

CABINET

MINUTES OF THE CABINET MEETING HELD ON 8 OCTOBER 2019 AT KENNET ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Philip Whitehead (Chairman), Cllr Richard Clewer (Vice-Chairman), Cllr Allison Bucknell, Cllr Ian Blair-Pilling, Cllr Pauline Church, Cllr Simon Jacobs, Cllr Laura Mayes and Cllr Toby Sturgis

Also Present:

Cllr Alan Hill, Cllr Atiqul Hoque, Cllr Brian Mathew, Cllr Nick Murry, Cllr John Smale, Cllr Ian Thorn, Cllr Christine Crisp, Cllr Andrew Bryant, Cllr Clare Cape, Cllr Carole King, Cllr Gordon King, Cllr Jon Hubbard, Cllr Graham Wright, Cllr Robert Yuill, Cllr Jonathon Seed, Cllr Steve Oldrieve, Cllr Gavin Grant, Cllr Johnny Kidney and Cllr Jerry Kunkler

128 Apologies

Apologies for absence were received from Cllr Wayman.

129 Minutes of the previous meeting

Cllr Thorn raised a question on whether verbal questions and responses were included in the minutes of the cabinet meeting, it was confirmed that where verbal responses were provided, this would be recorded in the minutes, otherwise written responses were provided after the meeting.

The minutes of the meeting held on 17 September 2019 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 17 September 2019.

130 Declarations of Interest

There were no declarations of interest.

131 Leader's announcements

The Leader welcome Cllr Simon Jacobs as the Cabinet Member for Finance and Procurement and Cllr Peter Hutton as Portfolio Holder for Children's Safeguarding.

The Leader thanked officers and members for supporting the Great Bustard Ride, which raised over £3,000 for Prostate Cancer research in memory of Cllr Jerry Wickham.

132 **Public participation and Questions from Councillors**

Cllr Jon Hubbard made a statement on behalf of Melksham Town Council, relating to the revised Local Plan. The Town Council expressed disappointment in the response the Neighbourhood Plan Steering Group had received from the council and highlighted that the council should work jointly with Melksham Town Council and Melksham Without Parish Council to support strategic decision making.

Alistair Cunningham, Executive Director, explained there were a number of options for each housing area, and that once the options were determined, the council will engage with communities about how to deliver this. It was confirmed there was no one agreed plan as yet.

133 **Wiltshire Air Quality Strategy**

Cllr Laura Mayes, Cabinet Member for Adult Social Care, Public Health and Public Protection introduced the proposed Air Quality Strategy. It was explained the strategy was key to a healthy county and the implementation of the action plan by the Council and the community was central to success.

Cllr Ben Anderson, Portfolio Holder for Public Protection, highlighted air quality was good in Wiltshire, however there were eight areas in the county which were Air Quality Management Areas.

Cllr Smale, Chair of the Environment Select Committee, updated Scrutiny had considered the Strategy and made a number of recommendations, including requesting the measurement of small particulates for air quality.

John Carter, Head of Public Protection, confirmed technology could measure 2.5 particulates, however they could not be measured separately, and further equipment may be required if this was to be rolled out over the county.

Cllr Thorn expressed concern there was a lack of specifics in the report about targets to be achieved by the end of the Strategy, and how progress could be measured. The point was also made that air quality priorities could conflict with other priorities such as development. The councillor also advised investment was needed to support the local air quality groups. In response, Cllr Ben Anderson identified there was an action plan for each area and that monitoring reports would be made and reported to DEFRA. It was confirmed the council had a working relationship with transport groups to support air quality.

All Wiltshire councillors were invited to speak; it was commented that HGV and industrial pollution were key contributors to poor air quality and the government had responsibilities for monitoring industrial pollution. It was considered that planning road networks ahead would reduce HGV pollution. Following questions, it was noted that tree planting was supported in the Strategy and local councillors were encouraged to help support this in their areas. The point was made that to tackle air quality investment was needed to understand in detail the problems in each area.

It was confirmed the council's intention was to forward-plan developments to include walking and cycling routes. A query was raised on paragraph 7 of the report which implied there were no pollution particulate problems in Calne and it was agreed the Cabinet member would review this prior to presenting the report to Full Council. An explanation was provided of air quality measurements, including that where high levels were recorded, further measurement, using advanced technology was undertaken there. Cllr Ben Anderson confirmed he would work with Westbury Area Board to support established work to improve air quality in the town.

Resolved:

To note the draft Strategy and refer it to Council for final approval, subject to appropriate amendments to paragraph 7.

Reason for decision:

The Environment Act 1995 Part IV places a duty on Wiltshire Council to monitor and achieve the Air Quality Objectives contained in the National Air Quality Strategy and regulations. The strategy contributes to discharging this duty and improving air quality in Wiltshire.

To refresh the original Wiltshire strategy on how the council will work with other parties to improve air quality.

134 **Chippenham Housing Infrastructure Fund Bid**

The Leader invited questions and statements from the public on the Chippenham Housing Infrastructure Bid submitted by the Council, to a which a decision from government was expected in late 2019. The Bid was designed to prepare the ground to enable necessary growth in Chippenham, and was an opportunity to forward-plan development in Chippenham.

Mr Peter Cousins asked questions as set out in the agenda supplement. Verbal responses were provided and are attached to these minutes.

The Leader indicated questions had been received from Mr Chris Caswill, and that he would be provided with a written response. In response to questions, the Leader agreed to refer the matter of whether these responses would be published to the Constitution Focus Group.

Ms Anne Henshaw asked questions as set out in the agenda supplement. Verbal responses were provided and are attached to these minutes.

Supplementary questions were asked about whether old and new developments in Wiltshire would integrate; the Leader confirmed that forward planning would ensure walking and cycling routes link developments and deter the use of cars. In response to another question it was confirmed future plans on the Chippenham Housing Infrastructure Fund would go through the Full Council or Scrutiny as appropriate, however as the HIF bid had only recently been submitted to government and was not yet approved, involvement from these bodies was not provided at this stage. An update would be provided in due course.

The Leader invited questions from Adrian Temple-Brown who asked how to educate councillors and the public about the climate emergency and consider this alongside planned development. The Leader advised there was a requirement on the council to build 45,000 homes, however it would consistently apply the climate emergency message and plan house building that decreased the impact on the environment.

Cllr Thorn supported the idea of forward-planning development however suggested a report on the wider implications for Chippenham would have been useful. It was also commented that communications about the benefits of the HIF funding could have been clearer. In response, the Leader advised that more information would be provided if the bid was successful. It was also confirmed it was likely that Wiltshire Council would likely be the roadbuilder.

The Leader invited all councillors to speak. In response to questions he confirmed consultation with parishes would take place in the future. The Leader also advised the road infrastructure was not intended to be a fully dualled road that would draw increased traffic in. Questions were raised over the support that was available for increased housing in the Melksham area and it was commented that the council could not bid for funding to support the A350, but there were plans to relieve the impact of traffic in Melksham, and also similar problems in Westbury. It was agreed that walking and cycle routes should be factored into new development in the county.

Resolved:

To note the application for the Housing Infrastructure Fund has been made and if successful:

a) accepting the grant will require negotiation as to its terms and conditions

b) the commitment required will be in the very long term

c) a great deal of work will need to be done with many different stakeholders to make delivery possible

d) a programme of engagement and communications with all parties will be necessary to ensure all views are heard and represented

Reason for decision:

Although the HIF bid is not due to announce its result until the end of 2019 it is important that the Council begins to consider how best to prepare the ground for delivery, in anticipation that its application may be successful.

The views of many different stakeholders in and around Chippenham need to be accounted for as soon as possible, and a great deal of early preparatory work needs to be done now for the Council to be able to accept the grant, and deliver successfully within the timescales indicated.

135 **Homeless Strategy**

Cllr Richard Clewer introduced a Homeless Strategy, proposed to support the Homeless Reduction Act 2019, which placed new duties on the council. The Strategy was to focus on prevention and assisting households to find affordable and sustainable housing solutions. The Cabinet Member expressed his thanks to the Scrutiny Task Group for their input into the development of Strategy, and highlighted that all scrutiny recommendations had been accepted. The 5 priorities of the strategy, as set out in the report, were presented.

Cllr John Smale, Chair of the Environment Select Committee, updated the committee was happy to endorse the recommendations of the Task Group, and noted rough sleeping had reduced in Wiltshire. The Task Group also commented on the passion and dedication of officers supporting homeless reduction.

Cllr Ian Thorn, questioned whether former military personnel were considered in the Equalities Impact Assessment (EIA), and it was confirmed this was the case.

All Wiltshire Councillors were invited to speak, Cllr King spoke highly of the work of the Task Group and the reassurances he had received that officers were committed to prevention. In response to a question about the RAG status of the action plan, it was confirmed that work would be started on actions, once the Strategy had been approved. It was also established that overall homelessness was reducing, and was a wider issue than rough sleeping, and the council was working closely with the military to reduce homelessness within this group.

Resolved:

To recommend to Full Council the approval of the Homeless Strategy 2019-24 and implementation of the Homeless Strategy Action Plan.

Reason for decision:

It is a legal requirement imposed upon all local authorities by the Homelessness Act 2002 that a homeless strategy is produced. It also encourages the continued partnership working with other statutory bodies and voluntary sectors whose work helps prevent homelessness or meet the needs of people who have experienced homelessness.

136 **Community Funding Review**

Cllr Philip Whitehead, Leader of the Council presented a report to support community areas that had not benefitted from capital investment through the community campus and hub programme. The report recommended capital funding be set aside to support the develop of appropriate facility projects identified by these community areas.

The Leader invited Scrutiny to monitor the process undertaken and identify if social benefits were supported and whether the scheme delivered good value in this respect. An example of work already undertaken in Westbury was provided.

Cllr Wright, Chairman of the Overview and Scrutiny Management Committee, welcomed the suggestion of Scrutiny input and indicated this would be supported in the most appropriate way.

Cllr Ian Thorn welcomed the community funding, although noted that expectations could be raised by this report and should be managed. In response to which it was confirmed that £500,000 was available and so would support small projects only.

The Leader invited all Wiltshire councillors to speak, during the discussion it was acknowledged that larger organisations were best placed to take on management of a building, since this could be an underestimated responsibility for small community organisations which would need support. It was highlighted that the Trowbridge Wellbeing Centre remained outstanding, and that Warminster should be added to the list of areas eligible for community funding.

Resolved:

To

a) Confirm that option three is the preferred option and should be pursued by officers as a means of developing new facility development in the seven identified community areas;

b) Confirm the seven community areas where capital investment should be allocated as Amesbury, Bradford on Avon, Chippenham, Marlborough, Southern Wiltshire, Tidworth, Warminster and Trowbridge.

c) Confirm engagement should take place with the seven identified community areas to identify local opportunities suitable for facility development and to better understand local priorities.

d) Recommend a sum of money available for investment to develop community facilities in the seven community areas.

e) Recommend the CLFF model identified in this report be developed as a model to develop community facilities in the seven identified community areas.

f) Approve a mechanism be developed to engage with the seven community areas similar to that suggested in this report.

g) To prioritise projects which align to the principles of Wiltshire Council's Service Devolution and Asset Transfer policy and which are underpinned by a collaborative approach ensuring multiple community organisations benefits from investment.

h) Delegate authority to the Director of Communities and Neighbourhood Services in consultation with the Director of Finance and Procurement to oversee and implement an engagement mechanism and to allocate funding to any appropriate facility projects identified by community areas as part of this process.

9) Invite Overview and Scrutiny to assist in assessing whether the community funding process is effective in delivering social benefits.

Reasons for decision:

To ensure that community areas that have not benefited from community facility investment have the opportunity to identify potentially develop facility projects, which could improve local provision and support local priorities.

To ensure any future provision within the proposed community areas explores the potential to deliver new community facilities, aligned to the principles of the Service Devolution and Asset Transfer policy passed by Cabinet in November 2017.

To ensure that additional investment within the proposed community areas compliments future priorities identified through the respective leisure facilities and libraries reviews.

137 **Wiltshire Council Carbon Reduction - Corporate Property Energy Efficiency and Generation Programme**

Item 11 on the agenda was taken in advance of Item 10.

The Leader invited questions from the public on a report proposing a new energy efficiency and generation investment for the operational property estate as part of the council response to the Climate Emergency.

Peter Cousins asked questions as detailed in the agenda supplement and verbal responses were provided as attached to these minutes. In response to a supplementary question, it was confirmed that there were further plans for energy generation in the future.

Bill Jarvis read a statement which noted there was a long way to go to hit government targets on carbon emissions and Wiltshire's ambitions. Mr Jarvis expressed concern the development in the county will contribute to the climate problems and encouraged all departments in the council to work together on tackling this issue.

Cllr Richard Clewer, Deputy Leader and Cabinet Member, advised there was a proposal to invest £5.2million initially in the Operational Property Energy Efficiency and Generation Programme. It was intended that a fully-researched Strategy would be available in 2020 on how to deliver a carbon-neutral Wiltshire.

All Wiltshire councillors were invited to speak and it was noted that windpower should be considered for electricity generation and new energy-efficient criteria should be used for new Wiltshire Council buildings.

Cllr Graham Wright, Chairman of the Overview and Scrutiny Management Committee, reassured that all points raised were also being considered by the Task Group.

Resolved:

To recommend to Full Council the addition of £5.2m capital funding to the Councils 2020 to 2023 Capital Programme to deliver the Operational Property Energy Efficiency and Generation Programme as a step towards achieving carbon neutrality for its operational property portfolio.

To note that a full business case for canopy-based solar panels at all viable Park and Ride sites will be presented to Cabinet for subsequent approval and to approve a provisional capital allocation of £3.5m from Councils 2020 to 2023 Capital Programme.

Reason for decision:

To deliver capital investment in the council's operational property which delivers carbon savings, cost reduction and delivers progress towards carbon neutrality for the council's Operational Asset Portfolio.

To develop an outline business case for a pathfinder project for canopy-based solar panels at viable park and ride sites to achieve 'proof of concept' off site carbon reduction project.

Cllr Richard Clewer, Deputy Leader and Cabinet member introduced an update on actions Wiltshire Council was taking to reduce carbon generation in Wiltshire. It was noted that significant progress had been made and Wiltshire was working to produce an evidence-based carbon audit, using universities to provide expertise in this area.

Cllr Ian Thorn commented the Local Plan should be reviewed in light of the climate emergency, and that Area Boards should be engaged in local plans and best practice from other authorities should be used. It was confirmed the council was lobbying central government for support and working with other authorities. Other comments included that the Business Plan should be revised to feature the response to climate change more centrally, and the research undertaken by Friends of the Earth, and framework from the LGA should be used.

Resolved:

To note the actions taken and proposed to seek to make the county of Wiltshire carbon neutral by 2030.

Reasons for decision:

To provide Cabinet with an update on actions to reduce carbon generation in Wiltshire.

139 **Melksham Community Campus and Melksham House Construction Projects and Development Opportunities**

The Leader invited the public to speak on the proposed plans for Melksham House and Community Campus.

Mr Paul Carter questioned when and why the decision was made that campus delivery was dependent on the use of Melksham House, and when the final decision on Melksham House would be made.

Cllr Allison Bucknell explained the planning on the campus was dependent on Melksham House following recommendations based on feedback from Historic England. The Cabinet member also explained the proposed additional funding to secure the Melksham Community Campus development and was a decision of Full Council. The campus was intrinsically linked to Melksham house and the retention and redevelopment of this property was central to the campus development.

The Leader invited all Wiltshire Councillors to speak, Cllr Hubbard welcomed the proposal and urged the council to progress the campus quickly.

Resolved:

a)To Recommend to Full Council an additional capital budget for the Community Campus Project of £3.000 million taking the total capital budget to £20.110 million

b) Agree in principal, subject to a business case, to progress the scoping of development of Melksham House; to provide 16 units of supported living accommodation, a residential care facility to support children and young people aged 10–18 years and a community resource centre.

c) Note the estimated additional capital budget required for Melksham house of £5.000 million taking the total capital budget to £7.000 million.

d) Agree to receive a further report to Cabinet in January, with a full business case giving detailed capital breakdown and the revenue consequences of the agreed form of development, taking into account potential cost avoidance due to the provision of services from Melksham House.

Reasons for decision:

Design development and cost analysis has determined that Melksham Community Campus cannot be delivered within the approved budget envelope without compromising the scheme.

In considering the establishment of the Community Campus in the Grounds of Melksham House, the future use of the Grade II listed building is important, both in planning and estate management terms.

The proposal, making use of the building and an area to the rear, totalling approximately 0.5 acre, to potentially meet established needs for children and young adults, provides opportunities for the proactive use of the Council's property assets to facilitate increased service provision and capacity, giving improved outcomes for customers and realising savings, which will fund capital investment and ongoing revenue costs.

The proposal will ensure that the Community Campus is delivered.

This report is not seeking capital budget approval at this stage but recognition that a business case, including a new capital budget request of circa £5.000 million, will come back to Cabinet in January with full details of costs (including capital financing costs) and savings/cost avoidance.

140 **The Maltings**

The Leader, Cllr Philip Whitehead, introduced a report for the regeneration of The Maltings and Central Car Park site. Cabinet was asked to recommend to Council the allocation of capital finance towards the acquisition of third-party land holding and fund further development. Cllr Pauline Church, Cabinet Member for Children's Services and South Wiltshire Recovery, highlighted the proposal would support the economic wellbeing of the city.

Councillors encouraged the Cabinet to progress arrangements as quickly as possible.

Resolved:

a) That cabinet recommends to council the allocation of capital finance towards the acquisition of third-party land holdings and fund further development.

b) The cabinet notes and agrees in principle to the proposed heads of terms as set out in the confidential Part 2 report, notes the financial and legal implications and agrees that officers proceed with the procedures set out therein.

c) That cabinet delegates authority to the Executive Director Growth, Investment and Place, in consultation with the council's s. 151 Officer, Monitoring Officer, and the Leader of the Council, to conclude such transactions as may be required to deliver the Maltings scheme, subject to receipt of the independent valuations and the agreement of Full Council to allocate capital finance to fund these.

Reasons for decision:

To ensure that regeneration of the Maltings and Central Car Park is delivered in line with the council's Business Plan and the Maltings Masterplan, generating positive outcomes for Salisbury's economy.

141 **Housing revenue account business plan and council house build programme 3.1**

Cllr Richard Clewer, Deputy Leader and Cabinet Member, introduced a report a which presented a Housing Revenue Account Business Plan model and a Phase 3 Development Programme. It was noted the development was entirely funded through borrowing, grants and Right to Buy receipts.

The Leader expressed support for the building of council houses and a commitment to support this in the future.

It was noted the buildings would be designed to a high standard.

Resolved:

a) To agree the Housing revenue account business plan 2020/21-2050 as set out in Appendix 1

b) To agree to Council house, build programme phases 3.1 and 3.2 as set out in Appendix 1 at total cost of £18.717m and £ 18.754m

c) To agree to delegate to Director of Housing and Commercial development authority to seek planning permission for sites within CHBP

3.1 and 3.2 and enter into contracts for Professional Services and Construction.

d) To agree to delegate to the Director of Housing and Commercial Development in consultation with the Cabinet member for Corporate Services, Housing, Heritage, Arts and Tourism the authority to make offers for affordable housing offered by developers in lieu of compliance with affordable housing obligations in Section 106 agreements up to no more than 10% above the amounts as set out in Appendix 2.

e) To agree to delegate to the Director of Housing and Commercial Development authority to make bids to Homes England for social housing grant in line with assumptions set in Appendix 2 and enter into funding agreements if the bids are successful.

f) To agree that if individual schemes identified in the council house build programme phase 3.1 and phase 3.2 as set out in Appendix 2 prove not to be viable, the substitution of schemes within the overall programme budget is delegated to the Director of Housing and commercial development and Director of Finance and procurement in consultation with the Cabinet Member for Corporate Services, Housing, Heritage, Arts and Tourism.

g) To delegate authority to the Director of Housing and Commercial Development in liaison with the Cabinet Member for Corporate Services, Housing, Heritage, Arts and Tourism and the Director Finance & Procurement to substitute and change funding streams to optimise financing of the Council house build programme phase 3.1 and 3.2. HRA borrowing will not exceed £ 8.762m in 2020/21 and £ 11.986m in 2021/22 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.

Reasons for decision:

A review of the HRA business plan following the removal of the cap on borrowing that can be financed by the HRA has shown that there is capacity to support a new Council House Build Programme phase 3. Subject to the assumptions in the HRA business plan there is capacity to support development of 1000 new Council homes over the next 10 years. This report seeks agreement to the first element of that phase 3 programme and delegation of authority to procure that programme of 228 units.

142 **Commercial Capital Investment Opportunity**

Cllr Sturgis, Cabinet Member for Spatial Planning, Development Management and Property introduced a report to proceed with a commercial property development of the Good Energy offices, including construction and grant of a new lease. It was noted that Good Energy was a significant local employer and

the council had worked with them for some years. The new building would be more energy efficient than existing buildings.

Resolved

a) To agree to construct an office building at Sadlers Mead, at Capital expenditure as set out in the Part 2 paper and subject to further due diligence being undertaken and conditional upon Good Energy signing an Agreement to Lease;

b) Agree a virement of capital, as set out in the Part 2 paper, from the 2020/21 commercial investment capital allocation;

c) To procure AHR and Max Fordham by way of direct award, due to their previous knowledge and work on the scheme which is permissible under the Council's procurement rules;

d) To delegate the decision to award the AHR, Max Fordham and resulting construction contract for Sadlers Mead to Director for Housing and Commercial Development, in consultation with Leader of the Council / Cabinet Member for Finance and Director for Finance.

Reasons for decision:

To enable the Council to enter into a commercial opportunity development within the parameters set by Cabinet subject to further due diligence and signing an Agreement to Lease.

143 **Urgent Items**

There were no urgent items.

144 **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 business specified in Item Numbers 18, 19, 20 and 21 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.

145 **Melksham Community Campus and Melksham House Construction Projects and Development Opportunities- Part exempt appendices**

Resolved:

a) To Recommend to Full Council an additional capital budget for the Community Campus Project of £3.000 million taking the total capital budget to £20.110 million

b) Agree in principal, subject to a business case, to progress the scoping of development of Melksham House; to provide 16 units of supported living accommodation, a residential care facility to support children and young people aged 10–18 years and a community resource centre.

c) Note the estimated additional capital budget required for Melksham house of £5.000 million taking the total capital budget to £7.000 million.

d) Agree to receive a further report to Cabinet in January, with a full business case giving detailed capital breakdown and the revenue consequences of the agreed form of development, taking into account potential cost avoidance due to the provision of services from Melksham House.

Reasons for decision:

Design development and cost analysis has determined that Melksham Community Campus cannot be delivered within the approved budget envelope without compromising the scheme.

In considering the establishment of the Community Campus in the Grounds of Melksham House, the future use of the Grade II listed building is important, both in planning and estate management terms.

The proposal, making use of the building and an area to the rear, totalling approximately 0.5 acre, to potentially meet established needs for children and young adults, provides opportunities for the proactive use of the Council's property assets to facilitate increased service provision and capacity, giving improved outcomes for customers and realising savings, which will fund capital investment and ongoing revenue costs.

The proposal will ensure that the Community Campus is delivered.

This report is not seeking capital budget approval at this stage but recognition that a business case, including a new capital budget request of circa £5.000 million, will come back to Cabinet in January with full details of costs (including capital financing costs) and savings/cost avoidance.

146 The Maltings (Part II)

Resolved:

a) That cabinet recommends to council the allocation of capital finance towards the acquisition of third-party land holdings and fund further development.

b) The cabinet notes and agrees in principle to the proposed heads of terms as set out in the confidential Part 2 report, notes the financial and legal implications and agrees that officers proceed with the procedures set out therein.

c) That cabinet delegates authority to the Executive Director Growth, Investment and Place, in consultation with the council's s. 151 Officer, Monitoring Officer, and the Leader of the Council, to conclude such transactions as may be required to deliver the Maltings scheme, subject to receipt of the independent valuations and the agreement of Full Council to allocate capital finance to fund these.

Reasons for decision:

To ensure that regeneration of the Maltings and Central Car Park is delivered in line with the council's Business Plan and the Maltings Masterplan, generating positive outcomes for Salisbury's economy.

147 **Housing Revenue Account Business Plan and Council House Build Programme 3.1**

Resolved:

a) To agree the Housing revenue account business plan 2020/21-2050 as set out in Appendix 1

b) To agree to Council house, build programme phases 3.1 and 3.2 as set out in Appendix 1 at total cost of £18.717m and £ 18.754m

c) To agree to delegate to Director of Housing and Commercial development authority to seek planning permission for sites within CHBP 3.1 and 3.2 and enter into contracts for Professional Services and Construction.

d) To agree to delegate to the Director of Housing and Commercial Development in consultation with the Cabinet member for Corporate Services, Housing, Heritage, Arts and Tourism the authority to make offers for affordable housing offered by developers in lieu of compliance with affordable housing obligations in Section 106 agreements up to no more than 10% above the amounts as set out in Appendix 2.

e) To agree to delegate to the Director of Housing and Commercial Development authority to make bids to Homes England for social housing grant in line with assumptions set in Appendix 2 and enter into funding agreements if the bids are successful.

f) To agree that if individual schemes identified in the council house build programme phase 3.1 and phase 3.2 as set out in Appendix 2 prove not to be viable, the substitution of schemes within the overall programme budget is delegated to the Director of Housing and commercial development and Director of Finance and procurement in consultation with the Cabinet Member for Corporate Services, Housing, Heritage, Arts and Tourism.

g) To delegate authority to the Director of Housing and Commercial Development in liaison with the Cabinet Member for Corporate Services, Housing, Heritage, Arts and Tourism and the Director Finance & Procurement to substitute and change funding streams to optimise financing of the Council house build programme phase 3.1 and 3.2. HRA borrowing will not exceed £ 8.762m in 2020/21 and £ 11.986m in 2021/22 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.

Reasons for decision:

A review of the HRA business plan following the removal of the cap on borrowing that can be financed by the HRA has shown that there is capacity to support a new Council House Build Programme phase 3. Subject to the assumptions in the HRA business plan there is capacity to support development of 1000 new Council homes over the next 10 years. This report seeks agreement to the first element of that phase 3 programme and delegation of authority to procure that programme of 228 units.

148 Commercial Capital Investment Opportunity

Resolved

a) To agree to construct an office building at Sadlers Mead, at Capital expenditure as set out in the Part 2 paper and subject to further due diligence being undertaken and conditional upon Good Energy signing an Agreement to Lease;

b) Agree a virement of capital, as set out in the Part 2 paper, from the 2020/21 commercial investment capital allocation;

c) To procure AHR and Max Fordham by way of direct award, due to their previous knowledge and work on the scheme which is permissible under the Council's procurement rules;

d) To delegate the decision to award the AHR, Max Fordham and resulting construction contract for Sadlers Mead to Director for Housing and Commercial Development, in consultation with Leader of the Council / Cabinet Member for Finance and Director for Finance.

Reasons for decision:

To enable the Council to enter into a commercial opportunity development within the parameters set by Cabinet subject to further due diligence and signing an Agreement to Lease.

(Duration of meeting: 9.30 am - 1.40 pm)

The Officer who has produced these minutes is Libby Johnstone of Democratic Services, direct line 01225 718214, e-mail libby.johnstone@wiltshire.gov.uk

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Wiltshire Council

Cabinet

8 October 2019

Questions from Adrian Temple-Brown

Agenda Item 7 – Chippenham Housing Infrastructure Fund Bid

To Councillor Peter Whitehead – Leader of the Council and Cabinet Member for Economic Development

Question:

The BBC recently stated that around 50% of UK CO2 emissions come from the construction industry.

Wiltshire County Council declared a Climate Emergency in May 2019.

In September 2019 Wiltshire County Council published a plan to route £75m of taxpayers money to developers, to build a new road around Chippenham and destroy more of our environment with thousands of in-fill houses.

Promoting construction of new roads and new housing estates on existing countryside is incompatible with this Council's declaration of a Climate Emergency.

How do Wiltshire County Council intend to educate the councillors here who don't know, or who don't understand, or who don't care what "Climate Emergency" means, so that they can start to Act accordingly?"

Response:

Wiltshire is required to deliver over 2000 new homes per annum.

The issue of climate change and our acknowledgment of a climate emergency does not remove the requirement for critical infrastructure to improve peoples' lives, deliver new housing or grow our economy. Options to deliver the required infrastructure will be analysed under criteria that include sustainability

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Wiltshire Council

Cabinet

8 October 2019

Questions from Anne Henshaw (The Campaign to Protect Rural England)

Agenda Item 7 – Chippenham Housing Infrastructure Fund Bid

**To Councillor Peter Whitehead – Leader of the Council and Cabinet Member
for Economic Development**

Question 1:

Why has this come to Cabinet after the application has been submitted rather than before?

Response:

The ability to submit applications for funding is delegated to directors in the council's scheme of delegation. The application had to be made within a challenging timeframe. This is a competitive bid and disclosure of its detail prematurely risked prejudicing the council's position both with respect to the funding competition and delivery of the scheme.

Elected representatives have been updated throughout the process and invited to comment and feedback on the proposals.

Question 2:

The report refers to the Council being "in control". How does this sit with statutory consultation on the Local Plan Review? How much housing and what development options are proposed in the Local Plan Review?

Response:

The statement has no bearing on statutory consultation on the Local Plan Review, it refers to the council as a landowner, not the planning authority.

Question 3:

The February 2017 Inspector's report into the CSAP at point 86 makes references to such a road stating twice "if required".

Response:

It is not entirely clear what the question is, however there is a general recognition that if a further growth for Chippenham is planned, it will need to be underpinned by the necessary infrastructure including highways.

Question 4:

Is it the intention of the Council to present a fait accompli about funding for a distributor road to the east and south of Chippenham before there is any public consultation through the Local Plan Review?

Response:

In developing an option to be considered by the Local Planning Authority, viability and deliverability are factors the LPA (and subsequently a Planning Inspector) will consider. It is prudent therefore that the council maximises opportunities for enabling funding.

Question 5:

Will having funding in place for distributor roads means options for development to the east have an in-built advantage over other options?

Response:

The Council, as Local Planning Authority, will consider all options impartially against agreed criteria.

Question 6:

Point 37 at the end of the Report it states...if successful the council will engage fully with Citizens in a consultation exercise..... What good will that be when the decisions have all been taken and the CPO's deployed where necessary?

Response:

Decisions will not be taken prior to public consultation on the proposals.

Question 7:

By the time the development is needed, post 2026, will transport (now higher than energy as the highest source of CO2 emissions) planning have totally changed within the Council?

Response

It is problematic to predict what the council's future transport planning policy, since technology and economic conditions evolve rapidly. However, it is not considered that the principles of transport policy (as opposed to changes in fuelling) will have changed so dramatically that it undermines the principles of the proposed scheme.

Question 8:

This proposal needs to go to Scrutiny and Full Council.

Response:

Today's report to cabinet members is intended to prepare the ground so that in the event that the scheme can go forward that all scrutiny and governance requirements are fully in place.

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Wiltshire Council

Cabinet

8 October 2019

**Questions from Chris Caswill – Agenda Item 7 – Chippenham Housing
Infrastructure Fund Bid**

**To Councillor Philip Whitehead – Leader of the Council and Cabinet Member
for Economic Development**

Question 1

In what way or ways is the building of £75 million of new concrete and tarmac roads across the Avon Valley and the land south of Chippenham consistent with the climate emergency adopted by both Wiltshire Council and the Chippenham Town Council?

Response

Wiltshire is required to deliver over 2000 new homes per annum.

The issue of climate change and our acknowledgment of a climate emergency does not remove the requirement for critical infrastructure to improve peoples' lives, deliver new housing or grow our economy. Options to deliver the required infrastructure will be analysed under criteria that include sustainability.

Question 2

Did Wiltshire Council request Chippenham Town Council to exclude the public from its discussion of this issue? If so, what was the justification for that?

Response

No.

Question 3

Given that this Cabinet has never discussed this Housing Infrastructure Fund (HIF) Bid in public, and the Chippenham TC meeting was apparently held behind closed doors, how can this bid claim that it has public support (as is required by the scheme)?

Response

The council as local planning authority have been engaging with representatives of the local community through the town and parish councils about potential development options at the town.

There is a general recognition that if significant levels of growth are to be planned at Chippenham, then this would need to be underpinned by front-loading highways and other infrastructure.

Question 4

On 24 September, Wiltshire Council issued a press release with the title "Bid for £75 M improvements in Chippenham put forward to Government". Amongst the improvements promoted in this press release were open space, health, an improved sense of community, new public green space, cycling and walking routes, a multi-story car park, a leisure centre, and an improved town centre. The rules of the HIF scheme make it clear that it provides road infrastructure to support development. So, will you take this opportunity to make it clear that the other facilities set out in the press release will not be provided by HIF funding, and to at least regret that the public may have been misled by the press release claims.

Response

The Housing Infrastructure Fund Forward Fund can include all of these things.

(Reference:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/625525/HIF_Forward_Funding_supporting_document_accessible.pdf)

Question 5

Will you now agree to make public at least the main elements of the HIF bid, for example the routes and characteristics of the proposed roads, and which HIF fund the application has been submitted to?

Response

The main elements of the HIF bid will be made public as part of the forthcoming community consultation and engagement process.

The infrastructure and development proposed are intended to put in vital infrastructure first to support the ongoing growth of Chippenham over the next twenty years.

As highlighted in the response to the previous question, the HIF fund application was submitted for Forward Funding.

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Wiltshire Council

Cabinet

8 October 2019

**Questions from Peter Cousins Agenda Item 7 – Chippenham Housing
Infrastructure Fund Bid**

**To Councillor Peter Whitehead – Leader of the Council and Cabinet Member
for Economic Development**

Question 1:

How much of the renewable energy generation that was highly significant in the Friends of the Earth survey scoring is on WCC own buildings or property?

Response:

Friends of the Earth has not shared this information with Wiltshire Council, so we are unable to answer this question.

Question 2:

Why has WCC consistently supported big damaging road schemes and continues to do so by bidding for subsidies to build more roads around Chippenham?

Response:

We have not consistently supported 'big damaging road schemes' and nor are we here. The council has made an application for significant infrastructure improvements at Chippenham to support the potential long-term growth of the town.

Question 3:

Why WCC continues to allow new housing development where people are forced to use cars and where public transport access non-existent?

Response:

Planning applications for new housing development need to demonstrate how schemes are designed to enable people to access sustainable transport and not be dependent on private cars.