


## CABINET

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DRAFT MINUTES of a MEETING held in KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 9 February 2016.

Cllr Keith Humphries	Cabinet Member for Health (including Public Health) and Adult Social Care
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills and Strategic Transport
Cllr Baroness Scott of Bybrook O.B.E	Leader of the Council
Cllr Jonathon Seed	Cabinet Member for Housing, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Dick Tonge	Cabinet Member for Finance
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage and Arts, Governance and Support Services
Cllr Philip Whitehead	Cabinet Member for Highways and Transport
Also in Attendance:	Cllr Glenis Ansell, Cllr Chuck Berry, Cllr Allison Bucknell, Cllr Chris Caswill, Cllr Richard Clewer, Cllr Anna Cuthbert, Cllr Tony Deane, Cllr Richard Gamble, Cllr Alan Hill, Cllr Atiquel Hoque, Cllr Jon Hubbard, Cllr David Jenkins, Cllr Simon Killane, Cllr Gordon King, Cllr Magnus Macdonald, Cllr Alan MacRae, Cllr Bill Moss, Cllr Stephen Oldrieve, Cllr Horace Prickett, Cllr Bridget Wayman and Cllr Jerry Wickham

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Key Decisions Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

### 13 Apologies

There were no apologies received.

### 14 Minutes of the previous meeting

The minutes of the meeting held on 19 January 2016 were presented.

### Resolved:

**To approve as a correct record and sign the minutes of the meeting held on 19 January 2016.**

**15 Minutes - Capital Assets Committee**

The minutes of the meeting held on 19 January 2016 were presented.

**Resolved:**

**To receive and note the minutes of the meeting held on 19 January 2016.**

**16 Declarations of Interest**

There were no declarations of interest.

**17 Leader's announcements**

**(A) Recording of Cabinet**

The Leader announced that the meeting would be recorded not for public transmission but to enable the footage to be reviewed to test the equipment with a view to broadcasting future meetings if the test proved satisfactory

**(B) Revised Cabinet Scheme of Delegation**

The Leader announced that she had reviewed Cabinet Member responsibilities. The Cabinet Member for Economic Development, Skills and Strategic Transport would take on responsibility for strategic property. Responsibility for the operational use of property would remain with the Cabinet Member for Strategic Planning and Waste. This change effective from this meeting (9 February 2016) was intended to provide greater focus and clarity in the exercise of the council's functions as landowner.

This change would be reported to the Full Council in accordance with the constitution.

**18 Public participation and Questions from Councillors**

The Leader drew the meeting's attention to the responses, circulated in agenda supplement 2 to the public questions received and invited Mr Richard Hames and Mr Ian James to ask any supplementary questions.

Mr Hames asked to follow up on questions 2, 3, 4 and 5.

In response to a request for more clarity, Cllr Sturgis stated that if proposals on brownfield sites had permission and were deemed deliverable then they could be considered as counting towards meeting the housing target in the Chippenham area in the current plan period. He went on to state that the deliverability of brownfield sites was affected by factors such as cost, contamination, ownership and infrastructure.

In response to a request for more clarity, Cllr Sturgis stated that Core Policy 10 referred to sites within the immediate vicinity of Chippenham and should not be confused with the need for a five year land supply within the wider North & West Wiltshire Housing Market Area. He went on to state that developments in the other towns in that Housing Market Area would not reduce the housing requirement within the Chippenham area.

In response to a request for paper copies of plans, the Leader stated that the Council encouraged residents to access the information online and that such facilities were available at libraries or council offices' reception; to produce extra paper copies of planning documentation was not, in her opinion, a good use of public money. In response to concerns regarding the tight timescale to respond to planning applications, Cllr Sturgis stated that any consultation response made after the deadline, but prior to the determination, would be considered as part of any determination by the authority.

In response to a question in relation to whether the Council had committed to selling land to Chippenham 2020, the Leader asked that Mr Hames submit his supplementary question in writing so that it could receive a written response.

Mr James thanked Cllr Thomson for the comprehensive response on the matter of the Broadband roll-out.

In response to supplementary issues raised by Mr James, Cllr Thomson clarified that: 80,000 homes would be given the opportunity to access high speed broadband in phase one by the end of March 2016; that issues with regard to poor services were varied, and were often subject to issues with providers; that the Council did not have access to information on individual household speed, and should not become a portal for people's problems with their providers; that additional homes would be reached in phase two; that as the service became more commercially viable, the Council would be rewarded with extra funding that could be used to reinvest in providing better access for harder to reach properties; that as the 4G network improved, it may be that some properties' problems could be solved that way rather than through the physical network; that there was a voucher scheme of up to £350 for people to buy equipment to provide satellite solutions; that there was a large campaign, backed by MPs, to allow parish councils to assist in funding and, in some cases, doing the work required to get hard to reach properties access – this work had been hampered by state aid processes, and meetings were underway with Broadband Delivery UK (BDUK) to try and circumvent these procedural problems.

Cllr Thomson confirmed that he was responsible, through a hard-working team of officers, for holding BT to account for performance. The Leader also mentioned that this was a priority area of the Swindon and Wiltshire Local Economic Partnership.

In response to a matter raised by Cllr Hubbard, Cllr Thomson stated demand had been underestimated in some areas.

In response to a question raised by Mr James, Cllr Sturgis stated that he believed that the Scott-Wilson Report indicated that planning authorities should, by way of planning conditions on development, require long-term monitoring of the hydrological aspects of land so that better information on issues such as ground water levels could be fed into models for developing flood defences; this would be a condition of a planning decision, not a pre-application consideration.

## 19 **Budget Monitoring**

The Cabinet considered the following reports:

## 20 **Revenue Budget Monitoring**

Councillor Dick Tonge, Cabinet Member for Finance, presented the report which advised members of the revenue budget monitoring position as at the end of period 9 (end of December 2015) for the financial year 2015/2016 with suggested actions as appropriate. In his presentation, Cllr Tonge referred to the actions taken to address any overspends to enable the Council to reach a breakeven position for the financial year. He stated that he expected a balanced budget to be achieved, and that the amount of reserves was in line with strategy.

### **Resolved**

**To note the outcome of the period 9 (end of December) budget Monitoring.**

Reason for Decision:

To inform effective decision making and ensure a sound financial control environment.

## 21 **Capital Budget Monitoring**

Councillor Dick Tonge, Cabinet Member for Finance, presented the report which informed Cabinet on the position of the 2015/2016 Capital Programme, as at Period 9 (31 December 2015), including highlighting budget changes. In his presentation, Cllr Tonge referred to the reasons for changes in the budget, the reductions to budgets where capital expenditure was less than anticipated and that some areas had been reprogrammed into 2016/17.

In response to a query from Cllr Hubbard, it was clarified that the £122.7 million predicted to be spent in 2015/16 was net of the £38.6 million reprogrammed into 2016/17; that any revenue savings arising from reduced borrowing had been taken into account; and that the remaining budget for 2015/16 would be spent in that period.

There being no further debate, the meeting;


### **Resolved**

- 1. To note the general budget additions for grants, contributions and other sources of £0.930 million as per Appendix B of the report as presented, and to note the period 9 position of the Capital Programme in Appendix A of the report as presented.**
- 2. To also note the reprogramming of £38.564 million between 2015/2016 and 2016/2017.**

Reason for Decision:

To inform Cabinet of the position of the 2015/2016 capital programme as at Period 9 (31 December 2015), including highlighting any budget changes.

## **22 Treasury Management Strategy 2016/17**

 Councillor Dick Tonge, Cabinet Member for Finance, presented a report which asked Cabinet to consider and recommend that Council approve the Prudential and Treasury Indicators, together with the Treasury Management Strategy for 2016-17. In his presentation, Cllr Tonge highlighted the small number of changes proposed to be made from the previously approved strategy and mentioned the changes made during the year by Cabinet and now incorporated into the strategy.

### **Resolved**

To recommend to Council that it:


- a) adopt the Prudential and Treasury Indicators (Appendix A) and approve the proposed changes to the additional maturity indicator and Upper Limits on the Maturity Structure of Borrowing, Trl 5 (paragraphs 28 to 31 of Appendix A);**
- b) adopt the Annual Investment Strategy (Appendix B), including the ratification of the removal of the minimum requirement for high credit quality relating to support ratings (previously in paragraph 28), following the changes to Fitch ratings implemented by them in respect of “bail-in”, as approved, via delegated authority to the Associate Director, Finance, Revenues & Benefits and Pensions;**
- c) delegate to the Associate Director, Finance, Revenues & Benefits and Pensions the authority to vary the amount of borrowing and other long term liabilities within both the Treasury Indicators for the Authorised Limit and the Operational Boundary;**

- d) **authorise the Associate Director, Finance, Revenues & Benefits and Pensions to agree the restructuring of existing long-term loans where savings are achievable or to enhance the long term portfolio;**
- e) **agree that short term cash surpluses and deficits continue to be managed through temporary loans and deposits; and**
- f) **agree that any surplus cash balances not required to cover borrowing are placed in authorised money-market funds, particularly where this is more cost effective than short term deposits and delegate to the Associate Director, Finance, Revenues & Benefits and Pensions the authority to select such funds.**

Reason for Decision:

To enable the Council to agree a Treasury Management Strategy for 2016-17 and set Prudential Indicators that comply with statutory guidance and reflect best practice.

## 23 **Wiltshire Council's Financial Plan 2016/17**

 The Leader invited Councillor Dick Tonge, Cabinet Member for Finance, to present the Financial Plan and associated reports which detailed the draft proposals for Cabinet's consideration for onward recommendation to the Budget and Council tax setting meeting of Council on 23 February 2016 with a view to setting the Council's budget for 2016/17.

In her introduction, the Leader emphasised the need to find more savings due to changing demand and the reduction in grant funding from Central Government and stressed the importance of economic development and job creation;. The Leader thanked the officers for their work on developing a draft budget that aligned with corporate priorities.

Cllr Tonge, in his presentation, highlighted the detail in the report; that the largest proportion of money was allocated to supporting the most vulnerable in our society; that the budget was focused on protecting front line services that delivered the Business Plan; that it was proposed to increase the Council Tax for the first time in six years; that the Council would look to maximise efficiencies; and that a nationally mandated rent reduction would need to be taken into account.

Cllr Simon Killane, Chair of the Overview & Scrutiny Management Committee, outlined the process by which non-executive Councillors had been involved, and referred to the report of the Committee's meeting on 3 February which had scrutinised the budget proposals.

Cllr Glenis Ansell, Chairman of the Financial Planning Task Group, outlined how major issues would be tracked, including libraries, Adult Social Care and spending on agency workers. She emphasised the importance of building relationships between members of her group and the Cabinet members. The Group had asked for greater clarity with regard to Local Youth Network funding, deposits for those renting and possible reductions in grants to the voluntary sector. The Group would also review, in 6 month's time, the impact of the changes in Council tax to the debt levels.

Cllr Jon Hubbard, Chairman of the Children's Select Committee, clarified that whilst he had been able to comment on the budget, his Committee had not had a meeting at the appropriate time to contribute to the budget considerations as a committee.

Cllr Tonge in response to an issue raised by Cllr Caswill over what constituted a front line service, clarified that a front-line service was a service used by the public. The Leader added that the Council was being clear to the public that, to enable the continued protection of the vulnerable, some support services had to be cut meaning that, for instance, response times to correspondence would not always be as swift as before.

In response to an issue raised by Cllr Caswill, Michael Hudson, Section 151 Officer, stated that the fees and charges policy agreed by council two years ago set out the process by which fees and charges were set, In relation to apparent significant increases, he added that this was a reflection that charges may not have increased for some time or where fees were set by statute. .

In response to an issue raised by Cllr Caswill, Cllr Laura Mayes stated that Early Years Help referred to support given to children at various ages, not just in early years; and that the family intervention service was being brought completely in house, allowing the Council to make efficiencies in this area and reach more children. This would be achieved through changes in the management of the service rather than reductions in front-line services.

In response to an issue raised by Cllr Caswill, Cllr Stuart Wheeler and Cllr Alison Bucknell stated that managers were being supported to help officers manage stress; that members would continue to monitor the situation.

Corporate Directors Maggie Rae and Carlton Brand highlighted that more emphasis, through the Healthy Workplace Charter, was being placed on staff taking more responsibility for their own health and wellbeing; that staff surveys provided useful monitoring information, with the last staff survey indicating positive results, the monitoring of sickness and stress levels which compared favourably against the average; and that appraisals were a key tool in focusing and prioritising work to reduce stress.

Michael Hudson, Section 151 Officer, stated that he had reviewed the proposals made by different service areas and clarified that plans would be in place to

achieve the savings required. Corporate Directors Maggie Rae and Carolyn Godfrey gave examples of where savings could be made that didn't affect staffing levels.

Cllr Caswill stated that he remained concerned that some service reviews may result in some services being stopped, and referenced in his opinion, the decision of the Council to stop providing public toilets.

The Leader stated he was incorrect, and that the Council had never said it would stop providing toilets. The Council was, however, looking to see what would be the best level of local governance to provide this service which involved discussions with town and parish councils.

Some towns and parishes had expressed an interest in taking on this service in their respective areas. As a result, discussions had been held with towns and parishes on this issue. The results of this discussion would then be considered.

In response to a request from Cllr Hubbard for a transcript of what had been said, the Leader replied that she did not believe that her comments were in conflict with what had been communicated by Wiltshire Council

In response to an issue raised by Cllr Caswill, the Leader reassured members that changes to the Councils policy framework would be subject to public consultation, and consideration by Scrutiny, Cabinet and Council as appropriate.

In response to an issue raised by Cllr Caswill, Cllr Philip Whitehead explained that the Council had piloted the removal of some white-lines for safety reasons, but that it was still the policy to paint white lines on roads where required.

In response to an issue raised by Cllr Gordon King, the Leader confirmed that there had not yet been a detailed announcement about possible changes to the Government Grant. Officers would be asked to provide an update to Members when the matter was clearer.

In response to an issues raised by Cllr Bridget Wayman, Chair of the Environment Select Committee, Cllr Jonathon Seed stated that the flood/drainage budget remained unchanged.

## **Resolved**

**To recommend to Council that it:**

- a. Endorses the update of the Financial Plan for 2016/17.**
- b. Approve the investment and savings proposals summarised at Sections 7 and 9 respectively of this report and at Appendix 1, to provide a net revenue budget for 2016/17 of £313.585 million.**



**c. To vote separately:**


- i. To increase Wiltshire Council's element of the Band D Council tax for 2016/17 by 1.99% to £1,246.76, as calculated in accordance with statute, as set out in Section 10 of this report.**
- ii. To introduce a Social Care Levy of 2% to contribute to funding Adult Care pressures, raising £4.322 million.**
- iii. To set the Council's total net expenditure budget for 2016/17 at £313.585 million.**
- iv. To set a 1% reduction for social dwelling rents.**
- v. To set the Housing Revenue Account (HRA) Budget for 2016/17 as set out at Appendix 1F of this report.**
- vi. That all other service charges related to the HRA be increased by CPI plus 1%, including garage rents.**
- vii. To approve the Capital programme proposed at Appendix 1E of this report.**
- viii. To set the changes in fees and charges set out in detail at Section 8 of and at Appendix 1G of this report.**

Reason for Decision:

To enable Council to:

- Set its revenue, capital, housing revenue accounts, fees and charges, levels of reserves and resultant Council Tax for 2016/17 and to issue Council Tax and rent bills.
- Provide the Council with a strong business and financial plan for sustainable delivery for 2015-17.

**24 School Admission 2017/18**

 Cllr Laura Mayes, Cabinet Member for Children's Services, presented the report which outlined the School Admission Policy for approval by the Cabinet. In her presentation, Cllr Mayes highlighted the importance of child safeguarding and that the policy applied to all state funded schools in the area.

In response to a question from Cllr Jon Hubbard, it was clarified that parents received information about transport matters when applying for school places.

There being no further debate, the meeting;

**Resolved**

**To approve and determine:**

- a) **The proposed scheme for the co-ordination of admission to secondary schools for 2017/18.**
- b) **The proposed scheme for the co-ordination of admissions to primary schools for 2017/18.**
- c) **The proposed admission arrangements for Voluntary Controlled & Community secondary schools for 2017/18.**
- d) **The proposed admission arrangements for Voluntary Controlled & Community primary schools for 2017/18.**

Reason for Decision:

The Local Authority has a statutory duty to have a determined admission policy for 2017/18 in place on or before 28 February 2016.

**25 Urgent Items**

There were no urgent items.

**26 Exclusion of the Press and Public**

**Resolved**

**To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the following items of business because it is likely that if members of the public were present there would disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.**

Reason for taking the item in private:

Paragraph 3 – information relating to the financial information or business affairs of any particular person (including the authority holding that information)

No representations had been received as to why this item should not be held in private.

**27 Provision of Waste recycling and Disposal Services (Part II Item)**

🔑 Councillor Toby Sturgis, Cabinet Member for Waste, presented the report which advised Cabinet of the opinion sought from Counsel on the proposal to extend the contract with Hills Waste Solutions for the Provision of Waste Recycling and Disposal Services until 31 July 2017. Cabinet was also; asked to delegate authority to the Associate Director Waste and Environment in consultation with the Cabinet Member for Waste and the Associate Director Legal and Governance to extend the contract with Hills Waste Solutions for the Provision of Waste Recycling and Disposal Services until 31 July 2017.

### **Resolved**

**That Cabinet delegates authority to the Associate Director Waste and Environment in consultation with the Cabinet Member for Waste and the Associate Director Legal and Governance to extend the Contract for the Provision of Waste Recycling and Disposal Services with Hills Waste Solutions until 31 July 2017.**

Reason for Decision:

To enable the Council to maintain service delivery for residents, to comply with its statutory duties to collect and dispose of waste and to continue to progress towards achieving statutory targets until new contracts commence on 1 August 2017.

(Duration of meeting: 9.30 - 11.33 am)

These decisions were published on the 15 February 2016 and will come into force on 23 February 2016.
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The Officer who has produced these minutes is Yamina Rhouati, of Democratic Services, direct line 01225 718024 or e-mail [Yamina.Rhouati@wiltshire.gov.uk](mailto:Yamina.Rhouati@wiltshire.gov.uk)  
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# AGENDA SUPPLEMENT (3)

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**Meeting:** Cabinet  
**Place:** Kennet Room - County Hall, Trowbridge BA14 8JN  
**Date:** Tuesday 9 February 2016  
**Time:** 9.30 am

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**The Agenda for the above meeting was published on 1 February 2016. Additional documents are now available and are attached to this Agenda Supplement.**

Please direct any enquiries on this Agenda to Yamina Rhouati, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718024 or email [Yamina.Rhouati@wiltshire.gov.uk](mailto:Yamina.Rhouati@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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6 **Public participation and Questions from Councillors (Pages 3 - 12)**

- Responses to questions from Richard Hames
- Responses to questions from Ian James

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**Wiltshire Council**

**Cabinet**

**9 February 2016**

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## **Public Participation – Chippenham Sites DPD**

### **Question from Mr Richard Hames**

Answers should be considered in the context of the Council's position regarding the ongoing Examination as promulgated through the Cabinet meeting, 15th December 2015 as noted below:

Cabinet: 15 December 2015

#### *Council Position Statement:*

*The Examination in relation to the Chippenham Site Allocations Plan is still open. The proceedings have been suspended by the Inspector, not closed. The Council has been asked to do further work by the inspector. Whilst this work is being undertaken, the Council will not be responding to communications relating to the evidence before the Inspector as in the interests of fairness and openness such an exchange should be considered through the examination process and therefore managed by the Inspector.*

1. Could you please confirm that the council agrees with the flood analysis provided by the environmental agency at the September public meeting and at the inquiry in November.

#### **Response:**

*This is a question relating to evidence before the inspector and subject to further consideration and therefore it is inappropriate for the Council to comment at this time apart from confirming that the Council will always use the up to date evidence from the Environment Agency.*

2. If there were brown field sites which could have say 400 homes built on them would you please confirm that they would be taken into consideration in the required number of houses of not less than 1935. So if brown field sites for 400 homes were found the number of houses needed would fall to not less than 1535.

#### **Response:**

*This is a question relating to evidence before the inspector and subject to further consideration and therefore it is inappropriate for the Council to comment at this time.*

3. A number of sites have recently received planning permission for houses to be built on in adjacent towns in the North & West HMA as Chippenham was

not able to meet its 5.25 year plan, for example Calne and Corsham. Will the number of not less than 1935 be reduced accordingly.

**Response:**

*The Chippenham Site Allocations Plan will need to be in conformity with the Core Strategy including Core Policy 10 that sets out the housing requirement for the Town*

4. It seems very unreasonable that the public have until I think 11th February to respond on the request to build 700 houses in area B and 1500 houses in area C. Would it not make more sense for this decision to be delayed until the council has produced its report later this year and consultation has been received from the public.

**Response:**

*The consultation period for making comments on these applications ends on 11 February 2016. Once the consultation period has concluded the Council can proceed to determine the planning application. To ensure comments are taken in to account it is important to submit comments before the statutory deadline. However, should representations be received after this date and no decision has been made, they will be taken into consideration by the Council.*

*If valid applications are submitted to the Council then we, as Local Planning Authority, have a statutory duty to process those applications within a specified time frame as you recognise in your next question. Any failure could result in an appeal against the Council for non-determination.*

5. The council has to comply with the timetable laid down by central government in deciding whether to grant planning consent to Chippenham 2020s application for 1500 houses in area C.

If the council decides to grant consent for building on land to the east of Chippenham prior to the inspectors decision at the end of 2016, would the council confirm that in such a case they will refuse to sell land owned by them to C2020 unless the inspector has given his findings and has confirmed development may take place on such land.

If the council fail to give such an undertaking the council is effectively bypassing the inspector so that it can sell its own land for profit and is abusing its position as both landowner and issuer of planning consent. This cannot be correct. The council can not allow building on its own land unless the inspector agrees that it should be part of the Chippenham site allocation

**Response:**

*This is a hypothetical question as to something that may or may not occur in the future based on a decision by the Council as Local Planning Authority which must base its decision on planning grounds only. The Council's land ownership is not a material planning consideration and therefore would have no part in any such decision. Any decision by the Council as landowner after*



*that occurrence would be taken having regard to all of the relevant facts at that time.*

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**Public Participation**

**Question from Mr Ian James, Bremhill Parish Councillor**

**Question to Councillor John Thomson, Cabinet member for Communities, Campuses, Area Boards and Broadband**

Please can the Cabinet member inform Council when those in the rural areas of Wiltshire will receive an acceptable broadband speed.

At the present time there are those in rural areas receiving just .2mbps when BT Open Reach has suggested that the minimum of 4 - 6 mgbps should be available.

It appears that those within 700 metres of a cabinet can have 30mgps, but the further you are away from the cabinet the performance drops off as the connection is still copper.

This poor performance is hampering those businesses working from home, as many as 50% of households in the rural community work from home, and farmers are especially disadvantaged, many are having to deal with DEFRA after midnight to get their work done.

This is of particular concern to those living in the rural parts of Bremhill parish, I am sure this is also of concern to many others living in other rural parishes.

Please will the cabinet member assure Council that every effort is being made to support the rural economy, and what timeframe can users expect 4-6mgbps across all of the county?

**Response**

In 2013, using Central Government's framework contract, we signed our Phase 1 contract with BT to improve access to Superfast (over 24 Mbps - megabits per second) broadband. We signed a second contract with BT for a second Phase in 2015. The total investment for Contract 1 is over £30m with £15.5m from Wiltshire Council, £4.6m BDUK (Central Government's Broadband Delivery UK programme) and £10.8m from BT. Contract 2 investment includes an additional £2.46 million coming from BDUK, £0.5 million from Wiltshire Council and £0.9 million from BT.

Reviewing our build plans for both Phase 1 and Phase 2 we will reach over 80,000 premises with a fibre service and well over 70,000 of those will have a Superfast

service. This is a significant achievement, as without our investment approximately 40% of all premises across Wiltshire would not be picked up commercially.

### **How we planned our roll out**

Firstly we are restricted to roll-out into a pre-defined Intervention Area. The European Commission requires that local authorities can only use public money to invest in this industry sector in areas where the industry demonstrates there is no current, or planned (within the next three years) deployment of either standard or superfast broadband. At the beginning of our project we completed an Open Market Review which gave commercial companies the opportunity to provide their current and planned footprint, the outcome of this review therefore established our intervention area (the area where there is no current or planned activity). Both Phase 1 and Phase 2 of the project are limited to the intervention area which is a legal requirement of the European Commission's State Aid rules.

Broadband is important to everyone; home workers, micro businesses, schools, businesses as well as families and isolated communities. The lack of commercial coverage has caused broadband 'not spots', but these not spots sit not only within our most rural areas but also small pockets of premises within our larger villages and towns. Rather than prioritise type of premise or location Wiltshire Council's strategic decision is to deliver fibre broadband to the greatest number of premises for the budget available. To achieve this the roll-out, design is based on a combination of several factors such as existing infrastructure, speeds already received, number of premises in the area and distance of premises away from the infrastructure. Other roll-out designs were considered such as prioritising specific communities or the most rural areas but the roll-out becomes less efficient and more costly and ultimately reduces the number of premises we can provide a service to within the available budget.

### **The technology we are deploying**

The solution we deploy as part of this contract is FTTC (Fibre to the Cabinet). To provide an FTTC solution we build a new fibre cabinet next to the existing copper cabinet (within a 50m radius) and then connect them. The user then receives a fibre broadband service via a fibre line from the exchange to the fibre cabinet, and then from the copper cabinet it continues along the existing copper lines to each premise. The length of the copper line from the cabinets to the premise can be detrimental to speeds even when attached to the fibre cabinet. We can also pick up EO Lines (exchange only line that run directly from a telephone exchange to the premise) by installing two new cabinets, a fibre cabinet and a new copper cabinet as described above.

The FTTC technology can provide speeds of up to 80 Mbps and allows premises to be connected to the fibre network that will undoubtedly bring further benefits as the technology develops. We are aware that not every premise attached to a fibre enabled CAB is receiving superfast speeds, they are not reported as receiving superfast speeds and we continue to explore further opportunities for these premises.

As a result of the Wiltshire Online programme the number of premises with a fibre broadband service is significantly increased, however we do acknowledge that we cannot reach every premise at this time. Those yet to appear in any build plans we refer to as our 'hardest to reach'.

### **What are our commitments / obligations and timescales**

Currently Wiltshire Council's obligation is to deliver the Phase 1 and Phase 2 contracts effectively. Phase 1 will be complete by end March 2016 and Phase 2 will be complete by the end of 2017.

Previously, Central Government made a commitment (Universal Service Commitment) to provide access to a minimum speed of 2Mbps and we have just launched the scheme to fulfil locally the Government's Universal Service Commitment (USC). The USC is a voucher scheme. The voucher essentially offsets the cost of installing a satellite solution in order to increase speeds to the minimum of 2Mbps. The information and application form is on our website [here](#). The scheme will run until the end of 2017.

Central Government also announced their aspiration for a Universal Service Obligation of a 10Mbps service available to every premise by 2020. As yet further detail on where the obligation sits and how it will be funded has not been released.

Any comments from BT about a minimal service of 6/7 Mbps is outside of the scope of our specific contract of delivery and does not relate to any central or local government obligation or commitment.

### **Performance and assurance of the contract delivery**

Currently Phase 1 delivery is on schedule and the take up of the service has exceeded expectations. In order to drill down the government funding the Project Team's execution of the assurance and payment process and overall contract management are reviewed and assured by central government who then report directly to the Wiltshire Council Programme Board. Following the last review the Programme Board received this report: *'The BDUK Broadband Projects Assurance Board reviewed progress to date at Wiltshire on 8 October 2015 and agreed that since the last Checkpoint D review there was still a very high level of confidence that the required level of contract management has been in place, concrete evidence of sustained assurance activity, and excellent levels of knowledge and compliance with contractual mechanisms. The Assurance Board congratulated Wiltshire on very good progress'*

### **The future of broadband in Wiltshire**

Wiltshire Council is committed to extending our superfast broadband footprint and we continue to explore further funding opportunities. This includes the gain share clause in the Phase 1 contract; as residents take up the new fibre service funds are generated and reinvested into the contract to build further infrastructure. The first tranche of re-investment will be announced in 2016. We also continue to support our local MPs with regards to the pursuit of additional funding for a Phase 3, supporting

the provision of fibre broadband in new build homes and cutting the red tape for those communities looking to embark on community led broadband projects.

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

On 15th December 2015 in response to question 13 his response was wrong. Please will he clarify the exact content of paragraph 3.4 of the Scott Wilson Report on Ground Water Flooding of November 2011 for land to the east of Chippenham, known as Area C1 & 2.

I refer to the last paragraph of his answer which uses the word "prior" to the consideration of development proposals.

The correct statement from para 3.4 reads "It is not sufficient to rely on the work undertaken by developers through the planning application process, unless long term monitoring (several years) is one of the conditions when granting planning permission"

Does he agree that this is the correct statement from para 3.4?

**Response:**

The extract provided in the response to Question 13 to Cabinet on 15 December 2015, correctly referred to wording within Paragraph 3.4 (which comprises three paragraphs - the middle paragraph is the one referred to in this and Mr James' previous Question).

The extract quoted by Mr James above, forms the first part of the 'paragraph', and the extract quoted within the Council's response forms the final part. The response provided in relation to Question 13 focuses on the advice that has arisen in response to the observations made in the first part. For completeness the full paragraph is provided below:

"It is not sufficient to rely on the work undertaken by developers through the planning application process, unless long term monitoring (several years) is one of the conditions when granting planning permission. Groundwater levels are often only monitored once, or, at most, for a number of weeks. It would be advisable for the Council, in combination with the Environment Agency, to begin long term monitoring of the Cornbrash Formation, Kellaways Sand Member and superficial aquifer groundwater levels. This data would also be useful for understanding groundwater / surface water interactions, which is important when considering the design of fluvial flood defences."

(Paragraph 3.4 'Importance of Long Term Groundwater Level Monitoring', Appendix C Chippenham Surface Water Management Plan, Scott Wilson - Surface Water Management Plan, November 2011)

However, in the Council's response there are two typo errors. There should not be a quotation mark at the end of the response and the reference to Question 5 should have read Question 11.

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**Admin Note: question 13 to Cabinet on 15 December 2015 as referred to above for ease of reference as follows:**

*Is it true that the Scott Wilson ground water flooding report for the River Avon and Marden stated that the Council should not rely on a developer's report, but should undertake several years of hydrological testing during any planning stage?*

**Response:**

*As part of work commissioned for a Surface Water Management Plan, Scott Wilson prepared an intermediate assessment of ground water flood susceptibility. It states that a developer's survey of groundwater levels could usefully be supplemented by longer term monitoring. It says:*

*"It would be advisable for the Council, in combination with the Environment Agency, to begin long term monitoring of the Cornbrash Formation, Kellaways Sand Member and superficial aquifer groundwater levels. This data would also be useful for understanding groundwater / surface water interactions, which is important when considering the design of fluvial flood defences." (para 3.4 An Intermediate assessment of ground water flood susceptibility, Scott Wilson, November 2011)*

*Scott Wilson's finalised advice does not suggest a requirement for several years hydrological study being required prior to the consideration of development proposals. (See question 5). The Environment Agency do not consider there is an enhanced risk in Chippenham due to ground water flooding."*

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