

Cabinet

MINUTES OF THE CABINET MEETING HELD ON 21 JUNE 2022 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Richard Clewer (Chairman), Cllr Jane Davies, Cllr Phil Alford, Cllr Ian Blair-Pilling, Cllr Nick Botterill, Cllr Dr Mark McClelland and Cllr Ashley O'Neill

Also Present:

Cllr Clare Cape, Cllr Gavin Grant, Cllr Nick Holder, Cllr Tony Jackson, Cllr Gordon King, Cllr Dominic Muns, Cllr Martin Smith, Cllr Caroline Thomas, Cllr Ian Thorn, Cllr Jo Trigg and Cllr Graham Wright

Cllr Johnny Kidney and Cllr Pip Ridout attending the meeting via a Teams link.

44 **Apologies**

Apologies were received from Cllr Laura Mayes.

45 **Minutes of the previous meeting**

The minutes of the meeting held on 26 April 2022 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 26 April 2022.

46 **Declarations of Interest**

There were no declarations of interest.

47 **Leader's announcements**

1. The Leader provided an update on the work being undertaken by the Council to combat the recent increases in the cost of living. The full text can be found in the supplementary agenda at this [link](#).

Cllr Ian Thorn welcomed the announcement on the Council's response to the issues being faced by Wiltshire residents. Cllr Thorn commented further on the following matters – the importance of signposting residents

to the help being offered by the Council, especially those without access to the internet, welcomed the solar panel initiative, thanked the Leader for future updates and noted the challenge for food banks to provide fresh fruit and vegetables.

Cllr Gavin Grant also welcomed the announcement and highlighted the work of Area Boards in funding community fridges in a number of communities, the challenges for mobile home park residents qualifying for fuel bill support and the potential for the Council to facilitate the collective purchasing of fuel oil.

2. The Leader commented on recent visits to Bemerton Heath – Salisbury and Studley Green – Trowbridge. He highlighted the on-going work between partners and local organisations to tackle higher levels of deprivation in those two areas and confirmed that the Director of Public Health would lead the programme. Updates would be provided on the work being undertaken.

48 **Public participation and Questions from Councillors**

General questions were submitted from the following member of the public:

- Colin Gale – Parking Concessions to Disabled Blue Badge Holders
- Colin Gale – on behalf of Rushall Parish Council – Freight Management Assessments

Cllr Richard Clewer, Leader of the Council and Cabinet Member for Climate Change, MCI, Economic Development, Heritage, Arts, Tourism and Health & Wellbeing explained that the above questions had received written responses which were published on the Council's website prior to the meeting, which can be accessed [here](#) at supplement 1.

Colin Gale commented further on his original question in relation to Blue Badge Holders. Cllr Dr McClelland reiterated the response given to the original question and confirmed that a final decision would be made once he had received a report on the outcome of the public consultation.

Questions were also submitted from Cllr Ian Thorn, which received responses on the following topics, which can be accessed [here](#) at supplement 1:

- Wiltshire Schools and impact of energy price increase
- Council response to the independent review of children's social care by Josh MacAlister

Cllr Thorn indicated that he had a supplementary question to the second bullet point above and asked how the Council's response would be shared with Council Members. Officers confirmed that the response would be considered by a future meeting of the Children's Select Committee.

49 Capital Strategy for Early Years Provision

Cllr Dominic Muns, Portfolio holder for Education presented a report which outlined the reasons that capital is required to replace old and unsustainable temporary buildings currently leased by a number of childcare providers, and a new policy to support the investment.

Cllr Muns reported that the early years settings enabled the Council to meet its statutory duty to ensure sufficient childcare within Wiltshire. A new policy is required to agree how to replace 23 temporary units that are currently leased to early years providers. Replacing these buildings will reduce the Council's financial liability in the longer term and safeguard the 702 early years places currently provided by these organisations, enabling the Council to continue meeting its statutory duty to ensure there is sufficient childcare within the county.

Cllr Ian Thorn commented on the Council's liability beyond the 10-year contribution period, the providers ability to raise funds, the Council's role in providing funds and the length of lease arrangements between the Council and providers. In response, the Leader, Cllr Muns and officers explained that the existing providers are responsible for replacing the building and the statutory duty to provide early years childcare is with the Council, the Council was confident that providers had the ability to raise any necessary funds over the 10-year replacement period, in the event that a provider was not able to raise sufficient funds, the Council would consider each case on its individual merits. A written response would be provided in relation to the comment on lease arrangements between the Council and the provider.

Cllr Gavin Grant commented on the consultation undertaken with providers, the state of the marketplace, future monitoring of the replacement programme and the potential for use of S106 monies towards the provision of replacement buildings. In response, Cllr Muns and officers explained that providers had been consulted and had expressed their support for the proposals, the marketplace provided new opportunities for some providers whilst others would choose to not continue providing the service, the replacement programme would be closely monitored by officers, and S106 monies would be relevant for new demand rather than existing demand and would be factored into any planning development should there be a change in demand for places in a particular area.

Resolved:

- 1. To agree a policy to contribute towards the cost of replacing 23 existing building over a 10-year period assuming all other available options are explored such as other private landlords or maintained schools in the community area who could, due to falling birth rates have unused classroom space.**

2. **To agree that the future liability of the maintaining and further replacement or enhancement of the building would be the responsibility of the early years childcare provider**
3. **To agree to a maximum contribution of 25% of the capital cost of a new building, (based on maximum total place funding of £24,382 per existing place) however, this will be limited to the number of places required at the time of application**
4. **To delegate any further decisions relating to this matter to the Director of Procurement and Commissioning in consultation with the Director for Education & Skills and Cabinet Member with responsibility for Children, Education, and Skills**

Reason for decisions:

Early years settings provide essential childcare places to meet the demand from families and children. Buildings leased to providers by the Council are required in order to support this demand. Without ongoing investment, the Council will fail to meet its statutory duty in providing sufficient childcare places within Wiltshire, and children could be without early years education places to meet their needs

50 **Children's Centre Services Contract Extension**

Cllr Richard Clewer, Leader of the Council and Cabinet Member for Climate Change, MCI, Economic Development, Heritage, Arts, Tourism and Health & Wellbeing presented a report which outlined the reasons why a one-year extension to the children's centre services contract would help to maintain the current early help services offered by the children's centre contract holders and allow preparation for transformation to a Family Hub model.

The Leader highlighted the importance of Children's centre services and how the service is a vital resource for parents with very young children (aged 0-5), through the delivery of advice and support to families in Wiltshire for the last 18 years.

The Cabinet noted that there are 11 children's centre buildings operating across the county, and further community spaces where services are delivered across each area, as well as offering services in family homes. The children's centre services contracts are due to expire on 31 March 2023.

Cllr Ian Thorn commented on the funding of the new hubs and the impact of an unsuccessful bid. In response, the Leader and officers confirmed that the transformation to Family Hub model was a logical step forward and aligned to Government direction, bids for Government funding would be submitted and in the event of these not being successful alternative sources of funding would be accessed.

Cllr Gavin Grant expressed his support for the move to Family Hubs and commented on the excellent work of the RISE Trust in Malmesbury. He also commented on future hub buildings and the scope of providers in relation to the extension of the current arrangements. In response, officers confirmed that they had been in discussions with existing providers about the extension of the current contract.

Resolved:

- 1. Cabinet agrees to the negotiation of a one-year contract extension with the current children's centre commissioned providers (Spurgeons and The RISE Trust) until 31st March 2024. This will allow officers to undertake due diligence and a full consultation with parents and partners organisations to ensure that the development of Family Hubs in Wiltshire meets the needs of local communities.**
- 2. The decision to award a one-year contract and authority for the completion of all necessary legal documentation is delegated to the Director of Procurement & Commissioning in consultation with the Corporate Director of People, and the Cabinet Member for Children, Education & Skills. A paper will be presented to Cabinet to recommend the future Family Hub model following the consultation events later this year.**

Reason for decision:

The Government has committed to championing Family Hubs, which are a way of joining up locally and bringing existing family help services together to improve access to services, connections between families, professionals, services, and providers, and putting relationships at the heart of family help.

Family Hubs bring together services for families with children of all ages (0-19) or up to 25 with special educational needs and disabilities (SEND), with a great Start for Life offer at their core. They can include hub buildings and virtual offers, but the following principles are key to the family hub model:

More accessible

– through clearly branded and communicated hub buildings, virtual offers, and outreach.

Better connected

– family hubs drive progress on joining up professionals, services, and providers (state, private, voluntary) – through co-location, data sharing, shared outcomes, and governance. Moving from services organised for under-fives to families with children of all ages reduces fragmentation (even though an emphasis on early years and the 'Start for Life' offer will remain).

Relationship-centred

– practice in a Family Hub builds on family strengths and looks to improve family relationships to address underlying issues.

For Family Hubs to be effective and ready to run from March 2024 there is a requirement for a period of consultation and redesign and so an extension to the current children's centre services contract would be necessary to allow sufficient time for these developments.

The Government is making funding available to Local Authorities to transform their services into Family Hubs. Wiltshire will submit bids for this funding. If the funding bids are not successful there is still a desire to move to a Family Hub model from April 2024.

51 **Procurement of Passenger Transport Contracts**

Cllr Dr Mark McClelland Cabinet Member for Transport, Waste, Street Scene and Flooding presented a report seeking approval to tender for a new Dynamic Purchasing System (DPS) for the procurement of passenger transport contracts.

Cllr Dr McClelland explained that the Council spent about £31.3m per annum providing passenger transport services, £27.4m being procurable spend. The contracts are procured using mini competitions through a DPS, which is a type of framework but with the advantage of suppliers being able to apply to join at any time. With the current DPS due to expire in September 2022 the report sets out why a DPS should continue to be adopted and how this might be achieved.

Cllr Ian Thorn commented on the level of procurable spend per annum in the new DPS compared to current levels, the approved budget for passenger transport, the need to encourage the public to use public transport and that there appeared to be no equalities impact in relation to the tender process. In response, the Cllr Dr McClelland and officers confirmed that the level of spend for passenger transport would increase over time, the figures detailed in the report referred to the total budgetary figures and bus companies were still experiencing the impact of Covid-19 on the number of passengers.

In response to a question from Cllr Clare Cape about outcomes improvements, Cllr Dr McClelland explained that the document was ambitious and improvements would be realised in the future.

Resolved:

- i. Cabinet agrees to the introduction of a revised Dynamic Purchasing System (DPS) as a platform for the procurement of passenger transport contracts.**
- ii. Cabinet delegate the responsibility for the award of contracts onto the DPS to the Director for Highways & Transport in consultation with the cabinet member.**

- iii. Start date of proposed DPS arrangement will be from 01 September 2022 with an initial end date of 31 August 2027 with an optional extension of 2 years bringing this to a total of 7 years ending 31 August 2029**

Reason for decision:

To ensure that Wiltshire Councils passenger transport contracts can be procured in an efficient and transparent manner, whilst maximising the market and potential cost savings.

52 **PHNS Future Delivery Model**

Cllr Ian Blair-Pilling, Cabinet Member for Public Health, Public Protection, Leisure, Libraries, Facilities Management and Operational Assets presented a report which provided information about the short term future of Wiltshire's Public Health Nursing Services currently delivered by HCRG Care Group as part of Wiltshire's Children's Community Healthcare Services contract.

Cllr Blair-Pilling explained that the HCRG contract is a collaborative commissioning arrangement between the Council, NHS Bath and North-East Somerset, Swindon and Wiltshire Clinical Commissioning Group, with a total value for 2020/21 of £13.6m. He reminded Cabinet that in March 2022 they agreed a further one-year contract to be negotiated with HCRG Care Group to enable due diligence of the options to be completed and for full consultation to be undertaken with children, young people and families if required. Taking the contracting period to 31 March 2024.

The report presented 3 options that had been considered by the Wiltshire Locality Commissioning Groups, and it was agreed for an in-depth option appraisal of the options be undertaken. The Options Appraisal was included under Part II of this agenda and was available for the Cabinet to formally consider prior to and during the meeting. The Cabinet, in considering the overall report did not have questions on the Options Appraisal and therefore the meeting remained open to the press and public. It was noted that the preferred option was option 1a and following further consideration of the procurement options a modified version of this option was identified which was thought to be more favourable.

Cllr Johnny Kidney, Chairman of the Health Select Committee, confirmed that the Health Select Committee had considered the report at its meeting on 7 June 2022. The Committee welcomed the proposals and was supportive of the Council and Clinical Commissioning Group issuing their own terms and conditions, and the report recommendations maintaining the benefits of an integrated service, whilst protecting the Council's interests. The Committee

were also given assurances that appropriate resources would be available for the commissioning work.

Resolved:

That Cabinet agrees to:

- **undertake a single procurement of a combined universal and specialist children's community health service with separate terms and conditions for the respective Council and CCG elements of the contract.**
- **ensure a clear collaborative commissioning agreement is in place**
- **strengthen the emphasis on PHNS-partnership and integration with non-health services through the commissioning process**
- **delegate to the Director of Public Health and Director of Procurement & Commissioning in consultation with the Corporate Director of People and Corporate Director of Resources/Deputy Chief Executive to agree the award of a contract following the tendering process.**

Reason for decision:

The contract with HCRG Care Group to deliver the Wiltshire Children's Community Healthcare Service expires on 31 March 2024 following completion of an exceptional 1 year contract agreed at Cabinet on 29 March 2022. There is a need to decide on the provision of Public Health Nursing Services from 1 April 2024.

53 Disposals Programme Update

Cllr Phil Alford, Cabinet Member Housing, Strategic Assets and Asset Transfer presented a report which provided detail about (i) capital receipts targets for the last year and the target for the next two financial years; and (ii) confirmed the freehold interest in 4 assets to be declared surplus and reviewed to determine the best financial return for the Council.

Cllr Alford was pleased to report that capital receipts had surpassed forecasts by £718,478, which in turn would support the business plan and the Medium Term Financial Strategy.

Cllr Ian Thorn congratulated the Cabinet member for achieving a surplus and asked for further information about the adjoining development to the Housing Revenue Account (HRA) land in Hindon and whether the HRA strip of land at this location was a ransome strip. The Leader asked officers to provide a written response.

Resolved:

- **That Members note the position in respect of disposals for financial year 2021/22 and the projected receipts for 2022/23.**
- **That Members confirm that freehold interest of the 4 assets can be sold to either generate capital receipts in support of the Council's capital programme or reused to generate income or service delivery, community or strategic outcomes for the Council.**
- **Where the decision is to dispose, authorise the Director for Assets and Commercial Development 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 the targets for the financial years 2021/22 and 2022/23 and confirm the freehold interest in the 4 assets can be sold to generate capital receipts, after a review of the options to determine how the best overall interest of the Council can be achieved.

54 **Integrated Care System**

Cllr Richard Clewer, Leader of the Council and Cabinet Member for Climate Change, MCI, Economic Development, Heritage, Arts, Tourism and Health & Wellbeing presented a report outlining the development of place-based collaboration between Wiltshire Council and NHS partners through the Wiltshire Alliance.

The Leader reported that the Health and Care Act 2022 focussed on setting out how the health and social care system should be based on integration rather than competition, its structure and how Integrated Care Systems will be set up with distinct statutory functions for the Integrated care Board and Integrated Care Partnership. The Leader also confirmed that the Clinical Commissioning Groups would cease to exist from the end of June 2022.

Cllr Johnny Kidney, Chairman of the Health Select Committee, reported that the Committee had considered the report at its meeting on 7 June 2022. The committee was reassured that Wiltshire residents should not see any immediate change and they noted that new terms of reference for the proposed 'place based' structures will be submitted after July 2022. These will be key for the Committee, as they anticipate most of their future work to be focused at 'place level'. Cllr Kidney stated that the Committee looked forward to continuing to scrutinise the ICS, particularly any further proposals for pooling of budgets and benefits realised from improved collaboration

Cllr Ian Thorn thanked Cllr Kidney for his reassurances of the Scrutiny process and asked if there was likely to be any increase in budgets due to the development of the new system. In response the Leader confirmed that there

were no increases in available budgets and that NHS deficits had been significantly reduced as part of the development process.

Resolved:

That the further development of place-based working arrangements through the Wiltshire Alliance be noted.

Reason for decision:

In December 2021, Cabinet endorsed the development of place based working arrangements for health and social care through the Wiltshire Alliance. This paper outlines the current situation ahead of the formal commencement of the Integrated Care System for Bath and NE Somerset, Swindon and Wiltshire.

The meeting was adjourned between 11.25am – 11.30am

55 **Update on the Wiltshire Towns Programme**

Cllr Richard Clewer, Leader of the Council and Cabinet Member for Climate Change, MCI, Economic Development, Heritage, Arts, Tourism and Health & Wellbeing presented a report which provided an update on the activity that has taken place under the Wiltshire Towns Programme, and proposals for delegated authority to enable the development of the Programme and related Levelling Up bids.

The Leader reported that due to a number of reasons, including historical challenges, an increase in online shopping and more recently the challenges associated with Covid-19, the Council has allocated £1m a year between 2021-2025 to support activity on the high street, providing meaningful and transformational support to grow businesses, support employment and transform Wiltshire's high streets to meet the needs of the local community.

Cllr Graham Wright, Chairman of the Overview and Scrutiny Management Committee, on behalf of Cllr Jerry Kunkler, Chairman and Cllr Bob Jones, MBE, Vice-Chairman of the Environment Select Committee, confirmed that the Environment Select Committee had received a comprehensive presentation at its meeting on 14 June 2022. The Committee welcomed confirmation that the Town Forum would be re-established, and endorsed the approach being taken by the Council to support town centres. The Select Committee asked for an update in 12 months.

Cllr Ian Thorn thanked officers for their input and support for the town centres in Wiltshire and encouraged all Councillors to support the Programme. Cllr Thorn commented on the level of direct liaison with retailers, in addition to discussions with city and town councils; opportunities for capacity building; the barriers to businesses; the impact of car parking charges and the differing needs of

retailers in relation to events in town centres. In response, the Leader and officers commented on discussions with retailers, the capacity for retailers to engage with city and town councils, the expectation of support from the business community for the Programme, the cost of parking charges did not appear to discourage the public visiting city and town centres and that retailers may benefit from events in city and town centres.

In response to a question from Cllr Jo Trigg about timelines, officers provided an overview of these for the delivery of the Programme.

Cllr Gavin Grant thanked officers for their input and confirmed that Malmesbury had received support in relation to their action plan. In addition, Cllr Grant commented on vacant high street units, in particular vacant sites occupied by banks; the possibility of exploring the Town Teams model for other towns in Wiltshire; requested reassurances about the functionality of the My Wiltshire app; town councils managing outdoor markets; the development of specific food and drink festivals; promotion of tourism and historic events amongst neighbouring towns; and the need to increase electric charging points in public car parks. In response the Leader and officers highlighted that the Levelling Up agenda may provide the Council with the ability to auction empty retail sites, encouraging other retailers into city and town centres; it would be more appropriate for town councils to operate outdoor markets due to their diverse nature; encourage town councils to work with tourist information centres to promote tourism and historic events in neighbouring towns;

Cllr Dominic Muns – commented on a recent exhibition held at a local Wiltshire museum which generated a significant income for the local area from 12,500 visitors.

Resolved:

- **Note the contents of this report and the progress on the Wiltshire Towns Fund to date**
- **Delegate authority to the Corporate Director for Place, and Head of Economy and Regeneration, in consultation with the Cabinet Member for Economic Development, to implement the activities described.**
- **Delegate authority to the Corporate Director for Place, in consultation with the Cabinet Member for Economic Development, to develop and submit potential business cases to the Levelling Up capital programme.**

Reason for decision:

To provide an update on activities undertaken through the Wiltshire Towns Programme and confirm planned future activities necessary to support town centres to recover and respond to ongoing economic challenges.

56 Change in commissioning care at Furlong Close

Cllr Jane Davies, Cabinet Member for Adult Social care, SEND, Transition and Inclusion presented the report which outlined the requirement to change the covenant for Furlong Close site.

Cllr Davies reminded members of the issues surrounding the ownership and delivery of services for the site, and the unsuccessful tendering process to secure an alternative provider. Cabinet were informed that an inspection of the site was undertaken by the Care Quality Commission, with their report being published in September 2021 which found the service to be inadequate, with a further report in March 2022 finding the service as requiring improvement.

The report highlighted that during this time officers have worked closely with the Friends and Families of Furlong Close to support alternative arrangements on the site. The sale of the land and buildings by the current provider to Specialised Support Housing were being concluded and officers have supported discussions for the site to change from Residential to Supported Living, in line with the wishes of residents and the Friends and Families Group. To deliver Supported Living on site a covenant held by the Council (restricting use to residential care only) would need to be varied to enable C3b use, therefore securing the long-term future of Furlong Close.

Cllr Johnny Kidney, Chair of the Health Select Committee confirmed that he received a Chairmans briefing on 17 June 2022. He reported that on behalf of the Select Committee he was pleased with the solutions reached and supported the proposals to vary the covenant to C3b.

Cllr Ian Thorn congratulated the Council on the outcome achieved and thanked officers for their input. He noted that any further variations to the Council covenant would require Cabinet consideration and approval.

Cllr Graham Wright, Chairman of the Overview and Scrutiny Management Committee, explained that, going forward, all Scrutiny Select Committee Chair's would receive information on financial issues included in Cabinet reports, in addition to the Financial Planning Task Group.

Resolved:

- 1. Cabinet agrees to a variation of the covenant from C2 to C3b use only.**
- 2. Cabinet agrees that a first nomination rights agreement is sought in favour of the Council to cover the situation if voids arise at Furlong Close.**
- 3. Cabinet agrees to delegate to the Director of Procurement & Commissioning in consultation with the Corporate Director of People and the Corporate Director of Resources/Deputy Chief**

Executive all necessary steps, including the variation of the covenant and the nomination rights agreement.

Reason for decision:

The Council has worked closely with the Friends and Families group to seek a long-term solution for Furlong Close. A provider to deliver residential care could not be found through a tender process, and there was also the risk that CQC would not approve registration due to the model not meeting their standards of care. Supported Living is concordant with CQC standards of care and will provide more opportunities for residents to develop independent lives and secure tenancies for their homes in line with their wishes.

57 **Urgent Items**

There were no urgent items.

58 **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 Number 59 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.

59 **PHNS Future Delivery Model**

The Cabinet noted the Options Appraisal report attached as an appendix to the main report at minute 52 above.

Resolved:

To note the Options Appraisal report.

(Duration of meeting: 10.00 am - 12.40 pm)

The meeting was adjourned between 11.25am – 11.30am

The Officer who has produced these minutes is Stuart Figini of Democratic Services,
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