

AGENDA SUPPLEMENT (1)

Meeting: Cabinet
Place: Online meeting
Date: Tuesday 18 August 2020
Time: 10.00 am

The Agenda for the above meeting was published on 10 August 2020. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Libby Johnstone, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718214 or email libby.johnstone@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

5 **Public Participation and Questions from Councillors (Pages 3 - 22)**

DATE OF PUBLICATION: 17 August 2020

This page is intentionally left blank

Wiltshire Council

Cabinet

18 August 2020

Questions from Benji Goehl about the Western Gateway Strategic Transport Plan

Agenda Item 5 – Public Participation

To Cllr Bridget Wayman Cabinet Member for Highways, Transport and Waste

Question 1

Were the public in Wiltshire informed of the Western Gateway Strategic Transport Plan (STP) consultation which closed on 31st July 2020, and if so by what means?

Question 2

Will the results of that consultation be made public, and will the responses be used to make any updates to the STP before it goes for approval?

Responses

The questions raised are not for Cabinet to respond to and should be directed to the Western Gateway Sub National Transport Board as they relate to the actions of the Western Gateway Sub National Transport Body.

It is true that Wiltshire is a member of the Partnership, but questions such as these should be directed to their Board (which meets next on September 16th)

The procedure for submitting questions to the board can be found here <https://westerngatewaystb.org.uk/media/2094075/procedure-for-public-participation-at-western-gateway-transport-board-meetings.pdf>

Wiltshire Council

Cabinet

18 August 2020

**Statement and Questions from Dr Gill Anlezark about the Western Gateway
Strategic Transport Plan**

Agenda Item 5 – Public Participation

To Cllr Bridget Wayman Cabinet Member for Highways, Transport and Waste

Statement

A Sustainability Appraisal did not form part of the recent public consultation exercise (which ended on 31/7/2020) for the Western Gateway Sub-National Transport Body's (STB) Strategic Transport Plan (STP).

Question 1:

When will a Sustainability Appraisal for the Western Gateway STP be produced?

Question 2:

The Western Gateway STB constitution requires the approval of constituent authorities: what process will Wiltshire Council follow for approving this final document (or documents), given the STB hope to approve at their meeting on 16/9?

Responses:

The questions raised are not for Cabinet to respond to and should be directed to the Western Gateway Sub National Transport Board as they relate to the actions of the Western Gateway Sub National Transport Body.

It is true that Wiltshire is a member of the Partnership, but questions such as these should be directed to their Board (which meets next on September 16th)

The procedure for submitting questions to the board can be found here
<https://westerngatewaystb.org.uk/media/2094075/procedure-for-public-participation-at-western-gateway-transport-board-meetings.pdf>

Wiltshire Council

Cabinet

18 August 2020

**Statement and Questions from Margaret Willmot about the Western Gateway
Strategic Transport Plan**

Agenda Item 5 – Public Participation

To Cllr Bridget Wayman Cabinet Member for Highways, Transport and Waste

Statement

The Western Gateway Business Case makes it clear (see WP9) that the Strategic Transport Plan will be subject to public consultation and that an integrated Sustainability Appraisal will be required before the strategy can be finalised. The original timeframe for this strategy, as proposed in the published brochure, was to consult in autumn 2020 & complete in spring 2021. However it was subsequently decided to fast-track the production of the Strategic Transport Plan and to adopt this document in Autumn 2020 ahead of the next government funding round.

There was a consultation exercise on the Strategic Transport Plan which ended on 31st July 2020, and the Western Gateway STB website now indicates the plan will be adopted at the Western Gateway STB steering group meeting on 16th September.

The draft plan is heavily skewed towards new road schemes (20 such schemes proposed across the area, far exceeding public transport & walking/cycling schemes). This despite the Government's 'Decarbonisation setting the challenge' paper which sets the scene for a future with much more active travel where "We will use our cars less and be able to rely on a convenient, cost-effective and coherent public transport network". It seems entirely wrong to be proposing a transport strategy now which will increase road capacity and lead inevitably to a net increase in carbon emissions, particularly in the light of changes to travel patterns, some likely to be permanent, resulting from the Covid-19 pandemic.

Question 1:

How does the draft STP support the Western Gateway STB's aim "To support the development of low carbon transport solutions to help reduce transport's impact on the environment."?

Question 2:

Will the net carbon impact of the proposals across the area form part of the Sustainability Appraisal?

Responses:

The questions raised are not for Cabinet to respond to and should be directed to the Western Gateway Sub National Transport Board as they relate to the actions of the Western Gateway Sub National Transport Body.

It is true that Wiltshire is a member of the Partnership, but questions such as these should be directed to their Board (which meets next on September 16th)

The procedure for submitting questions to the board can be found here <https://westerngatewaystb.org.uk/media/2094075/procedure-for-public-participation-at-western-gateway-transport-board-meetings.pdf>

Wiltshire Council

Cabinet

18 August 2020

From Councillor Steve Oldrieve

Agenda Item 5 – Public Participation and Questions from Councillors

**To Councillor Toby Sturgis, Cabinet Member for Spatial Planning,
Development Management and Property**

Question:

When did you become aware of Wiltshire Council's failure to be able to demonstrate a 5-year plan supply?

Response:

The ability for the Council to demonstrate a five-year land supply came into question during the Purton Road appeal, which took place in February and was confirmed in the Inspector's decision, received on 6 April 2020.

Statements and Questions from Chris Caswill

Agenda Item 5 – Public Participation

**To Cllr Philip Whitehead – Leader and Cabinet Member for Economic Development, MCI and Communications: and
Cllr Toby Sturgis – Cabinet Member for Spatial Planning, Development Management and Property**

Statement - Cllr Clewer

The Government has just published Planning for the Future, proposals which will effectively abolish the Town and Country Planning Act and local planning as we know it. Amongst other changes it would remove the democratic rights of residents to comment on planning applications in their neighbourhood if they live in Growth or Renewal areas and allow developers a free hand to build as they wish there. This will remove the role of this Council – and all other accountable local authorities – in determining the vast majority of future developments.

Question 1:

Does the Cabinet intend to bring this issue to full Council for debate and public decision?

Response:

The Government's proposals in the white paper are subject to a 12 week consultation closing on 31 October 2020. We are carefully reviewing these to understand the full implications for Wiltshire and will be responding to Government within the consultation period. It is not the intention to bring the response to Council.

The consultation is an open one and the public will be able to make their views directly.

Question 2:

Alternatively, or in parallel with that, does the Cabinet intend to express concerns and indeed opposition to any of these proposals?

Response:

See response to Question 1.

Question 3:

If no to either of the above, is it because Conservative Cabinet members put loyalty to the Conservative Government above their responsibilities to local residents – and indeed to their own planning officers?

Response:

No. As with any Government consultation, proposals will be scrutinised and suggestions made where changes are needed.

Questions to Cllr Whitehead

Question 4:

How many Council officers are currently engaged in the work of the Future Chippenham project

- (a) Full time ?
- (b) Part time?

Response:

There is currently 1 full time employee dedicated to the programme. Other professional officers from Highways, Legal, Programme Office, Housing and Commercial, Communications are providing advice and support on workstreams within the programme within their normal duties. The exact number varies from time to time depending on the work being undertaken

Question 5:

How many external consultancies are employed to work on the project at this time?

Response:

There are no external consultancies employed to work on this project at this time. The road design and supporting work is being undertaken by our team at Atkins.

Wiltshire Council

Cabinet

18 August 2020

Statements and Questions from Ben Pilley about the Climate Emergency

Agenda Item 6 – Recovery Update

To Cllr Philip Whitehead – Leader of the Council and Cabinet Member for Economic Development, MCI and Communications

Statement

I am happy to read that you have a Global Warming and Climate Emergency Task Group focused on developing a plan for Wiltshire to be net zero by 2030. I feel that due to the scale of the climate emergency and impacts on us all you should consider more ambitious plans to deliver net zero ahead of 2030 to both become a leader amongst UK councils and increase your chance of hitting the 2030 target.

Question 1:

Please confirm if you will consider more ambitious options in your planning?

Response:

A Climate Strategy will be developed over the coming year in response to the council's ambition to seek to make the county of Wiltshire carbon neutral by 2030. The strategy will consider the pace of change and level of investment required in order for this to be possible. Given that central government has set a target for the UK to be net zero by 2050, the council is already being very ambitious and it would be not be realistic to bring this date forward. This is backed up by [research](#) from the Tyndall Centre which indicates that in order to make its fair contribution towards the Paris Climate Change Agreement, Wiltshire needs to be near zero carbon by 2041.

Question 2:

Further, as biodiversity loss and the climate emergency are closely intertwined please could you confirm your planned actions to increase biodiversity, such as reducing the cutting of roadside verges, increased wildflowers in fields and reduction of pesticide use?

Response:

The council recognises the benefits to biodiversity of different management regimes and has been carrying out wildflower trials on both highway verges and amenity land this year which will be extended if successful. In these trials, we are reducing the

number of cuts from 9 to 2, avoiding the main flowering period from mid-May through to the end of August. We anticipate that over time this will help develop a short flower-rich turf with clovers, trefoils, self-heal and other small species. These areas can provide a long continuity of flowers that are valuable for bees and other insects. Collection of clippings will be undertaken after each cut to reduce the build-up of organic material (a thatch of cut grass), keep nutrient levels low, and ensure plenty of bare ground for plants to regenerate from seed. We also have a multitude of conservation and shelterbelt areas, Protected Roadside Verges, Wildflower Protected Roadside Verges and County Wildlife Sites all providing their flora and fauna benefit.

The council does not use any pesticides or herbicides on its rural highway, open space or amenity land, where weeds are controlled using mechanical methods only. On the highway in towns and villages where there is a kerb, the council uses the herbicide glyphosate once a year by controlled droplet application (CDA) to maximise the effectiveness of any treatment and minimise the use of chemicals. Weed control on the highway is important for reducing maintenance costs because weeds can cause damage to the highway network such as breaking up tarmac. The council will undertake a review of alternatives to glyphosate and seek innovation in the new highway and amenity contracts which will be let in 2022 and 2023.

Wiltshire Council

Cabinet

18 August 2020

Statements and Questions from Chris Caswill

Agenda Item 6 – Recovery Update

**To Cllr Philip Whitehead – Leader and Cabinet Member for Economic Development, MCI and Communications;
Cllr Richard Clewer – Deputy Leader and Cabinet Member for Corporate Services, Heritage, Arts & Tourism, Housing and Communities; and
Cllr Simon Jacobs – Cabinet Member for Adult Social Care, Public Health and Public Protection**

Statement - Cllr Clewer

Appendix 1 to the Cabinet paper on the COVID Recovery Update contains a brief paragraph headed Green Recovery, seemingly added as a last minute footnote. It says a new Climate Strategy will be developed 'in the coming year', clearly not as part of the Council's COVID recovery plans.

Question 1:

Why has it taken so long to even propose a Climate Strategy?

Response:

The Council has an existing ECO Strategy which covers the period 2011-2020.

When Full Council acknowledged the climate emergency in February 2018, it also set up a Task Group to develop recommendations and a plan to achieve this pledge. It was also decided by the Executive to develop a Climate Strategy at that point. The Task Group is now close to bringing its recommendations to Environment Select Committee and where appropriate these will be incorporated into the development of the council's new Climate Strategy.

Question 2:

Why is there no target date for delivery, given the pressing urgency of the climate crisis?

Response:

Until the Climate Strategy is developed it will not be possible to determine delivery dates for specific areas of work, many of which may be dependent on external funding as well. We need to ensure that all target dates are realistic and deliverable.

Question 3:

Yet again, its an obvious question why the opportunities have not been taken to develop and implement a new climate-friendly vision within the COVID response? Is it for example, because some of your Cabinet colleagues are climate crisis sceptics?

Response:

Addressing the Climate Emergency continues to be a key priority for Wiltshire Council and that is why climate and the environment are a key thread that run through all the COVID19 emergency recovery themes. Recovery from COVID19 will be a complex and enduring process, which we are committed to achieve by working closely with and continuously listening to our communities and partners.

Environmental sustainability is a cross-cutting theme which will be taken forward as part of the council's place-shaping agenda. This will include integrating carbon reduction into health and wellbeing, economic sustainability and provision of strategic infrastructure. The Council's Economy Recovery group will be ensuring this work is progressed as part of the emerging recovery plan and I can assure you climate and the environment will be embedded as a priority and key objective.

Statement - Cllr Whitehead

The Recovery Update still contains no date for – or commitment to – bringing back the Council's Health Scrutiny Committee. It is clearly perfectly possible for that detailed scrutiny of the health and social care aspects Council's COVID recovery plans and activities to be carried out using online technology. Instead of being left to a small group with many other scrutiny responsibilities and no particular knowledge of health and social care.

Question 4:

Why is this? Is it because the Cabinet prefer the Council's all-important COVID responsibilities not to be open to detailed public scrutiny?

Response:

Overview and Scrutiny (OS) Management Committee leads the OS function and therefore the arrangements for delivering OS during covid-19. In May, it agreed that temporary, streamlined OS arrangements should be put in place to provide coordinated scrutiny input on the situation and the council's response. This was to provide non-executive councillor engagement on decisions, while ensuring that officers could remain focused on responding to the major incident and protecting the welfare of Wiltshire residents. The streamlined OS arrangements were outlined in

response to a related question to Cabinet on 14 July 2020, [here](#) (page 37). They include public meetings of OS Management Committee on [3 June 2020](#), [8 July 2020](#) and [17 August 2020](#) where the work of its Wiltshire Covid-19 Response Task Group was / will be discussed. The Task Group includes the Chairman of the Health Select Committee in its membership.

On 8 July 2020, OS Management Committee reviewed these streamlined OS arrangements and resolved its intention to recommence meetings of the Children's, Environment and Health Select Committees, taking into account developments in the covid-19 situation, with further discussion to take place between the select committee chairmen and the Executive. OS Management Committee will consider this matter further on [17 August 2020](#), including whether the next scheduled meeting of Health Select Committee ([15 September 2020](#)) will take place.

Question 5:

To allay that concern, will you now commit to an early date for the recommencement of the Health Scrutiny Committee?

Response:

Please see the answer to Question 4 above.

Questions to Cllr Jacobs

Question 6:

What exactly is the role of the Council's Public Health officers in monitoring and addressing the COVID crisis?

Response:

Under section 6 of the Health and Social Care Act 2012 Directors of Public Health in upper tier and unitary local authorities have a duty to prepare for and lead the local authority public health response to incidents that present a threat to the public's health.

Public Health England the public health team at Wiltshire Council with comprehensive data on Covid19 cases and contacts in the County which we interrogate daily to inform our response.

The Local Outbreak Management Plan (LOMP) <http://www.wiltshire.gov.uk/public-health-coronavirus> details our responsibilities in responding to any Covid19 outbreaks occurring in Wiltshire, working with our partners and neighbouring authorities.

The LOMP is being regularly exercised against a range of complex scenarios with partner agencies which are helping to inform the continuous development of the LOMP and future practice.

The public health team are also utilising different communication channels to ensure public health messages are clearly delivered.

Question 7:

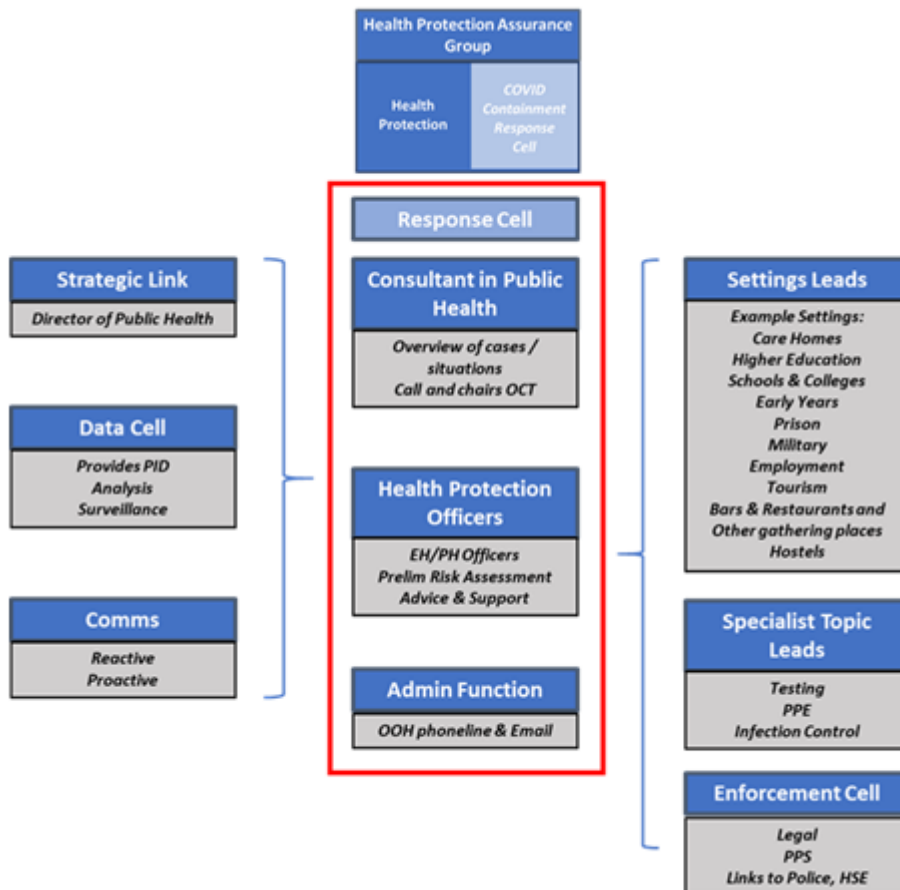
In particular, what part if any do Environmental Health Officers play? Do they have any role in monitoring safety arrangements in Wiltshire restaurants?

Response:

The council's Environmental Health Officers (EHOs) and other officers in the Public Protection service have been undertaking a variety of roles in both the response and recovery phases. During the response phase EHOs were regular feeding in to the cells relating to the Economy, Neighbourhood and Excess Death planning. They have continued to provide advice and support throughout to local businesses and hospitality sector on the raft of legislation and guidance produced in response to the pandemic.

During the move to recovery officers took part in Op Quantum, a joint operation with Wiltshire Police and other blue light services, over the two weekends at the beginning of July when the pubs started to reopen when over 200 licensed premises were visited as part of the operation.

As part of the Local Outbreak Management Plan, the core part of the response cell comprises of admin support, environmental health or public health officers, with the oversight of a public health consultant. Their role is to carry out initial and dynamic risk assessment, link in to topic and settings expertise (agreeing the best person to take the lead role for the named incident), review progress, and set up and chair Outbreak Control Teams (OCTs) as and when required. They will include additional support as and when required, set up monitoring arrangements and close the incident when appropriate to do so.



Over the lockdown period visits to restaurants and food premises largely stopped with a reduced number of virtual inspections taking place of takeaway establishments, but regular contact was kept with food business operators to advise them on COVID secure guidance.

Since the hospitality sector has started to reopen targeted inspections have started and these cover a range of issues including food safety, safe systems of work, licensing and compliance with COVID legislation and guidance, although it remains the operators' prime responsibility to comply with the Government rules and advice.

Question 8:

What proportion of Wiltshire Care Homes now have regular test and trace arrangements in place?

Response:

DHSC has rolled out whole home testing to care homes, with a priority for homes for older people over 65 and those living with dementia. 84% of Wiltshire Care homes report that they are able to regularly test staff and residents. Testing is coordinated

through a national online portal. Care homes have reported delays in receiving tests and in them being collected as well as cases of incorrect tests being delivered.

Nationally there has been a delay in rolling out weekly staff and 28 day resident testing and this system is not expected to be fully operational until early September.

Statement:

The Health and Wellbeing section of the COVID Recovery Update Appendix says that “Review and planning for local testing sites completed across the county – next stage is development of local testing plan”.

Question 9:

What is the target date for that plan to be in place and operational?

Response:

The Local Resilience Forum (LRF) Test and Trace Cell have identified possible sites in all community areas, in the event we are required to deploy a Mobile Testing Unit (MTU) to respond to increasing positive COVID cases in the community or a localised outbreak.

The local testing is already operational, and the test and trace cell will continue to look for potential sites across Wiltshire.

Question 10:

Does this mean that Test and Trace is still not effectively in place in Wiltshire? Please summarise the current Test and Trace state of play here?

Response:

The national NHS Test and Trace continues to be available and continues to be well utilised by Wiltshire residents.

As an alternative to testing, people can apply for home testing kits which we also have a good take up in Wiltshire

Testing across Wiltshire is already in place; Wiltshire resident can access the Regional Testing Site in Salisbury (Beehive) as well as Swindon Wrought Park and Ride. In addition, Wiltshire has mobile testing units which are deployed around the county, as determined through the LRF

Questions received after the deadline are listed below.

Wiltshire Council

Cabinet

18 August 2020

Statements and Questions from Ian James about Chippenham HIF

Agenda Item 5 – Public Participation

To Cllr Philip Whitehead – Leader and Cabinet Member for Economic Development, MCI and Communications

Statement

I believe it is correct for you to acknowledge that the preparations for the HIF bid started by Dame Jane Scott and continued by yourself was conducted in secrecy behind closed doors for about 12 months. Cabinet members and certain Council members who were part of this planning group were told under no such circumstances to breathe a word of this bid, so much so that Chippenham Town Council and Bremhill Parish where all this development is planned to be imposed were not included in any consultation.

Wiltshire Council stated to Homes England that the bid had public support, this was not the case. In order to get Michelle Donelan to support the bid the Council promised improved leisure facilities and improved parking, the Council know full well that the HIF bid can only be used for road infrastructure.

Alan Richelle, a consultant engaged by the Council directed the leader of the Chippenham Town Council to send a letter of support.

The remaining support for this bid came from the Swindon Local Enterprise Partnership.

Question 1:

This bid for £75m was started at the same time as Dominic Cummings started to review the Local Planning Laws. Did Wiltshire Council have any member of the

Council or any consultants representing the Council on any working party associated with this review and formation of the new laws?

Response:

No.

Question 2:

It seems a little more than coincidence that an area of designated development to the east and south of Chippenham has been proposed by Wiltshire Council some months before the release of the new laws. Was the Council aware that Government was planning to change the planning laws?

Response:

The Government has continually been reviewing the planning system over the past few years, which is common knowledge. In March 2020 (see [link](#)), they confirmed their intention to publish a planning white paper on reforms for the planning system.

Question 3:

Will the Council release copies of minutes of the meetings held in 2018/19 in preparation of the HIF bid held in secret.

It is now clear that Wiltshire Council must have been in the loop with the Housing Minister in the development of these plans, as Wiltshire Council is ahead of the game.

Response:

Wiltshire Council has not been in the loop with the Housing Minister as suggested. The Council did not hold secret meetings in 2018/19 in developing the HIF bid. Meetings that did take place were not minuted.

Question 4:

Is Wiltshire Council being used as a trial for the new laws?

Response:

No.

Question 5:

Do you consider the actions of the Cabinet in conducting the HIF negotiations behind closed doors has enhanced the trust the people of Wiltshire have for the Council?

Response:

The Council has been involved in negotiations with a number of parties concerning the HIF including Homes England and land owners. It is normal practice that the Council has to respect the confidentiality requests of third parties as well as ensuring that information is not put into the public domain that can be used to the Council's disadvantage commercially in the future. There were 32 successful HIF bids made by local authorities and, to the best of our knowledge, this approach was adopted by all the bids. When the Council is able, it will share the outcome of negotiations within those parameters.

Question 6:

By all accounts 50% of the housing in the proposed site will be for Council rent. Can the Council assure the people of Wiltshire that this housing will be made available to the people of Chippenham and the surrounding parishes, and not used to house an overspill from Swindon and other towns.

Response:

If residential development takes place on sites which are allocated for such purposes, the development will be required to achieve the Council's affordable housing policy in place at the time of the planning application, subject to viability. Affordable housing is allocated in line with the Council's allocation policy, the first requirement of which is that households should have a local connection to the area in which the affordable housing is located although exemptions are allowed for ex-services personnel and homeless households who have a local connection to Wiltshire but not beyond.

Wiltshire Council

Cabinet

18 August 2020

Statements and Questions from Anne Henshaw on behalf of the CPRE

Agenda Item 5 – Public Participation

To Cllr Toby Sturgis – Cabinet Member for Spatial Planning, Development Management and Property

Statement

In response to our question on 14 July regarding the progress of the Local Development Scheme we were informed that an update to the LDS and new timetable was carried out in March 2020.

This revealed in Table 4 that informal engagement of revised scope and emerging strategy, and the Gypsy and Traveller DPD, would take place in Qtr 3 2020. In Appendix A it states that public consultation will commence in Q3 2020.

Question 1:

Please advise who will participate in the informal engagement shown in Table 4, and how this is different to public consultation, Appendix A, and when either or both will commence since we are already in Qtr 3 2020.

Response:

We have now published the further update to the timetable referred to in my response to your previous question, which can be viewed via this [link](#). This delays the start of the consultations planned for summer 2020 to the end of the year.

The consultations will be public and open to anyone who wishes to respond.

Question 2:

Under “Dates” in Appendix A it is stated that this further plan preparation will take one year to complete and in Table 4 shows the public consultation on the pre-submission draft not taking place until Qtr3 2021. Please confirm this timetabling.

Response:

See response to Question 1. Publication on the pre-submission draft plan is now programmed to commence Quarter 4 2021.