

# AGENDA SUPPLEMENT (1)

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**Meeting:** Council  
**Place:** Council Chamber, County Hall, Trowbridge, BA14 8JN  
**Date:** Tuesday 17 October 2017  
**Time:** 11.00 am

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The Agenda for the above meeting was published on 9 October 2017. 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](mailto: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](http://www.wiltshire.gov.uk)

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12 **Minutes of Cabinet and Committees** *(Pages 3 - 8)*

The minutes of the meeting held on 10 October 2017 are attached.

14 **Councillors' Questions** *(Pages 9 - 20)*

Questions from Councillors Jon Hubbard, Ian Thorn, Nick Fogg MBE and Alan Hill are attached, together with responses.

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## CABINET

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### MINUTES OF THE CABINET MEETING HELD ON 10 OCTOBER 2017 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### Present:

Cllr Baroness Scott of Bybrook OBE (Chairman), Cllr John Thomson (Vice Chairman), Cllr Chuck Berry, Cllr Richard Clewer, Cllr Laura Mayes, Cllr Toby Sturgis, Cllr Bridget Wayman, Cllr Philip Whitehead and Cllr Jerry Wickham

#### Also Present:

Cllr Ian Blair-Pilling, Cllr Ernie Clark, Cllr Tony Deane, Cllr Darren Henry, Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Chris Hurst, Cllr Jerry Kunkler, Cllr Brian Mathew, Cllr Steve Oldrieve, Cllr Fleur de Rhé-Philipe, Cllr Tom Rounds, Cllr Jonathon Seed, Cllr John Smale, Cllr Ian Thorn, Cllr Graham Wright and Cllr Richard Gamble

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#### 124 Apologies

All members of the Cabinet were present.

#### 125 Minutes of the previous meeting

The minutes of the meeting held on 12 September 2017 were presented.

Follow a question from Councillor Ian Thorn, it was agreed that officers be asked to clarify the position of consultation in relation to assets of community interest and, if necessary, an explanatory note be added to the minutes.

#### **Resolved**

**To approve as a correct record and sign the minutes of the meeting held on 12 September 2017**

#### 126 Declarations of Interest

There were no declarations of interest.

#### 127 Leader's announcements

The Leader expressed the thanked Carolyn Godfrey for her hard work and assistance at the Council.

128 **Public participation and Questions from Councillors**

The Leader drew the meeting's attention to the question from Mrs Spickernell, and the response given, circulated in the supplement to the agenda.

In response to a question from Councillor Ian Thorn, it was noted that the paper on Community Asset Transfers was scheduled on the workplan for November, but that it may be required to be discussed at a later date following further consideration of the proposed preferred model.

129 **Proposed changes to the Councils Allocation Policy**

Councillor Chuck Berry presented the report which asked Cabinet to consider recommended changes for adoption by Council and to note the progress in regard to the IT upgrade.

In the course of the presentation and debate, the matters raised included: that the recommendation would be considered by the meeting of Council in February; the supply of housing and the efforts address the shortage; the impact of marketing and changes of policy on the housing waiting list; how the Council is encouraging people with local connections to register for affordable housing in rural locations; and that library staff had been trained to provide assistance to residents to fill in housing and benefit application forms.

In response to a question from Councillor Ian Thorn, the Leader stated that Cabinet members had asked officers to investigate how best the Council could assist vulnerable residents during the transition period moving onto the Universal Credit scheme.

Councillor Laura Mayes, as the Cabinet Member responsible for Looked After Children, welcomed the change in the policy that allowed care leavers to be included as a priority and stated, in response to a query by Councillor Jon Hubbard, that she welcomed a flexible approach to how the policy was applied to this group in recognition of their specific vulnerabilities.

The meeting's attention was drawn to the recent recommendations of the Environment Select Committee who had considered the matter at their previous meeting.

At the conclusion of the debate, the meeting;

**Resolved**

**To amend the council allocation policy and recommend to Council to update the policy.**

*Reason for Decision:*

*To make improvements to the allocation policy in line with recent recommendations following recent consultation as well as welfare reform and legislative changes to help make the system more effective and efficient.*

130 **Wiltshire Core Strategy Review - Regulation 18 Consultation**

Councillor Toby Sturgis presented the report which sought approval for the initial consultation on the Wiltshire Local Plan Review and the development of the non-statutory Joint Spatial Framework being prepared jointly with Swindon Borough Council in accordance with the Wiltshire Local Development Scheme 2017 and legislation.

In the course of the presentation and debate, the matters raised included: that a briefing had been arranged for members on the 1 November 2017; that the consultation would be undertaken jointly with Swindon Borough Council; how best to engage with the public on this issue; that the scope of the review was at a relatively high level without explicit details of the impact on housing totals for specific communities; and how a plan-led approach can encourage adequate infrastructure investment.

In response to an issue raised, the Leader requested that given the importance of the matters at hand, officers consider how best to engage with the public through the consultation period, and that Councillors be encouraged to bring their ideas of how best to engage to the briefing in November. The Leader also exhorted Councillors to engage with the parish and town councils to encourage their engagement with the process.

In response to a matter raised by Councillor Ruth Hopkinson, the Leader restated the Council's support for a station at Corsham and highlighted the efforts made, through the auspices of the Local Enterprise Partnership, to progress the issue but cautioned that the matter could only proceed if a franchise operator agreed to stop at Corsham. The Leader asked officers and the relevant Cabinet Member to arrange to meet the division member and representatives from Corsham Town to discuss the matter further.

At the conclusion of the debate, the meeting;

**Resolved**

- i) To approve the documents set out at Appendices 1 and 2 for the purposes of consultation on the scope and content of the Wiltshire Local Plan Review, subject to amendment in (ii);**
- ii) To authorise the Associate 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 before they are finalised for publication and agree any changes to Appendix 1 with Swindon Borough Council; and make arrangements for, and undertake statutory consultation for a 6 week period starting during**

the week commencing 6 November 2017 concurrently with Swindon Borough Council.

- iii) **To note the resolution of Cabinet on 12 September 2017 regarding joint working with Swindon Borough Council, and that Cabinet will need to be satisfied that plans are in place to maintain a deliverable 5 year housing land supply in both authority areas before approving the plans.**

*Reason for Decision:*

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

### 131 **Military Civilian Integration (MCI) Partnership Update**

The Leader presented the report which provided an update on the important milestones that have been reached through partnership working and the support of the MCI Partnership since the last update report to Cabinet made in 2016.

In presenting the report, the Leader highlighted: the relaunch of the Wiltshire Covenant; the Army Basing programme and the continuing efforts to promote issues amongst the wider community.

The Leader made special mention of the recent national award given to the Council in recognition of the efforts to support the Forces community.

The Leader specifically commended the work of Kevin Ladner, Emily Higson and Nicky Dyer in supporting the programme of work.

Following the end of the item, the meeting;

#### **Resolved**

- i) **To confirm its support for the Military Civilian Integration (MCI) Programme, and endorses the approach being taken to delivery of the MCI Workstreams set out by the MCI Board; and**
- ii) **To note:**
  - a. **The progress and way forward on the Army Basing Programme;**
  - b. **The Wiltshire's Armed Forces Community Covenant (which was relaunched in March 2017) and success in drawing down significant covenant grant funding to support local integration projects;**

- c. **The Cooperation with the MOD - DIO in submitting the Round 6 of the One Public Estate bid, to be apprised of the various MCI award applications / bids submitted by Wiltshire Council in the past 12 months; and**
- d. **The continued cooperation with the MOD in identifying and progressing the opportunities that military presence can bring to boost the economy of Wiltshire.**

*Reason for Decision:*

*The military has a significant presence in Wiltshire, and the nature of this presence will change dramatically over the coming years. It is important that the Council recognises the impacts that military presence will have on Wiltshire, both in terms of the opportunities that this will offer for economic growth, and the preparations that the Council is required to make to ensure that the needs of everyone in Wiltshire are met.*

*Cabinet is invited to recognise the achievements that have already been made with the support of the MCI Partnership, such as the relaunch of the Wiltshire AF Covenant, the Army Basing programme and ongoing success of The Enterprise Network in supporting military leavers and spouses, while acknowledging that there will be further challenges ahead, whose successful resolution will require the support of the Council working closely with the Ministry of Defence (MOD) and other partners.*

## 132 **Urgent Items**

There were no urgent items.

(Duration of meeting: 9.30 - 11.25 am)

These decisions were published, earlier, on the 13 October 2017 and will come into force on 23 October 2017

The Officer who has produced these minutes is Will Oulton of Democratic Services, direct line 01225 713935, e-mail [william.oulton@wiltshire.gov.uk](mailto:william.oulton@wiltshire.gov.uk)

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**Wiltshire Council**

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## **Councillor Questions Update**

### **Questions Received**

1. A total of 8 questions from Councillors have been received since the last meeting of Full Council on 11 July 2017.
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. A total of 6 questions were received by the first deadline of 3 October 2017, and were therefore guaranteed written responses as attached to this report.
4. 2 questions were then received by the second deadline of 10 October 2017. These are therefore not guaranteed a written response at the meeting. Where a verbal response is provided a written response will follow within five working days of the meeting.
5. In accordance with Paragraph 63 of Part 4 of the Constitution, questions will be taken in the order of receipt per member, but a member may not ask a second question until all other first questions from other members have been dealt considered. That is, all members who have submitted a question will receive an opportunity to ask a supplementary, prior to any other member receiving a second opportunity to ask a supplementary.
6. The Chairman will go through the questions and responses and, as is customary, take them as read and giving the questioner an opportunity to ask one relevant supplementary question for each question submitted. In accordance with Paragraph 58 of Part 4 of the Constitution members were requested to submit their questions in priority order.

### **Proposal**

7. To receive the questions as detailed.

**Kieran Elliott, Senior Democratic Services Officer**

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Appendix 1 - Councillor Questions Summary

Appendix 2 - Questions and Responses

## Appendix 1 - Councillor Submitted Questions Summary

Questions will be received in the order listed below as specified in Paragraph 63 of Part 4 of the Constitution - so that every member who submitted a question has the opportunity to ask a supplementary prior to another member having the opportunity to ask a second supplementary.

### Questions for Council (attached at Appendix 2)

Ref	Questioner	Date Received	Written or Verbal	Subject	Cabinet Member
17-53	Cllr Jon Hubbard	20/09/17	Written	Investment in Housing	Cllr Baroness Scott
17-54	Cllr Ian Thorn	27/9/17	Written	Transfer of Assets to Parish & Town Councils	Cllr Toby Sturgis
17-57	Cllr Nick Fogg	02/10/17	Written	Waste collection	Cllr Bridget Wayman
17-59	Cllr Alan Hill	9/10/17	Verbal	Universal Credit	Cllr Philip Whitehead
17-55	Cllr Ian Thorn	27/9/17	Written	Grove Youth Club	Cllr Toby Sturgis
17-58	Cllr Jon Hubbard	04/10/17	Verbal	Reuse charities	Cllr Bridget Wayman
17-56	Cllr Ian Thorn	27/9/17	Written	Core Policy 49	Cllr Toby Sturgis
17-60	Cllr Jon Hubbard	01/09/17 <sup>1</sup>	Written	Melksham CCTV	Cllr Bridget Wayman

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<sup>1</sup> This question was not initially recorded.

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**From Councillor Jon Hubbard, Melksham South Division**

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

**Question (17-53)**

Does the Leader agree with Vince Cable that it is absurd that Wiltshire Council is able to undertake borrowing for speculative investment in commercial property but is currently barred from undertaking similar borrowing to invest in building new homes for Wiltshire residents?

Will the Leader undertake work with myself and my colleagues to support the campaign being spearheaded by the Liberal Democrats to change the rules imposed by the Conservative Government in Westminster?

**Response**

Firstly, to clarify Councillor Hubbard's inaccuracy, the caps on borrowing were imposed by the Coalition Government on each of 169 councils, including Wiltshire, that had housing stock in April 2012. In fact, the reduction of the debt was a key target proposed by David Laws MP, a Liberal Democrat.

The cap was based on calculations under the old Housing Revenue Account (HRA) subsidy system and included the other debt councils had at that point. That meant that councils such as Wiltshire that had invested in New Homes Standards found that they had no headroom to borrow more. Whilst there was some raising of the cap under LEP growth bids it was too small and it came with a host of strings attached with the coalition government creating a complex competition before authorities hoped to see the benefits, as such this has not proved an effective measure.

The caps were put in place because all council borrowing affects government debt, but this cap means that few if any councils can borrow as much as they could afford to do sustainably within the prudential rules.

Wiltshire supports removing the cap and has written to the Secretary of State in the past to raise concerns regarding this, but we believe that the principles of prudence must always be retained. That is the same whether it is for commercial, housing or any other investment. For housing, that means that borrowing for new stock must be based on a solid business case that still enables investment in current stock, can ensure cash flow whilst new properties are built and the Council has more certainty over rents than it currently has. As such the way to change the debt needs to be balanced but we believe there are various options to achieve this, and these must be pushed for rather than a simple lifting of the cap.

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**Councillor Ian Thorn, Calne Central Division**

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

**Question (17-54)**

What measures will the Cabinet member take to ensure that parish and town councils are treated fairly during the negotiations concerning the transfer of assets and services from Wiltshire Council. In particular how will he ensure that there is a fair balance of positive as well as negative assets in any agreements that are reached?

**Response**

The original premise for packages of services and assets to be transferred to Town and Parish councils was set out in the paper presented to cabinet in July 2015, a clear principle being the negotiation of a package that suited both parties.

This policy is currently being reviewed in light of the lessons learnt following the completion of a package transfer of services and assets to Salisbury City Council. We anticipate that the revised policy will be put to the November cabinet meeting for consideration. It is envisaged that this policy will provide some guiding principles as well as detailing the process and parameters by which future packaged transfers will be managed.

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**Councillor Nicholas Fogg MBE, Marlborough West Division**

**To Councillor Bridget Wayman, Cabinet Member for Highways, Transport and Waste**

**Question (17-57)**

On a recent visit to Venice, I was heartened to find that the inhabitants enjoy a daily rubbish collection on a premise to premise basis. I enquired about the local taxes and found they were not excessively high.

Could the Wiltshire Cabinet member with this brief enquire into how such facilities are available in many places in continental Europe, but not in Wiltshire?

Is there any truth in the rumour that Wiltshire is considering the curtailment of such collections to three-weekly periods?

**Response**

I am delighted Cllr Fogg found time on his recent visit to Venice to tear himself away from the cultural delights of the City and enquire about the rubbish collection. From my quick search on the internet, I see that the Single Municipal Tax is, in fact, made up of 3 separate taxes, including a Garbage Tax. I went on to read of complaints about it being rather high.

However, back in rural Wiltshire, it is my opinion that a daily collection service would be prohibitively expensive and I am not prepared to suggest that my officers waste their time investigating European tax regimes and how they deal with waste collection and disposal.

I am aware that the legislation on waste collection services and the means of payment for these services are the subject of national legislation and sub-national policy and implementation. In the UK the duty to collect and dispose of waste falls to local government and delivery of these services is funded by residents' payment of council tax.

The frequency of collection of non-recycled household waste in Wiltshire was changed to fortnightly to reduce costs in order to offset some of the cost of collecting recyclable materials, and this also led to a demonstrable increase in our recycling rates. If residents are making full use of the recycling services the council delivers they should be able to manage with fortnightly collections of non-recycled waste. The cost of collecting non-recycled waste on a more frequent basis would be prohibitively expensive both in additional collection costs but also in higher waste disposal costs as our rates of recycling would be expected to decrease.

The council will be collecting additional recyclable materials from the kerbside from 30 July 2018 so residents should have more capacity in their grey lidded bin from that date. This may mean they could cope with a less frequent collection, possibly every three weeks, or a smaller bin for their non-recycled waste. The current consultation, responses to which will inform the development of a new waste management strategy, includes questions to gauge residents' views on these proposals.

For information, over three quarters of waste collection authorities have implemented fortnightly collections of non-recycled waste. Wigan Council and some of the Greater Manchester waste collection authorities have introduced three weekly collections of non-recycled waste. East Devon District Council now collects non-recycled waste every three weeks and North Devon District Council is carrying out three weekly collections of non-recycled waste on a trial basis. The council will monitor the impact of these service changes and ensure that this is reported to members when considering any future changes to the waste and recycling collection service for Wiltshire residents.

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**Councillor Alan Hill, Calne South and Cherhill Division**

**To Councillor Philip Whitehead, Cabinet Member for Finance, Procurement,  
ICT and Operational Assets**

**Question (17-59)**

Please would the Cabinet Member for Finance, Procurement, ICT and Operational Assets update me on the current Wiltshire Council position with regard to the roll-out of Universal Credit in Wiltshire?

**Response**

In accordance with the constitution a verbal response will be provided at the meeting.

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**Councillor Ian Thorn, Calne Central Division**

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

**Question (17-55)**

What measures will the Cabinet member take to ensure that any proposals that come forward from the community for use of the former Grove Youth Club in Calne are given every opportunity to be selected by Cabinet as their option for the future use of the site?

**Response**

The Council's appointed agent is advertising the centre as a community facility to determine the level of community interest. This approach will continue for a period of 6 months and any viable community interest (demonstrated by a robust costed business plan) will be given consideration prior to any marketing for alternate uses.



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**Councillor Jon Hubbard, Melksham South Division**

**To Councillor Bridget Wayman, Cabinet Member for Highways, Transport and Waste**

**Question (17-58)**

I refer Cllr Wayman to the letter sent to her on 14 July 2017 by the four reuse charities in Wiltshire, a letter sent as a follow up to the one sent to Cllr Sturgis on 21 March 2017.

May I ask:

- 1) Why, as at the time of writing this question, has no substantive reply been received by the authors of this letter;
- 2) Does the cabinet member recognise the considerable challenges and threat to the service provided by these charities as a result of the council's introduction of punitive charges for these charities carrying out their business;
- 3) Does the cabinet member recognise the considerable savings gained by Wiltshire Council as a direct result of the provision of the services by these charities and does she agree with me that exposing the council to potentially having to meet these additional costs is both inappropriate and unwise?

**Response**

In accordance with the constitution a verbal response will be provided at the meeting.

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**Councillor Ian Thorn, Calne Central Division**

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

**Question (17-56)**

What impact does Core Policy 49 have on the sale of Wiltshire Council's former community facilities?

**Response**

Core Policy 49 is a policy of the development plan that enables the level of community interest to be determined, prior to any alternate uses being considered. It therefore provides all community and other third party groups with the opportunity to make representations and submit proposals for ongoing community use of such assets.

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**From Councillor Jon Hubbard, Melksham South Division**

**To Councillor Bridget Wayman, Cabinet Member for Highways, Transport and Waste**

**Question (17-60)**

I refer the cabinet member to the email sent to her by myself on 18th July, to which I have received no reply, and the subsequent email sent on 30th July where I received a response promising a full reply which I have never received.

For the cabinet members' convenience I repeat the messages below:

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*Email sent 18th July 2017*

*Hi Bridget*

*I'm writing to you in my capacity as Chair of the Melksham Area Board asking if you could use your influence to try and move us on from an impasse that we seem to have with regard to the siting of the CCTV camera and associated equipment in the Market Place.*

*I have been contacted by xxxxxxxx who leads our Community Safety Partnership team in the town, and who volunteers countless hours of his own time to run the CCTV scheme in the town.*

*It seems that there has been a communication breakdown between his group and xxxxxxxx regarding the siting of the camera and the associated equipment. I am not going to pretend to understand the detail of the problem and have come into the situation quite late on so cannot comment on who is responsible for the issue, although I do have to say that having read them I do not consider xxxxxxx's emails to xxxxxxxxxxxx to have been overly helpful or mindful of the fact that xxxxxxxxxxxx is a volunteer who is spending his own money and time on supporting this project.*

*I had asked xxxxxxxxxxxx, to arrange a meeting with both xxxxxxxx and xxxxxxxx present so that we could find a solution to the problem that everyone was happy with and understood, and had said that if the solution was that I needed to go cap-in-hand to the Town Council to ask them to support the cost of additional equipment then I would do so.*

*However, today xxxxxxxx has contacted me to say that xxxxxxxx has refused to attend the requested meeting.*

*Frankly I find it astonishing that a Wiltshire Council officer is refusing to attend a meeting with the Chair of an Area Board where they are trying to find a settlement to an issue in the community.*

*I would appreciate your urgent attention to this matter and I look forward to hearing from you.*

*Email sent 30th July 2017*

*Hi Bridget*

*I haven't seen a response to this email yet - could I please check that it did arrive with you?*

*Many thanks*

*Email received 31st July 2017*

*Dear Jon,*

*I did receive it and requested some information to try to resolve the issue – I will follow it up this morning.*

*Bridget.*

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Could the Cabinet Member please reply to the original email sent to her and provide some form of reply to the issued raised within it. Particularly:

- Why have no replies been given to the emails sent?
- How is it acceptable for a Wiltshire Council officer to refuse to meet with a local member to discuss an issue?
- What efforts have been made to resolve this issue, and if any efforts have been made, why has the member who raised it not been informed?

## **Response**

In accordance with the constitution a response will be provided at the meeting.