

## COUNCIL

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### MINUTES OF THE COUNCIL MEETING HELD ON 16 MAY 2017 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### Present:

Cllr Phil Alford, Cllr Ben Anderson, Cllr Pat Aves, Cllr Chuck Berry, Cllr Ian Blair-Pilling, Cllr Richard Britton, Cllr Derek Brown OBE, Cllr Allison Bucknell, Cllr Clare Cape, Cllr Trevor Carbin, Cllr Mary Champion, Cllr Pauline Church, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Mark Connolly, Cllr Christine Crisp, Cllr Anna Cuthbert, Cllr Brian Dalton, Cllr Jane Davies, Cllr Andrew Davis, Cllr Matthew Dean, Cllr Tony Deane, Cllr Christopher Devine, Cllr Stewart Dobson, Cllr Mary Douglas, Cllr Peter Evans, Cllr Sue Evans, Cllr Nick Fogg MBE, Cllr Peter Fuller, Cllr Richard Gamble, Cllr Sarah Gibson, Cllr Gavin Grant, Cllr Jose Green, Cllr Howard Greenman, Cllr Mollie Groom, Cllr David Halik, Cllr Deborah Halik, Cllr Russell Hawker, Cllr Ross Henning, Cllr Darren Henry, Cllr Mike Hewitt, Cllr Alan Hill, Cllr Sven Hocking, Cllr Ruth Hopkinson, Cllr Atiquel Hoque, Cllr Jon Hubbard, Cllr Chris Hurst, Cllr Peter Hutton, Cllr Tony Jackson, Cllr Simon Jacobs, Cllr George Jeans, Cllr David Jenkins, Cllr Bob Jones MBE, Cllr Johnny Kidney, Cllr Gordon King, Cllr Edward Kirk, Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Jim Lynch, Cllr Brian Mathew, Cllr Laura Mayes, Cllr Ian McLennan, Cllr Nick Murry, Cllr Christopher Newbury, Cllr Ashley O'Neill, Cllr Paul Oatway QPM, Cllr Steve Oldrieve, Cllr Stewart Palmen, Cllr Graham Payne, Cllr Andy Phillips, Cllr Horace Prickett, Cllr Leo Randall, Cllr Fleur de Rhé-Philipe, Cllr Pip Ridout, Cllr Ricky Rogers, Cllr Tom Rounds, Cllr Baroness Scott of Bybrook OBE, Cllr Jonathon Seed, Cllr James Sheppard, Cllr John Smale, Cllr Hayley Spencer, Cllr Toby Sturgis, Cllr Melody Thompson, Cllr John Thomson, Cllr Ian Thorn, Cllr Tony Trotman, Cllr John Walsh, Cllr Bridget Wayman, Cllr Fred Westmoreland, Cllr Philip Whalley, Cllr Stuart Wheeler, Cllr Roy While, Cllr Philip Whitehead, Cllr Jerry Wickham, Cllr Christopher Williams, Cllr Graham Wright and Cllr Robert Yuill

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#### 101 Election of Chairman 2017/18

The Chairman, Councillor Richard Britton, welcomed all those present to the meeting and gave an address, as outgoing Chairman of Council, thanking the officer, councillors and his wife for supporting him in the role.

The Chairman also took the opportunity to make the following announcements:

#### **Outgoing Councillors – Acknowledgement Of Service**

It was noted that at the last council meeting, the meeting acknowledged those councillors who had let it be known they would not be standing for re-election,

and that it had now been confirmed that the following members did not seek re-election:

Chris Auckland, Rosemary Brown, Chris Caswill, Jamie Capp, Charles Howard, Keith Humphries, Julian Johnson, Simon Killane, Jemima Milton, Bill Moss, Helen Osborn, Mark Packard, Linda Packard, Nina Phillips and Dick Tonge;

And the following members were not returned:

Desna Allen, Glenis Ansell, Nick Blakemore, Terry Chivers, Dennis Drewett, Peter Edge, John Knight, Magnus Macdonald, Alan Macrae, Howard Marshall, David Pollitt, Sheila Parker, Ian Tomes and Ian West.

The Chairman paid tribute to their hard work and the contribution they made to Wiltshire and the communities they represented.

The Chairman also took the opportunity of welcoming the 29 new councillors on the council. Councillors:

Philip Alford, Ben Anderson, Ian Blair-Pilling, Derek Brown, Clare Cape, Pauline Church, Jane Davies, Matthew Dean, Peter Fuller, Sarah Gibson, Gavin Grant, David Halik, Deborah Halik, Ross Henning, Darren Henry, Sven Hocking, Ruth Hopkinsin, Tony Jackson, Johnny Kidney, Edward Kirk, Jim Lynch, Brian Mathew, Nick Murry, Ashley O'Neill, Stewart Palmen, Andy Phillips, Tom Rounds, Hayley Spencer and Robert Yuill.

## **Engagements**

The Chairman drew the meeting's attention to engagements undertaken, including:

- The Showmen's Guild of Great Britain Western Section's Annual Luncheon, Swindon
- Nadder Centre Campus Opening, Tisbury.
- Young Voice of Trowbridge Competition, John of Gaunt School.
- B.E.M. Medal Presentation Ceremony, Bowood House.
- Visit Of H.R.H. The Prince of Wales to Wadworth Brewery, Devizes.
- High Sheriff's Reception, The Members' Room, County Hall.
- Amesbury Mayor's Civic Service, St. Mary & St. Melor Church, Amesbury.
- Service For The Rule Of Law, Salisbury Cathedral.
- Mayor of Warminster's Civic Service, St. Denys (Minster) Church, Warminster.

- Salisbury City Council Mayor Making Ceremony.
- Salisbury City Council Annual Mayoral Civic Service And Luncheon.

### **Death Of Retired Councillors**

The Chairman drew the meeting's attention to following deaths of retired Councillors:

Mr. Charles Winchcombe, who represented Devizes as a county councillor and was a former mayor of Devizes, died on 26th March, 2017. Mr. Winchcombe served 30 years as a town councillor and was also a member of Kennet District Council.

Col. Michael Mounde, M.B.E. (Re), who Died On 2nd March, 2017, was a West Wiltshire District Councillor for 10 Years. He Was also chairman of the Heart Of Wessex (Formerly Sowing Seeds) local action group which covers south Wiltshire And South Somerset, and of the Warminster and Villages Development Trust.

The Chairman then sought nominations for the position of Chairman of Council for 2017/18.

Councillor Alison Bucknell was proposed by Councillor Jerry Kunkler and seconded by Councillor Stuart Wheeler.

There being no further nominations it was;

### **Resolved**

**That Councillor Alison Bucknell be elected Chairman of Wiltshire Council for the municipal year 2017/18.**

The Chairman subsequently read out and signed the declaration of acceptance of office of Chairman of the Council witnessed by the Monitoring Officer.

### **Councillor Alison Bucknell in the Chair**

#### **102 Election of Vice-Chairman 2017/18**

The Chairman called for nominations for the position of Vice-Chairman of Council for 2017/18.

Councillor James Sheppard was proposed by Councillor Chris Williams and seconded by Councillor Alan Hill. There being no other nominations, it was

### **Resolved:**

**That Councillor James Sheppard be elected Vice-Chairman of Wiltshire Council for the municipal year 2017/18.**

The Vice-Chairman subsequently read out and signed the declaration of acceptance of office of Vice-Chairman of the Council witnessed by the Monitoring Officer.

103 **Apologies**

Apologies for absence were received from Councillors Trevor Carbin.

104 **Declarations of Interest**

The Chairman asked if there were any declarations of interest to be made, drawing the meeting's attention to the previously circulated advice of the Monitoring Officer in relation to consideration of item 13 - Adoption Chippenham Site Allocations Plan.

Councillor Johnny Kidney stated that as he had a pecuniary interest in it, he would leave the chamber for the consideration of item 13 – Adoption Chippenham Site Allocations Plan

105 **Minutes of Previous Meeting**

The minutes of the Meeting held on 23 February 2016 were presented.

**Resolved:**

**That the minutes of the last Council meeting held on 23 February 2016 be approved as a correct record and signed by the Chairman.**

106 **Election Results**

A report was presented which gave Council the detailed results of the Unitary Council Elections on the 4<sup>th</sup> May 2017.

The Chairman commended the work of the Elections team, who were now preparing for the General Election, and asked that if members had any further questions they directed them to the relevant officers.

**Resolved**

**To note the results of the Unitary Council Elections on the 4<sup>th</sup> May 2017.**

107 **Announcements by the Chairman**

The Chairman drew the meetings attention to the arrangements for the day's meeting, specifically referencing fire safety and that the meeting was being recorded for live webcast.

## 108 **Public Participation**

The Chairman drew attention to the statement from Mr Brian Warkwick, circulated with the agenda supplement, and gave him the opportunity to address the meeting. Mr Warwick took the opportunity to introduce himself to the new Councillors and to outline his role as Older People's Champion.

## 109 **Petitions Received**

The Chairman reported that no petitions had been received for presentation at the meeting.

## 110 **Petitions Update**

The Chairman reported that, as of the 2<sup>nd</sup> May 2017, four petitions had been received since the last meeting.

Having been duly proposed and seconded, and upon being put to the vote, it was,

### **Resolved**

**To note the petitions received and the action taken, as set out in the appendix to this report.**

## 111 **Appointment of Leader**

The Chairman invited nominations for the position of Leader of Wiltshire Council for 2017-2021.

Councillor Mollie Groom, subsequently seconded by Councillor Mary Douglas, that Baroness Scott of Bybrook OBE be elected Leader.

There being no further nominations, it was;

### **Resolved**

**That Baroness Scott of Bybrook OBE be elected Leader of Wiltshire Council for 2017-2021.**

Baroness Scott of Bybrook OBE then took the opportunity to thank all the candidates and parties who participated in the election and thanked officers for their work during that period. The Leader then announced the composition of her Cabinet as follows:

- Cllr John Thomson - Deputy Leader, and Cabinet Member for Communications, Communities, Leisure and Libraries
- Cllr Chuck Berry - Cabinet Member for Economic Development and Housing
- Cllr Richard Clewer - Cabinet Member for Corporate Services, Heritage, Arts and Tourism

- Cllr Laura Mayes - Cabinet Member for Children, Education and Skills
- Cllr Toby Sturgis - Cabinet Member for Planning and Strategic Asset Management
- Cllr Bridget Wayman - Cabinet Member for Highways, Transport and Waste
- Cllr Philip Whitehead - Cabinet Member for Finance, Procurement, IT and Operational Assets
- Cllr Jerry Wickham - Cabinet Member for Adult Social Care, Public Health and Public Protection

The Leader stated that further details about the Portfolio Holders would be announced at a later date.

**112 Appointment of Committees and Review of Allocation of Seats on Committees to Political Groups**

**113 Appointments to the Dorset and Wiltshire Fire and Rescue Authority**

The Chairman stated that she would take items 11 and 12 together and invited the Leader to propose a motion, drawing attention to the recommendations included in Agenda Supplement two.

Leader in proposing the motion stated that, in an amendment to the motion in the paper, that Councillor Mollie Groom become a full member of the Northern Area Planning Committee with Councillor Jacqui Lay as a substitute member.

Councillor Ernie Clark stated that the following substitute members should be added: Southern Area Planning Committee – Councillors George Jeans and Graham Wright; Eastern Area Planning Committee – Councillors George Jeans and Graham Wright; Western Area Planning Committee – Councillors George Jeans and Graham Wright; Licensing Committee – Councillor Graham Wright; Children’s Select Committee – Councillors Ernie Clark, Nick Fogg and Russell Hawker; Environment Select Committee Councillors Ernie Clark, George Jeans and Russell Hawker; Health Select Committee Councillors Ernie Clark, George Jeans and Russell Hawker; and Standards Committee – Councillors Nick Fogg and George Jeans.

Having been put to the vote, the meeting;

**Resolved**

- (a) To note this report and the legal requirements.**
- (b) To re-appoint the following committees with the terms of reference as set out in the Constitution:-**
  - **Appeals Committee**
  - **Area Planning Committees: Eastern, Northern, Southern and Western**
  - **Audit Committee**

- Children’s Select Committee
- Environment Select Committee
- Health Select Committee
- Health and Wellbeing Board
- Licensing Committee
- Officer Appointments
- Overview and Scrutiny Management Committee
- Pension Fund Committee
- Police and Crime Panel
- Staffing Policy Committee
- Standards Committee
- Strategic Planning Committee

(c) To re-appoint those Area Boards, constituted as area committees as set out in paragraphs 13 to 15 and Appendix 1 of the report presented and within the Constitution, to comprise the Unitary Councillors for that area. To re-appoint the Local Pension Board established under the Public Service Pensions Act 2013 and consequent amendments to the Local Government Pension Scheme Regulations 2013 with the terms of reference as set out in the Constitution.

(d) To approve a scheme of committee places which sets out the number of seats available to members of the Council and to political groups as follows:

<b>Committee</b>	<b>Total Number of Places for Elected Members</b>	<b>Conservative Group Allocation (68 seats)</b>	<b>Liberal Democrat Group Allocation</b>	<b>Labour Group Allocation</b>	<b>Independent Group Allocation (7 seats)</b>
<b>Strategic Planning</b>	<b>11</b>	<b>8</b>	<b>2</b>	<b>0</b>	<b>1</b>
<b>Area Planning Committees;</b>	<b>11</b>	<b>8</b>	<b>3</b>	<b>0</b>	<b>0</b>
<b>North</b>	<b>11</b>	<b>7</b>	<b>1</b>	<b>1</b>	<b>2</b>
<b>South</b>	<b>8</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>East</b>	<b>11</b>	<b>7</b>	<b>3</b>	<b>0</b>	<b>1</b>
<b>West</b>	<b>12</b>	<b>8</b>	<b>3</b>	<b>0</b>	<b>1</b>
<b>Licensing</b>					

<b>Committee</b>	<b>Total Number of Places for Elected Members</b>	<b>Conservative Group Allocation (68 seats)</b>	<b>Liberal Democrat Group Allocation</b>	<b>Labour Group Allocation</b>	<b>Independent Group Allocation (7 seats)</b>
<b>Overview and Scrutiny</b>	15	10	3	1	1
<b>Children's Select</b>	13	9	3	0	1
<b>Environment Select</b>	13	8	3	1	1
<b>Health Select</b>	13	9	3	0	1
<b>Standards</b>	11	8	2	0	1
<b>Police and Crime Panel</b>	7	5	2	0	0
<b>Audit</b>	11	8	2	1	0
<b>Appeals</b>	8	5	2	0	1
<b>Staffing</b>	9	6	2	1	0
<b>Officer Appointment</b>	5	4	1	0	0
<b>Pension Fund</b>	5	4	1	0	0
<b>TOTALS:</b>	<b>174</b>	<b>121</b> <b>(120.735)</b>	<b>36</b> <b>(35.510)</b>	<b>5</b> <b>(5.327)</b>	<b>12</b> <b>(12.429)</b>

- (e) To appoint councillors to serve on those committees in accordance with the agreed scheme of committee places, until the next occasion membership is reviewed under the provisions of the Local Government & Housing Act 1989 (as attached).
- (f) To appoint substitute members (to a maximum of four per group) to the committees referred to in (A) above (as attached).
- (g) To appoint those councillors representing electoral divisions to their respective area boards as set out in Appendix 1 of the report
- (h) To delegate to the Standards Committee the appointment of four non-voting co-opted members, and to delegate the arrangements for selection of such members to the Monitoring Officer in consultation with the Chairman of the Standards Committee
- (i) To appoint the following persons as Independent Persons each



for a four year term:

**Mr Tony Drew**

**Mrs Caroline Baynes**

**Mr Stuart Middleton (please note change from papers circulated)**

and to thank Mr Colin Malcolm for his excellent service to the Council for the past 5 years as an Independent Person and to Mr Tony Drew and Mrs Caroline Baynes for their continued excellent service.

- (j) To reappoint the following non-elected members to the Children's Select Committee:-

<b>Non-Elected Voting Members</b>	<b>Representing</b>
<b>Vacancy</b>	<b>Church of England</b>
<b>Dr Mike Thompson</b>	<b>Clifton Diocese Roman Catholic Church</b>
<b>Vacancy</b>	<b>Parent Governor (Secondary-maintained)</b>
<b>Vacancy</b>	<b>Parent Governor (Secondary – academy)</b>
<b>Vacancy</b>	<b>Parent Governor (Special Educational</b>
<b>Ms Jill Hughes</b>	<b>Parent Governor (Primary)</b>
<b>Non-Elected Non-Voting Members</b>	<b>Representing</b>
<b>James Wilkins</b>	<b>School, Children and Young People representatives</b>
<b>Ms Cathy Shahrokni</b> <del>(Substitute Ms Jen)</del>	<b>Further Education Representative</b>
<b>Miss Sarah Busby</b>	<b>Secondary Schools Head teacher</b>
<b>Miss Tracy Cornelius</b>	<b>Primary School Head teacher</b>
<b>Mr John Hawkins</b>	<b>School Teacher Representative</b>

- (k) To re-appoint the following co-opted members to the Wiltshire Pension Fund Committee:

<b>Name</b>	<b>Representing</b>
<b>currently Cllr Steve Weisinger.</b>	<b>Swindon Borough Councillor (as determined by Swindon Borough</b>
<b>currently Cllr Steve Allsopp.</b>	<b>Swindon Borough Councillor (as determined by Swindon Borough</b>
<b>Diane Hall</b>	<b>Employer Representative</b>
<b>Linda Stuart</b>	<b>Employer Representative</b>
<b>currently Stuart Dark</b>	<b>Scheme Member Observer- appointed by Unison</b>
<b>currently Mike Pankiewicz</b>	<b>Scheme Member Observer- appointed by Unison</b>

**(m) To re-appoint the Local Pension Board under the Public Service Pensions Act 2013 and consequent amendments to the Local Government Pension Scheme Regulations 2013 with the terms of reference as set out in the Constitution:**

<b>Name</b>	<b>Representing</b>
<b>Howard Pearce</b>	<b>Independent Chairman</b>
<b>David Bowater</b>	<b>Scheme Member Representative</b>
<b>Barry Reed</b>	<b>Scheme Member Representative</b>
<b>Mike Pankiewicz</b>	<b>Scheme Member Representative</b>
<b>Sarah Holbrook</b>	<b>Employer Member Representative</b>
<b>Lynda Croft</b>	<b>Employer Member Representative</b>
<b>*Vacancy</b>	<b>Employer Member Representative</b>

**\*and to appoint Councillor Richard Britton to the vacant position of Employer Member Representative**

**(n) To appoint Chairmen and Vice-Chairmen of the following meetings:**

<b>Committee</b>	<b>Chairman</b>	<b>Vice-Chairman</b>
<b>Area Planning Committee –</b>	<b>Mark Connolly</b>	<b>Paul Oatway</b>
<b>Area Planning Committee –</b>	<b>Tony Trotman</b>	<b>Peter Hutton</b>
<b>Area Planning Committee –</b>	<b>Fred Westmoreland</b>	<b>Richard Britton</b>
<b>Area Planning Committee –</b>	<b>Christopher Newbury</b>	<b>Jonathon Seed</b>
<b>Audit Committee</b>	<b>Richard Britton</b>	<b>Stewart Dobson</b>
<b>Health and Wellbeing Board</b>	<b>Baroness Scott of Bybrook OBE</b>	
<b>Licensing Committee</b>	<b>Peter Hutton</b>	<b>Josie Green</b>
<b>Officer Appointme</b>	<b>Baroness Scott of Bybrook OBE</b>	<b>John Thomson</b>
<b>Pension Fund Committee</b>	<b>Tony Deane</b>	<b>Roy While</b>
<b>Staffing Policy Committee</b>	<b>Allison Bucknell</b>	<b>Tony Jackson</b>
<b>Standards Committee</b>	<b>Paul Oatway</b>	<b>Howard Greenman</b>
<b>Strategic Planning Committee</b>	<b>Fleur de-Rhé-Philippe</b>	<b>Derek Brown</b>

**(o) To note that the Overview and Scrutiny Management Committee,**

**the Select Committees, and the Police and Crime Panel will be asked to elect their respective Chairmen and Vice-Chairmen at their first meeting following the annual meeting of council. Area Boards have each been convened to meet on the rising of this Council meeting to elect their respective Chairmen and Vice-Chairmen.**

**(p) To note that the Appeals Committee does not meet as a formal committee. However, three members who have undergone appropriate training are drawn from its membership to form Appeal Panels to consider and determine various types of appeals. No appointment of chairman or vice-chairman to the committee is therefore necessary. Each panel when convened will elect its own chairman.**

**(q) That Council appoint the following 10 members to serve as Council representatives on the Dorset and Wiltshire Fire and Rescue Authority:**

<b>Conservatives (7)</b>	<b>Liberal Democrat (2)</b>	<b>Independent (1)</b>
<b>Peter Hutton</b>	<b>Bob Jones</b>	<b>Ernie Clark</b>
<b>Pip Ridout</b>	<b>Brian Dalton</b>	
<b>Andrew Davis</b>		
<b>Paul Oatway</b>		
<b>Christopher Newbury</b>		
<b>Robert Yuill</b>		
<b>Matthew Dean</b>		

#### **114 Adoption Chippenham Site Allocations Plan**

The Chairman invited the Cabinet Member for Planning, Councillor Toby Sturgis, to present the item, which asked Council to consider the recommendations of Cabinet at its meeting on 14 March 2017 concerning the adoption of the Chippenham Site Allocations Plan.

In moving the motion, duly seconded by the Leader, Councillor Sturgis thanked officers for their hard work in producing the plan, and outlined the benefits of adopting the plan and the risks of seeking to refuse or amend the plan now that it had been amended following its consideration by the Planning Inspector.

Whilst he expressed a wish to support the plan. Councillor Ian Thorn and Councillor Ernie Clark both expressed some concern as to whether lessons had been learnt about the delays in adopting the plan.

Councillors Clare Cape and Councillor Ross Henning expressed concerns that infrastructure requirements of the town would not be adequately addressed.

Councillor Jon Hubbard stated that he could not support the plan as it did not adequately address the transport issues.

Councillor Christine Crisp stated that whilst she knew that the plan would not meet approval across the community, it had addressed some of them.

Councillor Peter Hutton spoke in support of the plan as, even though he recognised some of the concerns of residents, it was an opportunity to lead development in the town.

Councillor Nick Murry expressed major reservations about the plan, including the impact of additional traffic on residents and the need for infrastructure issues to be addressed.

In response to a question from Councillor Nick Murry, the Monitoring Officer stated that he had advised that Chairman that the proposed amendment would have had a material effect on the plan, in effect negating its adoption, and thus was recommended to be refused permission to be tabled as an amendment.

In closing, Councillor Toby Sturgis stated that infrastructure requirements of the community could only be delivered through new housing development.

Having been put to a recorded vote, the meeting;

#### **Resolved**

- (i) To note the content of the Inspector's Report into the examination of the Chippenham Site Allocations Plan (Appendix 1) and his conclusions regarding legal compliance and soundness and accepts the modifications in the Appendix of the Inspector's Report, which the Inspector considers are necessary to make the plan sound in accordance with legislation**
- (ii) To adopt the Chippenham Site Allocations Plan, as amended as set out in Appendix 2, including the Additional Modifications set out in Appendix 3.**
- (iii) To delegate authority to the Associate Director for Economic Development and Planning in consultation with the Associate Director for Legal and Governance and the relevant Cabinet Member to amend the Policies Map as set out in Appendix 5 and for further minor textual changes to be made to the Chippenham Site Allocations Plan prior to publication in the interests of accuracy and consistency.**
- (iv) That, subject to Council approval of (ii) above, to delegate authority to the Associate Director for Economic, Development and Planning in consultation with the Associate Director for Legal and Governance and the relevant Cabinet Member, to undertake the final stages associated with the formal adoption and publication of the Chippenham Site Allocations Plan.**

Admin Note: Councillor Johnny Kidney left the chamber for the consideration of the item having previously declared an interest.

Recorded votes for the motion were as follows:

For the motion (89):

Baroness Scott of Bybrook OBE, Cllr Alan Hill, Cllr Allison Bucknell, Cllr Andrew Davis, Cllr Andy Phillips, Cllr Anna Cuthbert, Cllr Ashley O'Neill, Cllr Atiqul Hoque, Cllr Ben Anderson, Cllr Bob Jones MBE, Cllr Brian Dalton, Cllr Brian Mathew, Cllr Bridget Wayman, Cllr Chris Hurst, Cllr Christine Crisp, Cllr Christopher Devine, Cllr Christopher Newbury, Cllr Christopher Williams, Cllr Chuck Berry, Cllr David Halik, Cllr Deborah Halik, Cllr Derek Brown, Cllr Edward Kirk, Cllr Ernie Clark, Cllr Fleur de Rhe-Philippe, Cllr Fred Westmoreland, Cllr Gavin Grant, Cllr George Jeans, Cllr Gordon King, Cllr Graham Payne, Cllr Graham Wright, Cllr Hayley Spencer, Cllr Horace Prickett, Cllr Howard Greenman, Cllr Ian Blair-Pilling, Cllr Ian Thorn, Cllr Jacqui Lay, Cllr Jane Davies, Cllr Jerry Kunkler, Cllr Jerry Wickham, Cllr Jim Lynch, Cllr John Smale, Cllr John Thomson, Cllr John Walsh, Cllr Jonathon Seed, Cllr Jose Green, Cllr Laura Mayes, Cllr Leo Randall, Cllr Mark Connolly, Cllr Mary Champion, Cllr Mary Douglas, Cllr Matthew Dean, Cllr Mike Hewitt, Cllr Mollie Groom, Cllr Pat Aves, Cllr Paul Oatway QPM, Cllr Pauline Church, Cllr Peter Evans, Cllr Peter Fuller, Cllr Peter Hutton, Cllr Philip Alford, Cllr Philip Whalley, Cllr Philip Whitehead, Cllr Pip Ridout, Richard Britton, Cllr Richard Clewer, Cllr Richard Gamble, Cllr Ricky Rogers, Cllr Robert Yuill, Cllr Roy While, Cllr Russell Hawker, Cllr Ruth Hopkinson, Cllr Sarah Gibson, Cllr Simon Jacobs, Cllr Stephen Oldrieve, Cllr Stewart Dobson, Cllr Stewart Palmen, Cllr Stuart Wheeler, Cllr Sue Evans, Cllr Sven Hocking, Cllr Thomas Rounds, Cllr Toby Sturgis, Cllr Tony Deane, Cllr Tony Jackson, Cllr Tony Trotman and Cllr Trevor Carbin.

Against the motion (4):

Cllr Clare Cape , Cllr Jon Hubbard, Cllr Nick Murry and Cllr Ross Henning

Abstentions (2)

Cllr Ian Mclennan and Cllr Nick Fogg MBE

#### 115 **Notices of Motion**

The Chairman noted that no notices of motion submitted to the meeting.

#### 116 **Proposed changes to the Constitution - Parts 11A & 11B**

The Chairman introduced the report which asked Council to consider the proposed amendments to Part 11A of the Constitution, Corporate Parenting Strategy and Part 11B of the Constitution, Role and Function of the Safeguarding Children and Young People Panel.

There being no questions, and having been duly proposed and seconded, the meeting;

### **Resolved**

- 1) To approve the proposed changes to Part 11A of the Constitution as detailed in Appendix 1; and to delegate any future changes to introductory sections to the Monitoring Officer in consultation with the Lead Member for Children's Services.**
- 2) To approve the proposed changes to Part 11B of the Constitution as detailed in Appendix 2.**

### **117 Minutes of Cabinet and Committees**

The Chairman moved that Council receive and note the following minutes as listed in the separate Minutes Book and this was duly seconded by the Vice-Chairman:

Cabinet: 14 March, 4 April 2017  
Cabinet Capital Assets Committee: 14 March 2017  
Overview and Scrutiny Management Committee: 28 March 2017  
Children's Select Committee: 31 January 2017  
Children's Select Committee: 14 March 2017  
Environment Select Committee: 22 February 2017  
Health Select Committee: 10 January, 7 March 2017  
Strategic Planning Committee: 8 February 2017, 26 April 2017  
Northern Area Planning Committee: 15 February, 8 March 2017  
Eastern Area Planning Committee: 16 February, 20 April 2017  
Southern Area Planning Committee: 23 February, 16 March, 6 April 2017  
Western Area Planning Committee: 15 March, 5 April 2017  
Licensing Committee: 13 March 2017  
Audit Committee: 24 January 2017  
Joint Strategic Economic Committee (SWLEP): 14 February, 13 April 2017  
Local Pension Board: 25 January 2017  
Pension Fund Committee: 23 March 2017  
Police and Crime Panel: 2 February, 2 March 2017  
Standards Committee: 16 September, 27 April 2016  
Staffing Policy Committee: 1 March 2017

The Chairman then invited questions from members on points of information or clarification on the above minutes and gave the Chairmen of those meetings the opportunity to make any important announcements on the work of their respective Committees.

The Leader confirmed that all key decisions taken by Cabinet had been taken in accordance with the 28 day notice period and that no special urgent decisions had been taken in the same period.

### **Resolved:**

**That the above mentioned minutes be received and noted.**

## 118 Councillors' Questions

The Chairman reported receipt of questions from Councillors Ernie Clark and Brian Dalton details of which were circulated in Agenda Supplement No. 1.

Questioners were permitted to each ask one relevant supplementary question per question submitted and where they did so, the relevant Cabinet member responded as summarised below:

1. Councillor Ernie Clark to Councillor Toby Sturgis (Ref 17-44)

In a verbal response given, Councillor Toby Sturgis stated that the term 'abeyance' suggested that consideration of an application had been suspended. This term was not formally recognised as a planning term and, as such, there are no records are kept to fully answer the question.

2. Councillor Brian Dalton to Councillor Toby Sturgis (Ref 17-45)

In a verbal response given, Councillor Toby Sturgis stated that Chairs of the Planning Committees were consulted on the time change, and that he felt the benefits of having afternoon meetings outweighed those for having meetings in the evening.

### Appendices

Appendix 1 – membership of Area Boards  
Appendix 2 – membership of Committees  
Appendix 3 - Councillors' questions

(Duration of meeting: 10.30 am - 12.07 pm)

The Officer who has produced these minutes is Yamina Rhouati, of Democratic & Members' Services, direct line 01225 718024, e-mail [Yamina.Rhouati@wiltshire.gov.uk](mailto:Yamina.Rhouati@wiltshire.gov.uk)

Press enquiries to Communications, direct line (01225) 713114/713115

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**Area Boards: Electoral Divisions****Amesbury Area Board****Electoral Divisions 6**

Amesbury East  
 Amesbury West  
 Till & Wylde Valley  
 Durrington & Larkhill  
 Bulford, Allington & Figheldean  
 Bourne & Woodford Valley

**Members**

John Noeken  
 Fred Westmoreland  
 Ian West  
 Graham Wright  
 John Smale  
 Mike Hewitt

**Bradford on Avon Area Board****Electoral Divisions 4**

Holt & Staverton  
 Winsley & Westwood  
 Bradford on Avon North  
 Bradford on Avon South

**Members**

Trevor Carbin  
 Magnus Macdonald  
 Rosemary Brown  
 Ian Thorn

**Calne Area Board****Electoral Divisions 5**

Calne Rural  
 Calne North  
 Calne Chilvester & Abberd  
 Calne Central  
 Calne South & Cherhill

**Members**

Christine Crisp  
 Glenis Ansell  
 Tony Trotman  
 Howard Marshall  
 Alan Hill

**Chippenham Area Board****Electoral Divisions 10**

By Brook  
 Chippenham Cepen Park & Derriads  
 Chippenham Cepen Park & Redlands  
 Chippenham Hardenhuish  
 Chippenham Monkton  
 Chippenham Queens and Sheldon  
 Chippenham Hardens and England  
 Chippenham Lowdon and Rowden  
 Chippenham Pewsham  
 Kington

**Members**

Jane Scott  
 Peter Hutton  
 Nina Phillips  
 Nick Watts  
 Chris Caswill  
 Desna Allen  
 Bill Douglas  
 Linda Packard  
 Mark Packard  
 Howard Greenman

### **Corsham Area Board**

#### **Electoral Divisions 4**

Box and Colerne  
Corsham Pickwick  
Corsham Without & Box Hill  
Corsham Town

#### **Members**

Sheila Parker  
Alan Macrae  
Dick Tonge  
Philip Whalley

### **Devizes Area Board**

#### **Electoral Divisions 7**

Bromham, Rowde and Potterne  
Devizes & Roundway South  
Devizes East  
Devizes North  
Roundway  
The Lavingtons & Erlestoke  
Urchfont & The Cannings

#### **Members**

Liz Bryant  
Simon Jacobs  
Peter Evans  
Sue Evans  
Laura Mayes  
Richard Gamble  
Philip Whitehead

### **Malmesbury Area Board**

#### **Electoral Divisions 4**

Brinkworth  
Malmesbury  
Minety  
Sherston

#### **Members**

Toby Sturgis  
Simon Killane  
Chuck Berry  
John Thomson

### **Marlborough Area Board**

#### **Electoral Divisions 4**

Aldbourne & Ramsbury  
Marlborough East  
Marlborough West  
West Selkley

#### **Members**

James Sheppard  
Stewart Dobson  
Nick Fogg  
Jemima Milton

### **Melksham Area Board**

#### **Electoral Divisions 6**

Melksham Central  
Melksham North  
Melksham South  
Melksham Without North  
Melksham Without South  
Summerham and Seend

#### **Members**

David Pollitt  
Pat Aves  
Jon Hubbard  
Terry Chivers  
Roy While  
Jonathon Seed

### **Pewsey and Tidworth Area Committee**

#### **Electoral Divisions 6**

Pewsey Vale  
Pewsey  
Burbage & The Bedwyns  
The Collingbournes & Netheravon  
Ludgershall & Perham Down  
Tidworth

#### **Members**

Paul Oatway  
Jerry Kunkler  
Stuart Wheeler  
Charles Howard  
Chris Williams  
Mark Connolly

### **Royal Wootton Bassett and Cricklade Area Board**

#### **Electoral Divisions 6**

Cricklade and Latton  
Lyneham  
Purton  
Royal Wootton Bassett East  
Royal Wootton Bassett North  
Royal Wootton Bassett South

#### **Members**

Bob Jones  
Allison Bucknell  
Jacqui Lay  
Mollie Groom  
Mary Champion  
Chris Hurst

### **Salisbury Area Board**

#### **Electoral Divisions 8**

Salisbury Fisherton & Bemerton  
Village  
Salisbury Bemerton  
Salisbury Harnham  
Salisbury St Edmund & Milford  
Salisbury St Francis & Stratford  
Salisbury St Mark's & Bishopdown  
Salisbury St Martin's & Cathedral  
Salisbury St Paul's

#### **Members**

John Walsh  
  
Ricky Rogers  
Brian Dalton  
Helena McKeown  
Mary Douglas  
Bill Moss  
Ian Tomes  
Richard Clewer

### **South West Wiltshire Area Board**

#### **Electoral Divisions 5**

Fovant & Chalke Valley  
Mere  
Nadder & East Knoyle  
Tisbury  
Wilton & Lower Wylde Valley

#### **Members**

Jose Green  
George Jeans  
Bridget Wayman  
Tony Deane  
Peter Edge

### **Southern Wiltshire Area Board**

#### **Electoral Divisions 5**

Alderbury & Whiteparish  
Downton & Ebbles Valley  
Laverstock, Ford and Old Sarum  
Redlynch & Landford  
Winterslow

#### **Members**

Richard Britton  
Julian Johnson  
Ian McLennan  
Leo Randall  
Christopher Devine

### **Trowbridge Area Board**

#### **Electoral Divisions 9**

Hilperton  
Southwick  
Trowbridge Adcroft  
Trowbridge Central  
Trowbridge Drynam  
Trowbridge Grove  
Trowbridge Lambrok  
Trowbridge Park  
Trowbridge Paxcroft

#### **Members**

Ernie Clark  
Horace Prickett  
Nick Blakemore  
John Knight  
Graham Payne  
Jeff Osborn  
Helen Osborn  
Dennis Drewett  
Steve Oldrieve

### **Warminster Area Board**

#### **Electoral Divisions 5**

Warminster Without  
Warminster Broadway  
Warminster Copheap and Wylde  
Warminster East  
Warminster West

#### **Members**

Fleur de Rhe- Philippe  
Keith Humphries  
Christopher Newbury  
Andrew Davis  
Pip Ridout

### **Westbury Area Board**

#### **Electoral Divisions 4**

Ethandune  
Westbury East  
Westbury North  
Westbury West

#### **Members**

Jerry Wickham  
Gordon King  
David Jenkins  
Russell Hawker

**Appointment of Committee Members  
Agreed by Annual Council 13 May 2014**

**Strategic Planning Committee (11)**

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)	UKIP (0)
A Davis	G Ansell	-	T. Chivers	-
S Dobson	D Jenkins			
C Howard	G Wright			
W Moss				
C Newbury				
A Trotman				
F Westmoreland				
Substitutes:				
J Shepherd	B Douglas		E Clark	
M Douglas	H Marshall		D Drewett	
P Oatway	N Watts		G Jeans	
J Wickham	I West			

**Area Planning Committee – East (8)**

Conservative Group (7)	Liberal Democrat Group (0)	Labour Group (0)	Independent (1)	UKIP (0)
M Connolly	-	-	N Fogg	
S Dobson				
P Evans				
R Gamble				
J Kunkler				
P Oatway				
C Howard				
Substitutes:				
E Bryant			T Chivers	
J Sheppard			E Clark	
P Whitehead			D Drewett	
C Williams			J Osborn	

**Area Planning Committee – North (11)**

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)	UKIP (0)
C Crisp	H Marshall	-	S Killane	-
M Groom	C Hurst			
P Hutton	M Packard			
S Parker				
T Sturgis				
A Trotman				
P Whalley				
Substitutes:				
C Berry	D Allen		E Clark	
M Champion	G Ansell		T Chivers	
H Greenman	B Douglas		D Drewett	
J Lay	N Watts			

**Area Planning Committee – South (11)**

Conservative Group (6)	Liberal Democrat Group (2)	Labour Group (2)	Independent (1)	UKIP (0)
R Britton	B Dalton	I McLennan	G Jeans	-
R Clewer	I West	I Tomes		
C Devine				
J Green				
M Hewitt				
F Westmoreland				
Substitutes:				
A Deane	P Edge	J Walsh	T Chivers	
L Randall	H McKeown	R Rogers	E Clark	
J Smale	G Wright		D Drewett	
B Wayman	M Macdonald			

**Area Planning Committee – West (11)**

Conservative Group (7)	Liberal Democrat Group (2)	Labour Group (0)	Independent (2)	UKIP (0)
A Davis	T Carbin	-	E Clark	-
J Knight	M Macdonald		D Drewett	
C Newbury				
H Prickett				
P Ridout				
J Seed				
R While				
Substitutes:				
J Wickham	N Blakemore		T Chivers	
F de Rhé Philippe	R Brown		J Osborn	
K Humphries	S Oldrieve		R Hawker	
G Payne	G King			

**Licensing Committee (12)**

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (0)	Independent (2)	UKIP (0)
A Bucknell	D Allen	-	G Jeans	-
S Evans	N Blakemore		D Drewett	
J Green	N Watts			
M Hewitt				
S Jacobs				
L Randall				
P Ridout				
Substitutes:				
E Bryant	G Ansell		N Fogg	
A Davis	B Douglas		E Clark	
H Greenman	T Carbin		J Osborn	
W Moss	H Marshall			

**Overview and Scrutiny Management Committee (15)**

Conservative Group (8)	Liberal Democrat Group (4)	Labour Group (1)	Independent (2)	UKIP (0)
C Crisp	J Hubbard	J Walsh	J Osborn	-
S Dobson	G King		S Killane	
A Hill	M Packard			
J Lay	Ian Thorn			
P Ridout				
B Wayman				
P Whalley				
J Noeken				
Substitutes:				
M Douglas	G Ansell	R Rogers		
H Greenman	T Carbin		G Jeans	
P Oatway	D Jenkins		H Osborn	
C Berry	N Watts		E Clark	

**Children's Select Committee (13)**

Conservative Group (8)	Liberal Democrat Group (3)	Labour Group (1)	Independent (1)	UKIP (0)
M Champion	P Aves	R Rogers	H Osborn	-
M Douglas	J Hubbard			
S Evans	C Hurst			
J Lay				
S Jacobs				
W Moss				
C Crisp				
P Whalley				
Substitutes:				
C Berry	T Carbin	J Walsh	T Chivers	
J Shepherd	P Edge		D Drewett	
A Davis	I Thorn		J Osborn	
S Dobson	H Mckeown			



**Environment Select Committee (13)**

Conservative Group (7)	Liberal Democrat Group (4)	Labour Group (1)	Independent (1)	UKIP (0)
P Evans	L Packard	I McLennan	D Drewett	
J Green	B Dalton			
M Groom	P Edge			
J Lay	M Macdonald			
C Newbury				
J Sheppard				
B Wayman				
Substitutes:				
A Deane	B Jones	I Tomes	T Chivers	
M Hewitt	T Carbin	R Rogers	N Fogg	
E Bryant	R Brown		G Jeans	
P Whalley	I West		J Osborn	

**Health Select Committee (13)**

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (1)	Independent (2)	UKIP (0)
M Champion	B Jones		J Osborn	
C Crisp	G King	J Walsh	C Caswill	
M Douglas	H Mckeown			
J Noeken				
J Knight				
N Philips				
P Ridout				
Substitutes:				
C Berry	T Carbin	I McLennan	D Drewett	
S Evans	D Jenkins	R Rogers		
J Johnson	N Watts		H Osborn	
P Evans	P Aves		T Chivers	

**Standards Committee ( 11)**

Conservative Group (7)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)	UKIP (0)
A Bucknell	D Allen		T Chivers	
H Greenman	T Carbin			
J Johnson	R Brown			
J Noeken				
P Oatway				
H Prickett				
S Parker				
Substitutes:				
M Douglas	G Ansell		E Clark	
J Wickham	M Macdonald		D Drewett	
P Ridout	H Marshall			
J Smale	B Jones		G Jeans	

**Police and Crime Panel (7)**

Conservative Group (4)	Liberal Democrat Group (2)	Labour Group (0)	Independent (1)	UKIP (0)
R Britton	G Ansell	-		
C Howard	T Carbin		C Caswill	
P Hutton				
J Johnson				
Substitutes:	B Dalton		E Clark	
C Berry	L Packard			
S Evans	I Thorn		N Fogg	
T Trotman	H McKeown		J Osborn	

### **Audit Committee (11)**

Conservative Group (6)	Liberal Democrat Group (3)	Labour Group (0)	Independent (1)	UKIP (1)
R Britton	R Brown	-	H Osborn	D Pollitt
A Deane	S Oldrieve			
S Dobson	L Packard			
J Johnson				
S Parker				
J Sheppard				
Substitutes:				
P Evans	H McKeown		T Chivers	
M Hewitt	I West		N Fogg	
J Lay	M Packard		G Jeans	
J Noeken	D Jenkins		J Osborn	

### **Appeals Committee (8)**

Conservative Group (5)	Liberal Democrat Group (2)	Labour Group (1)	Independent (0)	UKIP (0)
C Berry	H Marshall	I Tomes	-	-
A Bucknell	B Douglas			
A Davis				
A Deane				
S Parker				
Substitutes:				
M Hewitt	P Aves			
J Knight	P Edge			
P Oatway	G Wright			
F Westmoreland	D Allen			

### **Staffing Policy Committee (9)**

Conservative Group (5)	Liberal Democrat Group (3)	Labour Group (0)	Independent (0)	UKIP (1)
A Bucknell	B Jones	-	-	D. Pollitt
M Hewitt	D Jenkins			
J Scott	G Wright			
J Smale				
S Wheeler				
Substitutes:				
F de Rhé Philipe	D Allen			
P Evans	M Packard			
W Moss	N Blakemore			
A Trotman	S Oldrieve			

**Officer Appointments Committee (5)**

Conservative Group (3)	Liberal Democrat Group (1)	Labour Group (0)	Independent (1)	UKIP (0)
F de Rhe Philipe	J Hubbard	-	N Fogg	-
J Scott				
J Thomson				
Substitutes:				
K Humphries	P Edge		T Chivers	
L Mayes	B Jones		D Drewett	
J Seed	G King		G Jeans	
S Wheeler	H McKeown		J Osborn	

**Pension Fund Committee (5)**

Conservative Group (4)	Liberal Democrat Group (1)	Labour Group (0)	Independent (0)	UKIP (0)
A Deane	M Packard	-	-	-
C Howard				
S Parker				
R While				
Substitutes:				
F de Rhe Philippe	C Hurst			
C Newbury	I Thorn			
P Whitehead	B Jones			
	G King			

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**Wiltshire Council**

**Council**

**12 May 2015**

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**Item 17 - Councillors' Questions**

**From Councillor Terry Chivers, Melksham Without South Division**

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

**Question 1**

Residents a of Wiltshire who have signed up for the green waste collection tax. Have been issued with a sticker to place on their bin to identify they have paid the green tax. If a bin has been stolen, or damaged by the Councils contractor will there be a £25 charge for a replacement bin.

**Response**

**Verbal Response:** The £25 delivery charge will apply to residents who ask the council to retrieve their garden waste bin, but who then decide to opt-in to the new chargeable collection scheme within a year. Bins that are lost or damaged would not be subject to a delivery fee. From 15 June 2015 only garden waste bins with a council-issued label will be emptied.

**Question 2**

**Question withdrawn by member**



**Wiltshire Council**

**Council**

**12 May 2015**

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**Item 17 - Councillors' Questions**

**From Councillor Terry Chivers, Melksham Without South Division**

**To Councillor Stuart Wheeler, Cabinet Member for Hubs, Heritage & Arts, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services)**

**Question 3**

How many local Parish and town Councils have been forced to increase council tax to provide services that should be provided by Wiltshire council?

**Response**

**Verbal Response:** I take the word 'should' to be determinative - in other words they are services the council *has* to provide under its statutory duty, and the answer is no parish or town council is required to raise funds to pay for any activities that the council has to provide.

If you extend that to say activities that a local council might think the council *ought* to provide, which could be many and varied, then it's up to that parish or town council to increase their precept accordingly in order to provide services that their residents want.

But the short answer to your question is none.

**Wiltshire Council**

**Council**

**12 May 2015**

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**Item 17 - Councillors' Questions**

**From Councillor Terry Chivers, Melksham Without South Division**

**To Councillor Richard Tonge, Cabinet Member for Finance, Performance and Risk**

**Question 4**

As from April 1st all residents of Wiltshire are being charged £40 in the form of a green bin tax. Payment can be made by credit or debit card, by cheque or by phone.

What arrangements are being made for residents without bank accounts that wish to pay by cash.

**Response**

At 6th May 30676 payments had been made of which 105 were cash. Cash payments can be made at the three hubs and Snuff Street in Devizes. Like all payments to the council we promote methods that are the most cost effective and secure for the customer and the council.

**Item 17 - Councillors' Questions**

**From Councillor Helen Osborn, Trowbridge Lambrok Division**

**To Councillor John Thomson, Deputy Leader of the Council and Cabinet Member for Communities, Campuses, Area Boards and Broadband**

**Question 5**

May the Council please be informed of the extent of the current overspend on the Corsham campus and the reasons for this?

**Response**

**Verbal Response:** Springfield Community Campus in Corsham is nearing completion. The first phase opened last August, providing a new and expanded library, café, climbing wall, exhibition space and a variety of multi-purpose community rooms for hire. The final phase includes a complete refurbishment of the former leisure centre including swimming pool, wet changing rooms, a new health suite, extended fitness suite and a spin studio. The refurbishment incurred an additional cost due to the need to replace the plumbing and electrics, as well as moving asbestos. The sports hall, two squash courts and the movement studio also required unexpected refurbishment following flooding last December.

These factors combined and a change in contractor led to an increase cost of around £3.4million, which will be met from the Campus budget.

**Question 6**

What is the estimated completion date for the Melksham campus and is it likely to come in on budget?

**Response**

**Verbal Response:** Work to delivery new football and rugby pitches and facilities at Woolmore farm in Melksham will commence in the next few weeks. New facilities will be the first phase of the new Campus and will see new clubs playing from the new venue for the 2016/17 season.

Clearance of protected newts on the site has meant a delay in the building programme and this means both clubs will contain to play at their existing premises for the 2015/16 season.

Woolmore farm is a significant investment of around £6million; the Campus site at Melksham House will commence following relocation of the clubs in May 2016. The Area Board is working with the COB [and] will review the design plans to ensure they are within the approved budget. This works commences in the next few weeks to consider revisions and external funding contributions.

The campus is scheduled to open early 2018. We've actually also invested £21,000 to enable the football and rugby clubs to continue the use of their facilities, as there was some work which had been delayed because they were expected to move. We felt it was only fair to do that work for them.

#### **Question 7**

Is the NHS still committed to involvement with the campus programme?

#### **Response**

**Verbal Response:** The NHS is committed to being part of the campus programmes and we're in negotiations with them on various campuses on the space and involvement they wish to pursue.

#### **Question 8**

What is the capital borrowing requirement for completion of the first seven campuses?

#### **Response**

**Verbal Response:** *It is estimated to be in the region of £50m as was set out in previous reports to members.*

**Wiltshire Council**

**Council**

**12 May 2015**

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**Item 17 - Councillors' Questions**

**From Councillor Terry Chivers, Melksham Without South Division**

**To Councillor John Thomson, Deputy Leader of the Council and Cabinet Member for Communities, Campuses, Area Boards and Broadband**

**Question 9**

Wiltshire Council has known about the presence of newts on the new site for Melksham Town FC and Melksham Ruby for some time.

Why was it left so late before these two clubs were told that they would be remaining at their present grounds for another season?

Is it really the newts holding the move up or just a red herring as suggested in the Editorial of The Wiltshire Times?

[http://www.wiltshiretimes.co.uk/news/12882708.Newts\\_delay\\_Melksham\\_developments\\_by\\_a\\_year/](http://www.wiltshiretimes.co.uk/news/12882708.Newts_delay_Melksham_developments_by_a_year/)

**Response**

**Verbal Response:**

Wiltshire Council has known about the presence of newts on the new site for Melksham Town Football and Melksham Town Rugby for some time, and your question was 'Why was it left so late before these two clubs were told?'.

The site was identified for the proposed rugby and football club at Woolmore farm as previously dedicated under licence by Natural England as a habitat mitigation in conjunction with the development at Melksham Oak Community School. As such Wiltshire Council has always been aware of the presence of reptiles on this site, and the necessity to secure further licence from Natural England to disturb] the inhabitants of great crested newts.

It should be noted that great crested newts are afforded full protection under the wildlife and countryside protection act 1981, as amended [by the] The conservation of habitats and species regulation (2010).

It is illegal to capture, injure or kill any wild animal protected under this legislation. It is also illegal to damage or destroy any aspect of their habitat without licensed consent from Natural England. Failure to comply with the requirement of this legislation can result in a custodial sentence up to 6 months.

The project team worked with their appointed specialist and Natural England to demonstrate an effective level of migration associated with the development . Also to secure sufficient habitat areas and connectivity between breeding ponds across the site. In order to make the licence acceptable to Natural England it was first necessary to secure the planning permission for the site. Planning was finally received on 16 July 2014, later than anticipated due to the sensitive nature of the site and necessary highway information.

On receipt of planning permission the licence application was made to Natural England, including a detailed reason statement to justify the council's case for further distributing protected species on this site. The licence from Natural England was received on the 28<sup>th</sup> October 2014 approximately 6 weeks later than their original target date, processing the application and listing the licence.

The licence requires an area in question be suitable fenced to enable the effective trapping and removal of the protected species outside of the development area. The licence also states the trapping period must take place over a minimum of 30 days, and the area can only be deemed clear following a period of 5 consecutive days where no reptiles are identified in the traps.

Also, most importantly, the licence precludes any trapping taking place where any night time temperatures fall below 5 degrees. On receipt of the licence and preparations of the reptile fencing it became apparent temperatures had fallen below the required level. As such the operation was postponed pending increased temperatures.

The trapping process has now commenced and it is anticipated that the work will commence on site shortly . Work to deliver the new football and rugby pitches and facilities at Woolmore farm in Melksham will commence in the next few weeks. New facilities [will be]for the first phase of the new campus, and will see the clubs playing from the new venue for the 2016-17 season.

The clearance of protected newts on the site has meant a delay in the build programme and this means that both clubs will continue to play at their existing premises for the 2015-16 season.

Woolmore farm is a significant investment of around £6million. The campus site at Melksham House will commence following the relocation of the clubs in 2016. The Area Board is working with the COB and review the design plans to ensure they are within the approved budget. This work will commence in the next few weeks to consider revisions and external funding contributions and the campus is scheduled to open early 2018.

**Wiltshire Council**

**Council**

**12 May 2015**

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**Item 17 - Councillors' Questions**

**From Councillor Chris Caswill, Chippenham Monkton Division**

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

**Question 10**

How many responses were received to the Draft Chippenham Site Allocation Plan? What number and percentage of the total said that they found the Plan to be unsound?

**Response**

**Verbal Response:** We have received 570 representations from 332 contributors of whom 270 contributors stated that they thought the draft Chippenham Site Allocations Plan unsound.

**Question 11**

When will all the public responses to the Draft Chippenham Site Allocation Plan be loaded onto the Council web site? As of 5th May, nearly one month after consultation closed, no responses from the CAUSE 2015 residents group have appeared there, when will they be available?

**Response**

**Verbal Response:** All of the responses are now available on the Council's consultation portal, including the representations from CAUSE 2015.

**Question 12**

How many hectares of land does Wiltshire Council own in each of the Areas C, D and E respectively of the Draft Chippenham Site Allocation Plan?

**Response**

**Verbal Response:** Wiltshire Council owns 77 hectares in Area C, 194 hectares in Area D, and 2.8 hectares in Area E.

### **Question 13**

The official 2011-2016 Wiltshire Infrastructure Delivery Plan 2, Appendix 1 Chippenham Community Area, includes a southern link road and costs for the river crossing. Why is this now being airbrushed out of the Council's plans?

### **Response**

**Verbal Response:** Proposals for development south west of Chippenham contained within the draft Chippenham Site Allocations Plan (proposal CH1) include the requirement that the "Design and layout of development must not prohibit a potential future road connection to land to the east", so not prejudicing the scope for a southern link road in future development plans for the town that look beyond 2026. A southern link road is not being 'airbrushed' out of Council plans. However, it is not needed in the period to 2026.

### **Question 14**

What is the revised timetable for the preparation of the Chippenham DPD? Does this now include reconsideration by the Cabinet?

### **Response**

**Verbal Response:** Officers are currently considering all comments received to determine whether issues of soundness have been raised requiring further consideration by Cabinet, as set out in the resolution of Cabinet on 10 February 2015. If issues of soundness requiring further consideration by Cabinet have been raised, then this will be put on the Forward Work Plan.



**Item 17 - Councillors' Questions**

**From Councillor Chris Caswill, Chippenham Monkton Division**

**To Councillor Keith Humphries, Cabinet Member for Public Health, Protection Services, Adult Care and Housing (exc strategic housing)**

**Question 15**

How much additional funding has been provided to the Council by Central Government to assist with the implementation of the Care Act 2014, which came into effect on April 1<sup>st</sup>?

**Response**

The Council will receive £2.7m of direct grant, plus £2.5m from the Better Care Fund.

**Question 16**

At 2015 prices, what do you estimate the additional annual cost to the Council of implementing the Care Act will be, after any Government additional funding has been taken into account?

**Response**

The most recent national model used to gauge the impact of the Care Act on the council suggests a total financial impact for carers and support of £5 million. Assessment accounts for £0.5m and support £4.5m. The details are in a paper presented to cabinet on 20<sup>th</sup> January 2015.

**Question 17**

How many additional assessments for carers do you expect the Council will need to carry out in Wiltshire? Are the staff in post to do this work?

**Response**

This is a very difficult question to answer. The Census tells us there are 48,000 carers in Wiltshire. Carers Support Wiltshire, who do all the work for us on our behalf, have identified only 8,000 carers registered with them.

Of the others there'll be lots of people who don't want to be identified as carers for one reason or another and haven't come forward.

What we can say is that last year we carried out assessments on 1200 carers and our modelling is based on 100% increase in that to 2400. But the truth is, in reality, we have no way of knowing how many of those extra 40000 people are going to come forward.

as the Care Act came into force and that hasn't happened. So whether they'll be another one later when the winter period comes on we just don't know.

But we are monitoring the situation as carefully as we possibly can, and if we need extra staff, we will work with Clearance Support Wiltshire to take them on and I also refer you to the Cabinet report in January 2015 in which we spelt out our new model of support for Carers - a new model of assessment and support - which will reduce the number of assessments we actually need to do.

When questioned at the last Council, meeting about the Help to Live at Home Service, your response included the statement that *"At the moment things are going well, and we need to keep them that way."* Since then the Care Quality Commission has found that a second of the four Council HTLH providers, MiHomeCare, is now falling seriously short of the required standards. They 'require improvement' in three out of five inspection categories and are found to be Inadequate in terms of safety. The report states bluntly "The service is not safe." More than one breach of the Health and Social Care Act Regulations is recorded.

At the same time, the CQC web site continues to rate the Mears HTLH service as 'Requires Improvement'. This comes after three inspections in less than a year and (we are told) many hours of work by Council officers to help improve the service. The latest inspection was announced to Mears in advance and does thankfully report some improvements, as one would expect after the amount of attention that has been given over the last 11 months. However the service still 'requires improvement' in four out of five inspection categories and the situation is far less satisfactory than suggested in your upbeat response at the February Council meeting. For example, the CQC found in December that "whilst improvements had been made to the (Mears) service, the administration of people's medicines was not safe".

### **Question 18**

I appreciate that Cabinet administrations, relying on their political majorities, often find it awkward to admit to getting things wrong. But isn't it time in this case to say sorry to those vulnerable Wiltshire people who have relied on the Council's contractors, but have been let down by them, and even sometimes been put at risk?

### **Response**

The CQC report on Mears was published on February 27th 2015 and refers to an inspection that took place in December 2014 at the time restrictions on the company were lifted. The problem is that assessment will stay on the CQC website saying Mears are in need of improvement even though all those improvements have been put in place, and it will stay there until the next CQC inspection which could be 12-18 months time. I think that's grossly unfair, there's a lot of lobbying - not just from us - from across the country to have that system changed but that's the way it is. It does not mean that Mears, at the moment, are in need of improvement.

I'm sorry you think our contractors have let people down but I would like to point out that our customers don't think that is the case.

A recent survey of customers supported at home has shown that the proportion who say that our services have made them feel safe and secure has risen over three years from 83% to 88%.

In addition the official statistics - in the 6 months up to March 2015 our Help to Live at Home (HTLAH) providers carried out 300,000 visits across all four HTLAH providers to customers. The total number of complaints across all the companies concerning standards in care, late visits and missed calls amounted to just 54 which is about 0.18%.

H2LAH is a complex and innovative service. It involves over 600 staff and several thousand customers with 600,000 visits made annually. Everybody in the system strives to give the best service possible but as in any complex human system situations arise and occasionally things dip.

It is important we learn from such events – safeguarding is paramount. It's something we all care about in our world of adult care, and when we need to, we work to support our providers, to get things back on track as quickly as we can.

Nobody who works with adult care is complacent. We work with the CQC. We have a quality assurance inspection routine in place and are looking to enhance this by working with Health Watch to design an even more robust system.

Therefore, although we have had problems to overcome, and I don't doubt there will be other problems in the future, overall I stand by what I said before, this is a complex system and generally it is working well and we will strive to keep it like that.

#### **Question 19**

The whole Better Care Strategy and the widely shared ambition to keep people out of hospital depends on good quality care at home. Isn't it time also to recognise that the commissioning of private, for-profit HLTH services in Wiltshire has not adequately met the needs of Wiltshire residents, and to put in place some urgent actions that build on that recognition?

#### **Response**

Nationally over 40% of care providers are requiring improvement under CQC inspections and they are a mixture of charities, not for profit and private companies. Of the 4 HTLAH providers, one is a charity, one is a not for profit company and two are "for profit". Nationally there are some well-known national charities and non-profit organisations which have fallen foul of new CQC inspection regime.

During the next 12 months the Council will begin the process to consider a strategy for the re commissioning of the HTLAH / outcome focused commissioned contracts as they become due.

We will be working with all aspects of the Council including Scrutiny, its customers and partners to determine the most appropriate commissioning strategy and will take into account all the learning gathered in the first years of operation.

#### **Question 20**

And should there not be a plan B, for example changing contractors, or considering bringing these services back into the public sector?

## **Response**

As part of Q19

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### **Item 17 - Councillors' Questions**

**From Councillor Chris Caswill, Chippenham Monkton Division**

**To Councillor Philip Whitehead, Cabinet Member for Highways and Transport**

#### **Question 21**

Will you make clear your reasons for refusing to replace any damaged or destroyed litter bins throughout the County? When will you be reviewing this antisocial policy?

#### **Response**

It must be noted that it is not the lack of a litter bin that is antisocial but the dropping of litter.

It is vital that dropping litter is not given an excuse. There can never be a reason for dropping litter, it is vital the message is given that litter must be disposed of in the correct manner.

If a litter bin is not available take the waste home and put it in your bin.

Whilst the council has a statutory duty to collect litter, it also has a moral duty to avoid unnecessary costs. Collecting litter is one such avoidable cost.

Town and parish councils can provide litter bins and empty them if it is a local priority on their land or Wiltshire Council's land at an appropriate location.

Town and parish councils can relocate the council's current litter bins if they feel this will help address a litter issue and the location is appropriate.

Certain businesses can be requested to remove their litter or their customers litter from up to 100m from their shop frontage. Many businesses provide litter bins themselves to control this litter. For example many local village shops.

A number of organisations provide sponsorship for the direct provision of litter bins, for example McDonalds.

The council is endeavouring to highlight to everyone that collecting litter is an easily avoidable cost. By a small number of irresponsible people not dropping litter the council would save considerable sums. It must be recognised that the vast majority of people are responsible and dispose of their waste correctly. Regrettably it is the

council's experience that it still has to litter pick areas even though there are litter bins present.

When looking at service prioritises the council must undertake the service which meets the demand. Litter is dropped in the town centres even though there are numerous bins, or dropped on the rural highways even though there are litter bins in lay byes.

The council when prioritising its services must fund reactive litter picking, which is proven to remove litter, over litter bins which it has experience of not preventing litter deposits. Education and enforcement are also important and this work must also be continued. However, the council will be pleased to support local communities who may wish to provide litter bins themselves, or undertake community litter picking initiatives or relocate existing litter bins.

**Item 17 - Councillors' Questions**

**From Councillor Chris Caswill, Chippenham Monkton Division**

**To Councillor John Thomson, Deputy Leader of the Council and Cabinet Member for Communities, Campuses, Area Boards and Broadband**

A policy has been imposed on Area Boards which requires any issue or proposal coming to a Community Area Transport Group (CATG) to have the support of the relevant Town or Parish Council. It does not allow a CATG to proceed with any solution without that support. This effectively gives Town and Parish Councils a veto, even if the elected Wiltshire Councillor supports action being taken.

**Question 22**

Given that Wiltshire Councillors are encouraged to be 'community leaders', would you not agree that this policy diminishes the role of all Wiltshire Councillors in the areas they represent?

**Response**

**Verbal Response:** It does depend to some extent on the nature of the project. If it is a straight forward project we're actually in the process of producing a pricing list and a set of documentation for parish councils and town councils.

What we want to happen is that Ideas are passed to parish and town councils much much earlier to get their approval because that actually wastes less of our officer time. Because if our officers spend time on producing plans and they do not get through the parish council that is costing us a huge amount of money and slows down other projects going forward.

So we are producing this to go through. If it is a more complicated project then it may well be that we do an initial summary of it, it goes to the parish and town council. If we then have to do more work, they may want to revisit it at some stage but that will only be on complicated systems. So the parish or town council will have access to the requisite amount of expert support.

**Question 23**

CATGs benefit from the professional high quality advice of Council officers when they make their decisions. What steps will you take to make sure that advice is available to Town and parish Councils when they consider whether they are going to support or veto proposals put forward by members of the local public?

## **Response**

**Draft Verbal Response:** All CATG proposals are forwarded to the local town or parish council for consideration, together with a request for financial support. Highways officers are only requested to investigate and report on a proposal where there is support from the town or parish council.

## **Question 24**

Given these difficulties, will you consider revising the Area Board CATG Terms of Reference so that they only require Town and Parish Councils to give an opinion, without the power of veto?

## **Response**

**Verbal Response:** *No*

**Item 17 - Councillors' Questions**

**From Councillor Chris Caswill, Chippenham Monkton Division**

**To Councillor Jane Scott OBE, Leader of the Council**

According to the papers of the Health and Wellbeing Board meeting on 25 March, the Wiltshire Clinical Commissioning Group is now engaged in re-commissioning 'Adult Community Services' for Wiltshire residents. This rather dry term doesn't fully convey the large range of what is involved, which is the provision of (to quote the HWB paper):

*Community Beds (inc Step up), Community Geriatrician/Frail Elderly Service, Stroke Therapies Neurology Stroke, Speech and Language Therapy (SALT), MIU, Continence, CTPLD, Hearing Therapies, Tissue Viability Lymphedema, Diabetes, Dietetics, Podiatry, Community Outpatient Musculoskeletal (MSK) Physiotherapy & Extended Scope Physiotherapy (ESP), Orthotics, Wheelchairs, Cardiac (PACE) & Respiratory Services (COPD), Core Community Teams (inc Care Co-ordinators) Outpatient Department services, and Fracture Clinic*

**Question 25**

In the HWB papers it was reported that four organisations had been chosen to go forward to the next stage in the selection process, but these four were not named. As Chair of the HWB, you presumably know who these four are. Will you take this opportunity to make their names public?

**Response**

Wiltshire CCG is leading the re-commissioning process for adult community services. As part of this, the CCG invited the four organisations that have been chosen to go forward to the next stage in the selection process to make their names public. However, not all have chosen to do so, which means these cannot yet be announced publicly in this part of the procurement process.

**Question 26**

What part is Wiltshire Council playing in this commissioning process?

**Response**

As per the paper which went to the Health and Wellbeing Board, Wiltshire Council has been invited to nominate two representatives to the procurement panel.



**Question 27**

The HWB paper referred to in the previous question states that the aim is “to secure the most advantageous (Adult Community) services for the people of Wiltshire”. In your view, as Leader of this Council, could the award of this service contract to a private sector for-profit company be advantageous for the people of Wiltshire?

**Response**

Wiltshire Council will be placing an emphasis on ensuring that, whichever organisation is selected, there will be close working between adult community services, social care teams, GP practices and the acute hospitals. This is crucial for delivering the vision of care outlined in the Joint Health and Wellbeing Strategy and the Better Care Plan – with care at or closer to home and local services clustered around GP surgeries. The final decision on which organisation is best placed to deliver this rests with the CCG, however Wiltshire Council will do all it can and will work with partner organisations to ensure high quality services, free at the point of delivery, are made available to Wiltshire residents - with a strong emphasis on sustained investment in integration of services.

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**Item 17 - Councillors' Questions**

**From Councillor Ernie Clark, Hilperton Division**

**To Councillor Philip Whitehead, Cabinet Member for Highways and Transport**

**Question 28**

I am advised that this council no longer has enough money to replace broken equipment in the play areas it is responsible for. Is this true? If it is, how does this equate with the WC wish to get our children fitter?

**Response**

A considerable number of play areas across the county are provided and funded by the town and parish councils. To ensure a harmonised policy across the county, with all town and parish councils being treated the same, the council continues to seek to asset transfer these facilities to the local community. The council has a budget of circa £145k for the inspection and maintenance of its 184 facilities. The council's priority is to fund the inspection of these facilities to ensure they are safe. When major repairs are required the relevant town or parish council will be contacted to confirm if they wish to fund the repair or take on the facility. If this is not an option the council will prioritise its funding to ensure the safety of the facility.