 11:03am)

These decisions were published, earlier, on the 30 April 2018 and will come into force on 9 May 2018

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