

AGENDA SUPPLEMENT (1)

Meeting: Council
Place: Civic Centre
Date: Tuesday 20 July 2021
Time: 10.30 am

The Agenda for the above meeting was published on 12 July 2021. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Kieran Elliott, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718504 or email kieran.elliott@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

Notice of Motion No.1 - Members' Allowances Scheme (Pages 3 -

Councillors' Questions (Pages 5 - 10)

DATE OF PUBLICATION: 19 July 2021

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Briefing Note

This briefing note is prepared in response to the motion from Cllr Philip Whitehead:

The Members' Allowances Scheme be amended to include provision that in an election year, the SRAs for all SRA holders continue until the new SRA holders are appointed by the Full Council. This to apply from 7 May 2021 onwards, providing the member was re-elected.

Response:

The Members Allowance Scheme is a matter for Council to determine, however it must do so having sought the recommendation of an Independent Remuneration Panel.

The Panel have considered the matter of SRAs in an election year and recommend that SRAs continue only for the Leader, Deputy Leader and Cabinet members in this instance. The matter is addressed in paragraphs 90-91 and Recommendation 18 of the Panel's report on this agenda, however the Council is not obliged to follow the recommendation and it is a matter for the Council to determine whether it wishes to agree the motion proposed.

Update (Financial Implications):

Based on the current allowance scheme and the continuation of the staff pay award as the index by which allowances are increased, it is estimated this motion would incur costs of approximately an additional £8,446 in a full year, and £6,629 actual cost in 21/22 due to some SRA holders not being re-elected.

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Wiltshire Council

Council

20 July 2021

Councillor Questions Update

Summary

1. A total of 2 questions from Councillors have been received since the last meeting of Full Council on 18 May 2021.
2. Details of questions submitted and the order they will be received at the meeting are shown at Appendix 1. Responses are included at Appendix 2.
3. One question was received before the first deadline of 6 July 2021, and were therefore guaranteed written responses as attached to this report. A further question was received before the second deadline of 13 July 2021 and was guaranteed a verbal response.
4. The Chairman will go through the questions and responses, as is customary, take them as read and giving the questioner an opportunity to ask one relevant supplementary question for each question submitted.

Kieran Elliott, Senior Democratic Services Officer

Appendix 1 - Councillor Questions Summary

Appendix 2 - Questions received

Appendix 1 - Councillor Submitted Questions Summary

Questions will be received in the order listed below as specified in the Constitution

Questions for Council (attached at Appendix 2)

Ref	Questioner	Date Received	Written or Verbal	Subject	Cabinet Member
21-01	Cllr Ruth Hopkinson	6/7/21	Written	Asset Transfer	Cllr Richard Clewer/ Phil Alford
21-02	Cllr Edward Kirk	8/7/21	Verbal	Planning Enforcement	Cllr Nick Botterill

Wiltshire Council

Full Council

20 July 2021

Item 17 – Members' Questions

From Cllr Ruth Hopkinson, Corsham Ladbroke Division

To Councillor Richard Clewer, Leader of the Council

Question (21-01)

Can the new Leader for the Council, as previous Cabinet Member responsible, please give an update on progress in implementing the Service Delegation & Asset Transfer Policy, approved in 2017? When can it be expected that the policy is fully implemented?

Response

The response was also provided by the Cabinet Member for Housing, Strategic Assets and Asset Transfer

The Cabinet are considering the approach to Service Devolution & Asset Transfer Policy and will conduct a review of the current policy to ensure it aligns with the Council's strategic objectives. The review will be brought back to Cabinet once concluded.

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Item 17 – Members’ Questions

From Cllr Edward Kirk, Trowbridge Adcroft Division

**To Councillor Nick Botterill, Cabinet Member for Development Management,
Strategic Planning and Climate Change**

Question (21-02)

The ongoing tendency for Wiltshire Council to not enforce planning conditions within applications has created an environment where some developers know they can ignore them and this has made the planning system unfair.

Would it not be better that we simply treat all developers the same and note planning conditions as advisory only, as this is what they have become in practice?

Response

Planning conditions are an essential part of the Council’s ability to mitigate the adverse impacts of development and to enhance the quality of development. Their proper use is recommended by the Government in the National Planning Policy Framework (NPPF) as an important means of ensuring that development is acceptable in planning terms. The majority of developers do abide by them and those that do choose to ignore them do so at their own risk. Only this month, the Council succeeded in securing the dismissal of an appeal against a breach of a planning condition requiring the removal of a mobile home at Royal Wootton Bassett and last month the importance of a planning condition seeking to protect the amenity of people living and working at a proposed new development adjacent to mine workings was recognised by the dismissal of another appeal.

Planning conditions can help ensure the timely delivery of essential infrastructure, such as open spaces, new roads and drainage. Where properly worded, they are legally enforceable. ‘Advisory’ notes or ‘informatives’ are not legally enforceable and if the approach suggested by the question was adopted, the Council’s ability to control development and secure good living conditions for its residents would be severely impacted.

Alleged breaches of conditions attached to planning permissions are investigated by the Council’s Planning Enforcement Team. Many complaints are resolved amicably without any need for formal action. It is necessary for responses to be proportionate and the Government accept that in some cases it may be appropriate for developers to apply to vary the conditions attached to their planning permission. Any such application is always considered on its own merits.

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