

Questions Pack

Meeting: Council
Place: Council Chamber - County Hall, Trowbridge BA14 8JN
Date: Tuesday 18 October 2016
Time: 10.30 am

COUNCILLORS' QUESTIONS *(Pages 3 - 18)*

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Wiltshire Council

Council

18 October 2016

Councillor Terry Chivers, Melksham Without North Division

**To Councillor Stuart Wheeler, Cabinet Member for Hubs, Heritage and Arts,
Governance and Support Services**

Question (16/34)

It is now some considerable time since Wiltshire Council installed the video system in the Council Chamber. At the present time the Council only broadcast Full Council meetings.

Are there any plans to broadcast other meetings, such as Cabinet and Planning, and if so when, and how much did the system cost to buy and install.

Response

The Council is committed to the use of technology as part of encouraging its citizens to engage in the democratic process, and is looking to expand use of recording and webcasting meetings and events where suitable provision exists.

The recording equipment was installed in the Council Chamber as part of the wider refurbishment programme of County Hall. The Kennet Room recording equipment up was installed as a second phase and has been trialled on a number of occasions. Feedback has been that the current camera positions do not provide the same technical coverage as the Chamber within the limited range of available adjustment and needed a solution. This has been on-going with the supplier in trying to utilise the existing equipment in different configurations without incurring additional costs. Further trials are underway and feedback being sought.

The costs incurred so far have been:

- Council Chamber equipment initial purchase: £25,000 and an average annual maintenance of £5,000
- Webhosting (based on usage) and Kennet Room equipment lease and maintenance: £22,000 per annum reduced to £15,000 for this year under contract extension

Wiltshire Council

Council

18 October 2016

Councillor Ernie Clark, Hilperton Division

**To Councillor Toby Sturgis, Cabinet member for Strategic Planning,
Development Management, Strategic Housing, Operational Property and Waste**

Question (16/35)

With regard to the waste collection contract recently awarded to Hills, has there been any challenge from an interested party to the awarding of the contract?

Response

The council has received a legal challenge from FCC that has been registered with the High Court. This means we cannot enter into contracts for Lot 2 (management of nine household recycling centres), or Lot 5 (waste and recycling collection services) until that challenge has been resolved.

The council intends to resolve this challenge. Whilst we are unable to award the contracts, we will continue to plan the mobilisation of these critical public services to reduce risks that may affect the planned start date of 1 August 2017.

For legal reasons the council is unable to comment further at this time. When it is appropriate further communications will be issued.

Councillor Chris Caswill, Chippenham Monkton Division

To Councillor Laura Mayes, Cabinet member for Children's Services

Question (16/36)

Now that the Prime Minister and the Leader of your Party has announced the Government's intention to return to a Grammar School system, could you indicate which of the four secondary schools in Calne and Chippenham you envisage becoming a Secondary Modern, to accommodate the children who fail the Grammar School entrance test?

Response

The Green Paper currently out to consultation includes proposals to increase the supply of good school places by lifting the restrictions on selection, but at the same time requiring selective schools to play a greater role in raising standards at other schools. It does not propose a re-introduction of the binary or tripartite system of the past or a simple expansion of existing selective institutions. The paper proposes that selective schools should be asked to contribute to non-selective schooling in certain ways, ensuring the expansion of good selective education alongside the creation of new good school places in non-selective schools.

The government is proposing to allow existing non-selective schools to become selective by removing existing restrictions on selection, subject to meeting certain conditions as set out below. These schools would become selective in response to local demand. As this is currently a Green Paper the Government will consider measures to preserve school diversity in areas where schools choose to convert in this way, but there is no detail at the current time.

Conditions for agreeing a conversion to selective status being considered at this time include:

- Taking a proportion of pupils from lower income households. This would ensure that selective education is not reserved for those with the means to move into the catchment area or pay for tuition to pass the test;
- Establish a new non-selective secondary school, with the capital and revenue costs paid by government;
- Establish a primary feeder in an area with higher density of lower income households to widen access, with the capital and revenue costs paid by government;

- Partner with an existing non-selective school within a multi-academy trust or sponsor a currently underperforming and non-selective academy. Under these arrangements, selective schools would be expected to share resources, assist with teaching, provide curriculum support, assist with university applications and contribute to governance expertise.
- Ensure that there are opportunities to join the selective school at different ages, such as 14 and 16, as well as 11. This might be facilitated through partnership or sponsor arrangements with other schools.

The consultation on the Green Paper will close in December 2016 and the local authority will assess the potential impact of proposals on secondary education within Wiltshire when statutory guidance is provided by central government.

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Councillor Chris Caswill, Chippenham Monkton Division

**To Councillor Toby Sturgis, Cabinet Member for Strategic Planning,
Development Management, Strategic Housing, Operational Property and Waste**

Question (16/38)

Did you in any way encourage the bringing forward of the Rawlings Green planning application less than a working week before the Government's Inspector was due to re-open his Enquiry into Chippenham housing, including of course the Rawlings Green site? If not, were you aware of it and did you take any steps to address the fact that it was pre-empting the Examination in Public?

Response

I did not encourage the bringing forward of this application. The Rawlings Green application was put on the committee agenda when it had been fully assessed. The Council took legal advice on the question of prematurity and were assured that it was appropriate to bring the application before the committee in September. The Inspector holding the hearings was advised and in a letter to the Council stated that *"The Council is entitled to determine applications which are before it and it is not part of my role to interfere with this procedure"*.

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18 October 2016

Councillor Chris Caswill, Chippenham Monkton Division

To Councillor Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste

Question (16/39)

Why was that application processed just a few days before the EIP restarted? Were you afraid the Inspector would otherwise rule against Rawlings Green, and yet again against the Council' plans and preparations?

Response

See answer to 16/38.

Wiltshire Council

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18 October 2016

Councillor Chris Caswill, Chippenham Monkton Division

**To Councillor Toby Sturgis, Cabinet Member for Strategic Planning,
Development Management, Strategic Housing, Operational Property and Waste**

Question (16/40)

Were you aware that any decision on the Rawlings Green application was premature under the terms of the National Planning Policy Framework (NPPF) PPG 21b/14? If so what notice did you take of that shortcoming?

Response

Having read the committee report I was not aware that there was any unresolved issues relating to prematurity. The matter of prematurity was fully addressed in the Officer report on the planning application and in the presentation to members before the debate commenced.

Wiltshire Council

Council

18 October 2016

Councillor Chris Caswill, Chippenham Monkton Division

To Councillor Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste

Question (16/41)

Are you aware that one objector to the Council's Chippenham plans cited your answers on Forest Farm at a Council meeting in support of his objection? For example your statement that land quality was a reason for Forest Farm's exclusion when actually it has some of the least best and most valuable agricultural land of any site around Chippenham? Would you care to make a statement about that embarrassing situation?

Response

I am fully conversant with the Agricultural Land Classification used in the CSAP Site selection papers. My answer at Full Council was not in the context of the planning application but related to the evidence for the plan.

I understand that there was some reference at the meeting to what I said at Full Council. However I can't possibly know if it accurately reflects what I did say at the time. However, I attach the pertinent extract from Full Council.

Councillor Sturgis explained that he could not support amendment iv) as the Forest Green site had, following a balanced assessment, not scored as highly as other preferred sites. Additionally, he considered that having undertaken detailed evidenced based work on the site selection process and to then at this stage substitute one site for another, would undermine the site selection process and therefore put at risk the soundness of the Plan. He also responded to points raised by Councillor Caswill

The Council's reasons for opposing the Forest Farm application are set out in the resolution approved by the Strategic Planning Committee on 14 September 2016.

Councillor Chris Caswill, Chippenham Monkton Division

To Councillor Baroness Scott of Bybrook OBE, Leader of the Council

Question (16/42)

At a recent Cabinet meeting you made a statement, in front of several public witnesses, to the effect that public toilets in Wiltshire would not close on your watch. You rightly pointed to the discriminatory effects of any such closures. In that context, it is unfortunate that the Liberal Democrat - led town council with the largest financial expenditure in Wiltshire, Chippenham, has not found it possible to take on the maintenance of the public toilets in its town centre. So that two Chippenham town centre public toilets are now closed. Some, including myself, are campaigning to get the town council to change its mind. This remains a possibility, as does the possibility that a more enlightened town council will be elected in May 2017.

Given your stance on public toilets, is it not extraordinary that your administration is now proposing not only to allow the toilets to close but to *demolish* one of them, beside the busy Bath road car park and a busy national and local bus stop?

Is this what you meant when you said that no public toilets would *close* on your watch – *rather that they would be demolished*?

Or will you now take this opportunity to deliver on your promise, to the extent that you at least call a halt to the demolition proposals until after the May 2017 elections?

Response

Thank you for your question. I feel very strongly that local facilities should be maintained wherever possible and it is absolutely right that a town should have public convenience facilities.

After a long consultation with Chippenham Town Council, it was agreed together to maintain 4 facilities. These 4 facilities are: a facility at the bus station, Monkton Park, Emery Gate and the Town Council offer the use of their office toilets to the public during opening hours. 4 public toilet facilities are felt adequate for a town the size of Chippenham.

Councillor Peter Edge, Wilton Division

To Councillor Jonathon Seed, Councillor Jonathon Seed, Cabinet Member for Housing, Leisure, Libraries and Flooding

Question (16/43)

Earlier in May this year it was scheduled to hold a Cycle Sportive in Salisbury on the day before the professional race on the Sunday. Both events have been very well supported over the past years and it is with some concern amongst local cyclists that the event was cancelled. When I asked the question why, I was told that it was not economically viable and that a new date had been set for October the 2nd 2016. This date was set so that it would coincide with the official opening of the Five Rivers Health and Well Being Centre. I pointed out to officers my disappointment of the new date, as most sportives end around September. The big local event on the 17th September for the charity CALM (Campaign Against Living Miserably) is well established and attracts well over 800 riders.

So it was with some disappointment that I learnt that the Salisbury event had been cancelled due to lack of applications.

- a) Can the member tell me how much this has cost the council to cancel the event?
- b) Can the member let the cycling public look forward to the event being held again in May next Year?

Response

- a) It has cost £5,787.99 to cancel the Sportive event for the general public planned for Sunday 2nd October.

The sum is made up of the administration fee to refund each participants' entry fees, the external event management company (Fortitude) fee, irrecoverable costs for bookings of services including Medibikes, Timing systems and costs of items already paid for including the purchase of ribbons for event medals and advertising (banners, leaflets and facebook boosts).

The cost differential between running the event and cancelling would have been an additional £1,873.50. In order to make the event cost neutral (based on the number of riders that had booked at the time of cancellation), an

additional 63 entries were needed at the top level price of £30. Therefore the difficult decision to cancel was made in order to minimise our losses.

- b) The Council is operating within a financially challenging climate and is therefore currently considering the options for the event next year.

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18 October 2016

Councillor Jon Hubbard, Melksham South Division

To Councillor Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste

Could the Cabinet Member tell me what steps have been taken to mitigate the impact on local residents who have family vehicles that, as a result of the arbitrary decision on the cabinet member, are no longer able to freely access the council's Household Recycling Centres.

Specifically, I bring to the Cabinet Members attention the case of a family in my ward who has only one vehicle for the household, a Nissan Navara vehicle (pictured below) that they have now been told they will only be able to take to the Recycling Centre 12 times a year.





Question (16/44)

Can the Cabinet Member tell me how reducing the opportunity for residents to use recycling facilities helps encourage people to help meet the council's stated targets and objectives to increase the rate of recycling in the county?

Response

The aim of the new residents' HRC permitting scheme for vans and large trailers is designed to help prevent visits by commercial operators whilst still allowing Wiltshire householders using vans access to the sites. The permits are available from the council free of charge. Whilst residents wishing to access the sites with a van or large trailer will now be limited to 12 visits in one year, this also recognises the fact that vans are able to bring in significantly more waste per visit than householders using a regular car. We also wish to reduce the number of "ad hoc" visits made by vans with little waste on board, given the additional disruption and congestion these larger vehicles can often cause at the HRCs. With better planning of visits, we are confident that the majority of householders who only have access to a van should not be negatively affected by the changes. Therefore, the aim of the scheme is to improve access to the sites for the majority of householders that use the facilities for their waste and recycling requirements, and reduce the amount of congestion and traffic disruption that has affected some of the sites over the busier summer period. Residents will therefore continue to be able to access the sites in order to dispose of household waste and make best use of the recycling facilities on offer. We do not anticipate that this change will have a negative impact on the % of

waste recycled through the sites, although do expect the tonnages received to decrease as less commercial waste will be handled.

Wiltshire Council

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18 October 2016

Councillor Jon Hubbard, Melksham South Division

To Councillor Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste

Question (16/45)

When the Garden Waste Tax was introduced last year with the charging for kerbside collection of garden waste Council was told that there was no reason residents could not take their garden waste to the Recycling Centres themselves if they wanted. Now that such visits are to be rationed for some residents will the Cabinet member review that charge for those residents being penalised for having the 'wrong' car?

Response

Residents with large gardens and who generate significant quantities of garden waste will still be able to gain access to the HRCs, albeit on a limited basis. Such residents may choose to use their permits more regularly over the growing season, and on a reduced basis over the winter when less gardening might typically take place. Permitted visits are not limited to once per month, so the user has flexibility over its use within the limit of 12 visits. We would advise residents that generate large volumes of garden waste to investigate home composting options wherever possible, as this may well reduce the number of HRC visits needed. In addition, it should be noted that where a gardener or landscaping service is employed to maintain larger gardens, we would take the view that the waste generated by this activity becomes commercial waste, and therefore it should not be taken by householders (or by the gardener or landscaping service) to a HRC.

The council has no plans to review the prices levied in respect of its Chargeable Garden Waste Service as a consequence of the new HRC permitting scheme. Residents remain able to order additional garden waste bins at a cost of £42 per year (pro rata charges apply if bins are ordered at various points throughout the year).

Councillor Jon Hubbard, Melksham South Division

To Councillor Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste

Question (16/46)

When considering applications for new housing developments in the county, to address the current shortfall of housing land supply in Wiltshire to meet national DPD targets and conform with the relevant planning policies of the Council, why are Council planning officers not also:

- a) ensuring that robust s106 Terms and Conditions are negotiated to meet the key outcomes of all the Strategic Objectives in the Wiltshire Core Strategy 2006-2026 as amended in May 2015; and
- b) Specifically alerting all Councillors with relevant local, town, parish and Planning Committee interest in any application where the cumulative population growth impact of approval of an application for new housing in any locality where multiple application approvals have already been granted might render a community less resilient unless all the key outcomes of both Strategic Objectives 4 and 6 are also achieved to ensure that community, health and infrastructure provision is in place to support those communities.

Response

- a) Council officers seek to negotiate robust section 106 agreements and planning conditions that provide for affordable housing and the infrastructure necessary to mitigate the impact of developments. These negotiations are governed by statutory requirements that agreements are only justifiable where they are (1) necessary to make the development acceptable in planning terms; (2) directly related to the development and (3) fairly and reasonably related in scale and kind to the development.
- b) See above. The reports concerning large applications for housing, that are recommended for approval because of housing land supply issues, are published before the meetings of the Strategic or Area Planning Committee and are available for all to read. Parish Councils are statutory consultees on all applications in their area and all Wiltshire Councillors are notified of all planning applications in their ward, via the weekly list. We also notify the local member on receipt of an application in their ward.