

Cabinet

MINUTES OF THE CABINET MEETING HELD ON 1 DECEMBER 2020 AT ONLINE MEETING.

Present:

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

Also Present:

Cllr David Halik, Cllr Phil Alford, Cllr Chuck Berry, Cllr Richard Britton, Cllr Andrew Bryant, Cllr Allison Bucknell, Cllr Clare Cape, Cllr Trevor Carbin, Cllr Jane Davies, Cllr Peter Evans, Cllr Sue Evans, Cllr Peter Fuller, Cllr Richard Gamble, Cllr Sarah Gibson, Cllr Gavin Grant, Cllr Jose Green, Cllr Alan Hill, Cllr Sven Hocking, Cllr Ruth Hopkinson, Cllr Atiqul Hoque, Cllr Chris Hurst, Cllr Tony Jackson, Cllr Bob Jones MBE, Cllr Carole King, Cllr Gordon King, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Brian Mathew, Cllr Ashley O'Neill, Cllr Steve Oldrieve, Cllr Stewart Palmen, Cllr Horace Prickett, Cllr Pip Ridout, Cllr James Sheppard, Cllr Jo Trigg, Cllr Suzanne Wickham and Cllr Christopher Williams

134 **Apologies**

There were no apologies.

135 **Minutes of the previous meeting**

The minutes of the meeting held on 3 November 2020 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 3 November 2020.

136 **Declarations of Interest**

There were no declarations of interest.

137 **Leader's announcements**

The Leader announced that Secretary of State for Transport had granted consent for the A303 Amesbury to Berwick Down (Stonehenge) Road Improvement Scheme on 12th November 2020. He explained that it was a

significant investment in Wiltshire, not only for resolving one of the longest standing traffic problems that effected communities living in the area, but also to reunite the northern and southern parts of the World Heritage Site, and boost the economy of the region. A detailed report would be considered by Cabinet at its meeting on 5 January 2021 to outline the role and remit of the Council in the delivery of the scheme.

138 **Public participation and Questions from Councillors**

Questions were received from the following:

- Darren Hopkins about the Chippenham HIF Bid
- Adrian Temple-Brown about the Chippenham HIF
- Ian James about the council's finances and Chippenham HIF
- Patrick Kinnersly about the Western Gateway Sub-National Transport Body Draft Strategy
- Steve Perry (Chair of CAUSE) about the Chippenham HIF
- Mike Blanchard about the Chippenham HIF; and
- Chris Caswill about the Chippenham HIF

Cllr Whitehead confirmed that the questions had received written responses which were published on the Council's website prior to the meeting.

Supplementary questions were received from the following:

- Steve Perry – Future development of transport taking into consideration climate change issues
- Chris Caswill – Publication of Chippenham HIF documents

Cllr Whitehead confirmed that written responses would be provided for the supplementary questions asked at the meeting.

In addition to the above public questions, Cllr Whitehead and the Cabinet Member for Adult Social Care, Public Health and Public Protection responded verbally at the meeting to the following questions received from Councillors:

- Cllr Ian Thorn, Cllr Chuck Berry and Cllr Tony Jackson asked a question and made comment about the future operation of Furlong Close care complex in Rowde, near Devizes
- Cllr Carole King asked a question about CATG funding and a parking review

139 **COVID-19 Update and Financial Update**

Councillor Philip Whitehead, Leader of the Council and Cabinet member for Economic Development, MCI and Communications introduced the report which provided a brief summary of the key activities to mitigate the impact of the coronavirus in Wiltshire since the last update to Cabinet in November 2020.

Questions were received from Sue McGill about EV charging points. Cllr Whitehead acknowledged that the questions had received written responses which had been published on the Council's website prior to the meeting. There were no requests for supplementary questions.

Cllr Whitehead explained that since the last report England has entered a new national lockdown and response meetings have been re-established; shadow recovery work continues; work has taken place to enhance the Wiltshire Wellbeing hub and develop an enhanced local tracing offer and support for businesses, vulnerable groups and care homes and schools continues. Cllr Whitehead thanked officers for their continued hard work and resilience during this difficult and testing time.

Officers provided updates of their service areas, as detailed in the report, covering the following areas - Test and Trace, mass vaccinations, mass testing and new technologies, outbreak management, community spaces, wellbeing hub, care homes, health and care, education, safeguarding, economy and safe spaces.

In response to a question from Cllr Laura Mayes, Cabinet Member for Children, Education and Skills about schools involvement in the process for the distribution of free school meals, the Chief Executive and Director of Education and Skills confirmed that the process to include schools had already commenced with a recent a webinar taking place which shared the process being undertaken. The Cabinet noted that the Council was working with schools about how the funding for free school meals would be distributed locally.

Cllr Pauline Church, Cabinet Member for Finance, Procurement and Commercial Investment thanked officers for their hard work and determination to achieve the spending controls in place. She commented generally on the financial aspect of the report and highlighted that the Council was on a more robust financial footing, in part to the financial help from the government.

Cllr Graham Wright, Chair of the Wiltshire Covid-19 Response Task Group and Cllr Pip Ridout, Chair of the Financial Planning Task Group, reported that the Council is currently operating streamlined Overview and Scrutiny arrangements, allowing officers to focus on the response to COVID-19 and support Wiltshire communities in the context of ongoing restrictions. Cllr Wright referred to notes of the Wiltshire COVID-19 Response Scrutiny Task Group and the Financial Planning Scrutiny Task Group which met on 26 November to consider the Cabinet report. The [notes](#) of these meetings were published in the agenda supplement 2 prior to the Cabinet meeting.

Cllr Stuart Wheeler, Chair of the Environment Select Committee asked questions about the process for determining a Local Authorities tier level and hospital bed occupancy rates. Cllr Whitehead confirmed that a written response would be prepared following the meeting.

In response to questions from Cllr Ian Thorn, Leader of the Liberal Democrats about (i) the number of children entitled to free school meal payments

compared to those receiving the payment; (ii) locations of vaccination sites; (iii) Financial assistance to Care Homes – grant or loan. Officers explained that (i) all children entitled to free school meals had the opportunity to access the funding; (ii) vaccination sites included City Hall, Salisbury and other sites identified by the NHS and more locally by the BSW CCG; (iii) the financial assistance provided to Care Homes is by way of a grant and therefore does not need to be repaid.

In response to questions from Cllr Gavin Grant about (i) Self Isolation Payment Scheme and the responsibility of employers; (ii) Small Business and Discretionary grant scheme, including the Local Restrictions Support Grant and the Additional Restrictions Grant; Cllr Whitehead and officers explained that (i) the Council are providing positive communications messages to employers about their responsibilities for employees, including attendance at work; (ii) Over 2000 applications had been received for the Local Restrictions Support Grant and these applications were now being processed and the scheme was progressing well. The Additional Restrictions Grant (ARG) had received over 500 applications since in launch on 20 November 2020, with an allocation of £10m. Although the allocation to the ARG scheme was welcome it was felt that the was insufficient to meet anticipated demand. This would be monitored and reviewed in the new year.

In response to a question from Cllr Gordon King about the Kickstart Programme and those failing to qualify for the apprenticeship support; Officers reported that discussions were currently taking place with the Department for Work and Pensions and it was hoped that clarity on this issue could be provided shortly.

Resolved:

- 1. Continue to encourage all residents to download the NHS Test and Trace app on their phone.**
- 2. Continue to encourage all residents to follow national guidance.**
- 3. Note meetings have been re-established to support response whilst recovery activity continues in shadow.**
- 4. Note the current revenue budget is forecast to be balanced by the end of the financial year, with a small underspend of £0.071m**
- 5. Note changes in national policy and the work underway within the four Recovery Coordinating Group themes and on organisation recovery.**

Reason for Decision:

Wiltshire Council continues to work closely with partners to deliver in a rapidly changing environment.

140 **December 2020 - Readiness for the End of the Transition Period with the EU**

Councillor Philip Whitehead, Leader of the Council and Cabinet member for Economic Development, MCI and Communications presented the report which

outlined the preparations that have been underway for the end of the transition period on 1 January 2021.

Cllr Whitehead highlighted that the report offered reassurances that the Council with partners were taking all possible steps to prepare for Brexit and in particular the possibility of a no-deal Brexit , alongside concurrent threats such as seasonal flu, severe winter weather including floods and snow and the impact of the COVID-19 pandemic.

Cllr Graham Wright, Chair of the Wiltshire Covid-19 Response Task Group reported that the Council is currently operating streamlined Overview and Scrutiny arrangements, allowing officers to focus on the response to COVID-19 and support Wiltshire communities in the context of ongoing restrictions. Cllr Wright referred to notes of the Wiltshire COVID-19 Response Scrutiny Task Group which met on 26 November to consider the Cabinet report. The [notes](#) of this meeting were published in the agenda supplement 2 prior to the Cabinet meeting.

In response to questions from Cllr Ian Thorn, Leader of the Liberal Democrats about (i) the upcoming challenges for the Council and preparedness of staff to manage these; and (ii) support for the farming community. Officers explained that (i) the Council is prepared to manage the challenges offered by Brexit, although there were greater risks to be faced by the Council with the possibility of prolonged snow or winter events; and (ii) A group has been established directly to support farmers during this period.

In response to a question from Cllr Jo Trigg about the EU Settlement Scheme and clarification on the number of applications; Cllr Whitehead reported that it was understood that the majority of people who had applied to the Scheme had been approved. This would be confirmed in a written response following the meeting.

Resolved:

- 1. To note the assessment of the council's readiness for the end of the transition period.**
- 2. To note the opportunity to shape the UK Shared Prosperity Fund and the potential implications of the government's approach to state aid.**

Reason for Decision:

Wiltshire Council has an important role as community leader in advocating for our residents and local businesses.

141 **Consultation to inform the Wiltshire Local Plan Review**

Cllr Toby Sturgis, Cabinet Member for Spatial Planning, Development Management and Property presented the report setting out the next steps for consulting on the Wiltshire Local Plan Review.

Questions were received from the following:

Steve Perry – the question was covered under minute 138 above
Mike Blanchard
Kim Stuckey
Isabel McCord
Myla Watts
Peter Cousins
Helen Stuckey
Chris Caswill
Sue McGill
Cllr Nick Murry

Cllr Whitehead acknowledged that the questions had received written responses which had been published on the Council's website prior to the meeting.

A supplementary question was asked by Chris Caswill about the impact of COVID-19 on the proposed consultation. Cllr Toby Sturgis, Cabinet Member for Spatial Planning, Development Management and Property explained that guidance from the Government has urged all local planning authorities to continue to prepare their Local Plan and not to suspend work during COVID-19. To stop preparations would incur the risk of speculative ad hoc development being permitted outside the Council and communities' control.

Cllr Sturgis highlighted that Local Plans are informed and shaped by the government's requirements for growth that each area needs to accommodate, in this case in the period up to 2036. He explained that much of the required level of growth - around 45,600 homes - had already been planned for and that based on the position at April 2019, there was a residual or shortfall of around 17,000 homes. He reminded Cabinet that they approved a timeline for the Wiltshire Local Plan Review at their meeting in March 2020 to enable consultation to be undertaken with the community and stakeholders on how the Council might deliver the required level of growth across Wiltshire. By undertaking consultation prior to any actual allocations being made in a draft Local Plan, people will have the opportunity to put forward their views and inform the Council's thinking in early 2021. These views will then inform the details of the draft Plan.

The report presents the proposed content for an extensive consultation on the direction of the Wiltshire Local Plan Review. Cllr Sturgis, along with other Cabinet Members requested that all Councillors encourage their local communities to become involved in the consultation.

In response to questions from Cllr Laura Mayes about (i) clarity in relation to the overall housing requirements; and (ii) the role of neighbourhood plans, speculative applications and current 5 year housing land supply position (using the example of Devizes), Cllr Sturgis explained that (i) the residual figure at April 2019 clarified how much of the overall housing requirement for each settlement was left to be planned for - for Devizes this is 330 homes; and (ii) an action plan was in place to improve housing supply and a number of planning permissions had been granted as a result.

Cllr Richard Clewer, Deputy Leader and Cabinet Member for Corporate Services, Heritage, Arts & Tourism, Housing and Communities referred to Appendix 4 and how the Local Plan Review proposes to address climate change and biodiversity net gain, which would be an important part of the consultation.

Cllr Stuart Wheeler, Chair of the Environment Select Committee welcomed the approach to the rural area and expressed his frustration at the current guidelines and their inflexibility to encourage development in villages.

In response to questions from Cllr Ian Thorn, Leader of the Liberal Democrats about (i) protections for non-statutory nature sites; and (ii) the number of dwellings required for the Calne area. The Leader and Cllr Sturgis (i) confirmed that national planning policy framework and current local planning policies set out what protection may be appropriate for nature sites; and (ii) the consultation documents detail all possible sites.

In response to questions from Cllr Sarah Gibson about how to improve engagement with local residents during consultations on the local plan, the Leader, Cllr Sturgis and Cllr Bucknell referred to paragraph 27 of the report; which referred to the consultation arrangements and confirmed that the consultation would be far and wide and engagement would take place with as many groups and local residents as possible, this may involve Area Boards.

In response to questions from Cllr Gavin Grant about (i) the 5 year housing land supply and housing market areas; (ii) confidence in 'planned for' housing figures; (iii) the housing range from which a preferred housing requirement would be identified, the Leader confirmed that an updated housing land supply position would be published in the next two weeks. Cllr Sturgis explained that: (i) For the purpose of calculating 5 year housing land supply housing market areas are no longer suitable and Government requires us to do this on a county basis but they are used for the Local Plan as a basis to distribute homes because Wiltshire is so large; (ii) The Council has to provide evidence the identified sites are deliverable and financially viable; and (iii) The 40,000 range is based on a standard methodology and figures change. The larger figure is used for testing as this may be the figure that needs to be used in the future and is based on evidence.

Resolved:

- 1. To approve the documents as set out in Appendices 1, 2, 3 and 4 for consultation to inform the content of the Wiltshire Local Plan Review, subject to amendment in (2);**
- 2. To delegate authority to the Director for Economic Development and Planning in consultation with the Cabinet Member for Spatial Planning, Development Management and Property to: make any necessary changes to the consultation documents in (1) in the interest of clarity and accuracy before they are finalised for publication; finalise evidence documents relating to the consultation; and make arrangements for and undertake statutory consultation with the start date to take into consideration the COVID-19 position; and**
- 3. Receives a report after the consultation summarising the main issues raised.**

Reason for Decision:

To ensure that progress continues to be made on maintaining an up to date Local Plan for Wiltshire in line with the Council's Local Development Scheme and statutory requirements.

142 In House Learning Disability Services Report

Councillor Simon Jacobs, Cabinet member for Adult Social Care, Public Health and Public Protection presented the report which outlined the proof of concept for a structured Outreach and Enablement model led by the Council run in-house learning disability services.

Cllr Jacobs explained that this would include a fully dedicated team supporting people who have complex neurological and cognitive difficulties' which impact on their long-term independence, choice and wellbeing. These services will be of high quality and person-centred, supporting individuals to develop their own aspirations and strengths, and enable them to achieve their full potential.

Cllr Laura Mayes, Cabinet Member for Children, Education and Skills, Cllr Chuck Berry, Chair of the Health Select Committee and Cllr Gordon King expressed their support for the initiative.

In response to questions from Cllr Ian Thorn, Leader of the Liberal Democrats about (i) maintaining the services provided; and (ii) for services to be shaped and moulded by the experience of users, Cllr Jacobs and Officers confirmed that current services would be expanded to support a wider group of people with complex needs, and ensure all provision is being utilised effectively and creatively across children and adults services in a joined-up approach.

Resolved:

- 1. To note the establishment of an Outreach and Enablement Project**
- 2. To note this will be a six-month proof of concept project**
- 3. To note that we will undertake a co-produced review of our building based services**

Reason for Decision:

Wiltshire Council's in-house day service offer requires a review to:

- Establish its effectiveness.*
- Ensure it meets the needs of its existing service users*
- Gain an understanding of how people with complex needs are able to set their own goals and develop their 'best life'*
- Understand how the service can develop and support people to connect to their local communities to build meaningful relationships.*
- Establish how we reach more people to help them to maximise their independence*
- Assure ourselves that we are cost effective and offer value for money*

143 Update on Disposal Programme

Councillor Philip Whitehead, Leader of the Council and Cabinet member for Economic Development, MCI and Communications presented the report (i) setting out the forecast receipts from disposals for the next three financial years; and (ii) seeking approval to declare 3 assets to be declared surplus and capable of review to determine the best financial return for the council.

Cllr Whitehead reminded Cabinet that they had previously approved a revised approach to disposal of surplus assets, and once the assets had been declared surplus each site will be considered by the Asset Gateway Group. The Group would determine the best financial return for the Council, during which time other uses of the sites would be considered and determine what is in the best interest for the Council, both from a service and financial perspective.

Cllr Pip Ridout, Chair of the Financial Planning Task Group confirmed that the Task group had held in depth discussions about the proposals contained in the report at their meeting on 26 November 2020. There were no additional comments to add to the Task Group notes that were circulated prior to the Cabinet meeting and published on the appropriate [website pages](#).

Resolved:

- 1. To note the position in respect of disposals for financial years 2018/19, 2019/20 and 2020/21**

2. **To confirm that freehold interest of the 3 assets can be sold by the Council.**
3. **To Authorise the Director for Housing and Commercial to dispose of the freehold interest in the assets or in his absence the Corporate Director - Resources.**

Reason for Decision:

To note the current position in respect of capital receipts and confirm the freehold interest in the assets can be sold to either generate capital receipts in support of the Council's capital programme or reuse to generate income for the Council.

144 **Urgent Items**

There were no urgent items.

145 **Exclusion of the Press and Public**

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 13 and 14 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 3 and 4 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.

146 **Management Arrangements for the Contracted Leisure Centres**

Cllr Ian Blair-Pilling, Cabinet Member for ICT, Digitalisation, Operational Assets, Leisure and Libraries presented the report which set out proposals for the future management arrangements for the Council's leisure centres currently managed by People Leisure Ltd (PFP).

The report detailed four options for the Cabinet to consider so that a leisure service is maintained in the north and west of the county.

The Cabinet noted that the Chair and Vice-Chair of the Environment Select Committee had received a briefing from officers on 30 November 2020 on the proposals and expressed their support for the proposals detailed in the report.

Resolved:

- a) **To note the outcomes of the second open procurement exercise approved by Cabinet on 08 September 2020;**

- b) To note the options that have been considered and approve the option that Members determine should be implemented:
- **Option 1: Award a 2 year + 2 year contract to Places Leisure based on the open accounting model for implementation as of 01 April 2021**
 - **Option 2: Bring centres in house from 01 April 2021**
 - **Option 3: Award a 6-month contract to Places Leisure and then bring in-house as of 01 October 2021**
 - **Option 4: Award a 12-month contract Places Leisure and then bring in-house as of 01 April 2022**
- c) To approve the recommendation that Option 3 is progressed;
- d) To allocate the necessary resources and budget of £0.819m, funded from the use of capital receipts under the flexible use directive, to bring the centres in-house, in accordance with Option 3;
- e) To note the governance arrangements being put in place by the interim Corporate Director - Place and Environment to oversee the contract extension and the insourcing of the leisure centres chair a Transition Board to be established post Cabinet;
- f) To delegate to the Director for Community and Neighbourhood Services, in consultation with the Cabinet Member for IT, Digitalisation, Operational Assets, Leisure and Libraries to take all necessary steps to implement the agreed option including the award of contract should this be relevant to the appropriate option.

Reason for Decision:

To ensure the continued provision of leisure services across Wiltshire's currently outsourced sites.

147 **Land acquisition**

Cllr Philip Whitehead, Leader of the Council and Cabinet member for Economic Development, MCI and Communications presented the report seeking Cabinets consideration of the Council submitting an offer for an option on land as set out in Appendix A to this report. In addition, the report seeks consideration of acquiring land from Wiltshire College including an agreement on overage.

It was noted that offers for the option on land set out in Appendix A to the report were required by the 16 December 2020 and if payment was required before the end of the financial year it would be necessary to bring forward unallocated capital funds from the 2020/21 capital programme.

The Cabinet noted that the Chair and Vice-Chair of the Environment Select Committee had received a briefing on the proposals on 30 November 2020 and expressed their support for the proposals.

Resolved:

- 1. That the Council makes offers for an option on the land owned by the Shiles family to the south of Chippenham as shown in appendix A to the report.**
- 2. That the Council makes offers for an option on the Shiles land based on maximum existing use value for the land and a percentage of the land value uplift if the site comes forward for development minus the Council's costs plus the vendors fees , and another offer based on reduced existing use value and vendors fees but increased percentage of land value uplift minus the Council's costs.**
- 3. That the existing use value is determined by an independent valuation.**
- 4. That the detailed offers are made by the Chief Executive in consultation with the Leader of the Council.**
- 5. That subject to the Council providing loan finance to Wiltshire College to enable them to refinance their existing loans the Council makes an offer to purchase land at the Lackham college site at existing use value.**
- 6. That the Council enters into an agreement with Wiltshire college to purchase an element of land value uplift on that land if it comes forward for development.**
- 7. That the agreement will require Wilshire College to repay the Council the agreed sum plus the Council's costs at an agreed date if the land does not come forward for development.**
- 8. That the detail of the agreement with Wiltshire College is delegated to the Chief Executive in consultation with the Leader of the Council.**
- 9. That if the offers are accepted and payment is required in 2020/21 financial year the requisite capital allocation is brought forward from the 2021/22 unallocated capital programme.**

Reason for Decision:

The proposals will enable the Council to make offers for land that has strategic importance both in terms of relationship with the Council's existing land ownership but also the possible route for a distributor road around the south east of Chippenham.

(Duration of meeting: 10.00 am - 2.00 pm)

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