

AGENDA SUPPLEMENT (1)

Meeting: Cabinet
Place: Online meeting
Date: Tuesday 13 October 2020
Time: 10.00 am

The Agenda for the above meeting was published on 5 October 2020. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Stuart Figini, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718221 or email stuart.figini@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

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Wiltshire Council

Cabinet

13 October 2020

**Statement from Colin Gale on behalf of Pewsey Community Area Partnership
(PCAP)**

Agenda Item 5 – Public Participation and Questions from Councillors

**To Cllr Philip Whitehead – Leader of the Council and Cabinet Member for
Economic Development, MCI and Communications**

Statement:

Background

The Questions put to Cabinet by PCAP on 14th July 2020 fell under the general heading “Wiltshire Council Finance and Finance Scrutiny” and were divided into two sections, as follows:

Case 1 - which was concerned with the costing of the new **SEND school on the Rowdeford site** following the announcement by the Council in July 2020 that a contract for £33.0m for the building thereof had been placed with Wilmott Dixon, and

Case 2 – which was concerned with a spreadsheet which was presented to a Full Council Meeting on 16th June 2020 as **Appendix B, - Provisional Earmarked Reserves Table** as at 31st March 2020 under Agenda Item 9 , Covid -19 Update and Financial Position.

Concerns were expressed in both cases, and Questions raised. It is not the intention to repeat these here, but to request Cabinet to note that the responses were not received until September 2020, some two months after they had been raised. Cabinet are also requested to note that due to the fact that the Questions had been submitted later than intended, it was agreed between PCAP and the Democratic Services Officer that there was insufficient time to include them in the Public Reports Pack for the 14th July Cabinet Meeting. However, the Democratic Services Officer, during the course of the relevant email exchange with the undersigned, on the

evening of 13th July, undertook to notify the Chair of the situation, to which reference was made during the course of the Meeting (although not minuted) and undertook to add the Questions and Responses to the 14th July Minutes as an Appendix. On 14th September, the Democratic Services Offer emailed the undersigned stating “Please find attached the responses to your questions to Cabinet in July 2020. I will attach these to the minutes for the meeting”.

However, this has not occurred. Instead, the Questions and Responses have been added to pages 35 - 41 of Supplement No 1 for the Public Reports Pack, as the last item, and not as an Appendix to the Minutes. PCAP considers this situation as unfortunate, as the passage of time since the Questions were asked originally, together with the current location of the relevant documentation (with no indication as to the fact that it is available) means that those Councillors and members of the public who might have taken an interest in PCAP’s view of these two matters have effectively been deprived of doing so. PCAP is, however, content to let the matter rest, on the basis that those who wish pursue these Cases further are now in a position to do so as a result of this Statement.

Otherwise with regard to:

Case 1. (Rowdeford and the SEND school) An extensive analysis has been made of the Responses to the Questions. PCAP does not believe that the Responses can be considered satisfactory in any way, and that they raise serious concerns about the way in which the Council costs major capital projects, in particular with regard to feasibility study, project financial control and scrutiny. PCAP’s concerns are such that they have decided it is appropriate in these particular circumstances, to send a copy of the analysis to Councillor Philip Whitehead, as Leader of the Council, which will be achieved shortly, and thus does not wish to make any further comment at this time, pending his response.

Case 2. (Appendix B – Provisional Earmarked Reserves Table)

PCAP thank the Council for their Responses, which have been helpful, but would like to point out that where spreadsheets form part of the financial data that form part of a Public Reports Pack, which is available to Councillors and the public, many of whom will not be trained in accountancy, but who nevertheless take an interest in the Council’s finances, it would be helpful if there was greater clarity as to how some aspects should be interpreted. It is noted that the Council seeks to make its financial documentation more understandable and this is very welcome.

Wiltshire Council

Cabinet

13 October 2020

Questions from Chris Caswill

Agenda Item 6 – Covid 19 Update

To Cllr Philip Whitehead – Leader of the Council and Cabinet Member for Economic Development, MCI and Communications

Question 1:

In para 28 of the Report, referring to Care Homes, it is good to read that care home staff now have access to weekly testing. Could you confirm that this is now available in all care homes across the county?

Response:

All care home staff are tested weekly and residents every 28 days-this is available to all care homes.

Question 2:

The report also states that " there does not appear to be any correlation with hospital discharges due to the stringent testing arrangements adopted across the county for admissions into care homes", which is also good news. Could you confirm that the 'stringent testing arrangements' ensure that no patients are discharged from Wiltshire and Swindon hospitals without testing for COVID, and that any care home being asked to accept a patient who has been tested positive is being given the opportunity to refuse, and ample time to prepare in the event of acceptance.

Response:

No patient can be discharged from any hospital into a Wiltshire care home without having had a negative COVID swab within the last 48 hours. No COVID positive patient in a hospital can be discharged into a care home and the care homes has every authority, supported by the Council and CCG, to decline

Question 3:

There is no reference to scrutiny arrangements. Given the additional workload being proposed for the single scrutiny committee, can arrangements for the restoration of the Health Scrutiny Committee now be put in place as a matter of urgency?

Response:

Overview and Scrutiny (OS) Management Committee leads the OS function and the arrangements for delivering OS during COVID-19. Health Select Committee met informally in September to consider the latest COVID-19 update to Cabinet and to discuss its work priorities once formal meetings resumed. During October, OS engagement on the COVID-19 situation and recovery will continue to be undertaken by OS Management Committee's Wiltshire COVID-19 Response Task Group. However, from November, formal, public meetings of the Children's, Environment and Health Select Committees will resume (as agreed by OS Management Committee on 29 September). The next public meeting of Health Select Committee is scheduled for [10 November](#) and the meeting agenda will be published on 2 November.

Wiltshire Council

Cabinet

13 October 2020

Questions from Ian James

**Agenda Item 7 – Financial Year 2020/21 – Month 5 Budget Monitoring
Agenda Item 10 – Chippenham Housing Infrastructure (HIF)**

**To Cllr Pauline Church – Cabinet Member for Finance, Procurement and
Commercial Investment**

**Cllr Philip Whitehead – Leader of the Council and Cabinet Member for
Economic Development, MCI and Communications**

Statement 1

With reference to the budget submitted it appears the gross financial impact of COVID 19 is £142m and increase of £8.1m since July. The financial impact to the Council is running at £30-£35 m a quarter.

With no vaccine in sight, with a second spike looming, and hospital beds in demand, not only will the Council be paying the CCG to empty the beds for potential COVID 19 patients the continued drain on Council resources will continue.

Unemployment is about to rocket as the furlough scheme comes to an end, business rates will collapse, and companies are downsizing as employees work from home, and offices become vacant.

Question 1:

How can you state at para 122 that this is an improving position.?

Response:

As the paragraph states the Council had forecast an overspend for the year of between £18m to £51m in May, this consolidated to £50m in June and then reduced to £36m in July. This report shows the overspend is now forecast at £4.6m, hence an improving position. Paragraph 123 and 124 then adds that the forecast variables, some of which mentioned in the statement, have been factored in for the remainder of the financial year, but acknowledges the level of uncertainty and volatility being faced.

Question 2:

The General Fund reserve is running at just under £11m.

In order to prevent a S114 being imposed on the Council how do you intend to balance the books with the impending increase in spending on COVID 19 into 2021/2022?

Response:

The detail of the Council's budget proposals for 2021/22 will be considered at future Cabinet meetings. The Council has a legal obligation to put forward a balanced budget, and the level of reserves and robustness of budget estimates forms part of the budget setting considerations by the Councils Section 151 officer

Question 3:

At the March meeting at the height of the COVID 19 pandemic the Cabinet advanced £4.220m from the capital pipeline budget to the Future Chippenham Team, this is approximately the sum that the Council is in deficit at this present time.

Response:

These numbers are coincidental. The £4.220m, is capital while the forecast deficit is revenue; capital funds cannot be used to fund revenue activities.

These numbers are coincidental. The £4.220m is capital whilst the forecast deficit is revenue. Capital funds cannot be used to fund revenue activities.

Question 4:

Please supply staff numbers on the Future Chippenham Team, remuneration packages for each employee, accommodation costs, and IT support costs. This is a large amount of public money at this time of crisis, please can you provide a detailed answer as to how this money is being spent.

Response:

There is no dedicated Future Chippenham Team, the project is now within the Major Projects Team utilising existing resource capacity. Employee's salaries and expenses over £50k are published on the Council's website as a legal obligation under the Local Authority Transparency Code 2015

Question 5:

If for any reason the Chancellor stops funding the Council's overspend as he may well do, as he has stated I cannot save every job, how will Wiltshire Council balance the books? A loss of Services?, a loss of Staff?

Response:

At the moment the Council is forecasting an overspend of £4.6m and although every effort will be made in bringing this back to balance, if not the general fund reserve will be used to cover the shortfall, as detailed in the report.

Statement 2:

Do not agree to the HIF contract today which may bankrupt the Council if it fails to meet the deadlines incorporated into the contract, as has been stated this is a high risk project which the Government is only providing £75m to construct a road.

By all accounts reputable engineering companies have stated that this road will cost far more than the £75m, if this is the case, the contract states a level of upfront investment will be required from the Council.

Question 6:

Where will this upfront investment come from? The accounts show just £11m in the General Fund reserve, unless there is more money tucked away?

Response:

The details on the cost of the strategic infrastructure, the HIF funding and Councils upfront investment, together with the recovery strategy is provided in the confidential Part II section of the report. The general fund reserve will not be utilised to fund any upfront investment.

Question 7:

If the Council fails to deliver the road infrastructure as agreed in the contract, and the Council defaults, it will required to pay back the £75m with interest or a proportion thereof. How does the Council intend to pay this default sum, and from what account?

Response:

As stated in the cabinet report there are mechanisms within the contract covering general default and fundamental default. The risks and mitigations are also explained.

Statement 3:

Cabinet has to fully understand the risks of this HIF bid, this is not just a road, it is a railway crossing over one of the busiest lines in the country, there is a river bridge across the River Avon, one of the deepest and fast flowing rivers in the UK, with a bridge span over 500m across a flood plain, and additionally a further bridge

crossing across the River Avon downstream. This road construction is full of risk to the Council financially should the timeframe slip beyond March 2024.

Question 8:

What contingency planning has been undertaken by Finance to fund this project should it over run and cost considerably more than the £75m?

Response:

Estimated costs, which are included in the confidential report, include an element of contingency and risk funds. As stated in the cabinet report the Council will not enter the GDA unless the recovery strategy is approved by Homes England, which ensures that the Council recovers capital and associated revenue costs.

Wiltshire Council

Cabinet

13 October 2020

Questions from Andrew Nicholson

Agenda Item 8 – A350 Melksham Bypass

To Cllr Bridget Wayman – Cabinet Member for Highways, Transport and Waste

Statement:

Given that a recent answer to a question put to the Western Gateway Sub-national Transport Body, on how road-building along the A350 will help toward decarbonisation targets, claimed that A350 improvements will do so through reducing rat-running, reallocation of road space, and agglomeration in the towns along the route, and that the Melksham Bypass has objectives, among others, of reducing journey times and delays and improving journey time reliability on and around the A350,

Question 1:

Can you point to any reports, evidence, strategies or forecasts done by or for Wiltshire Council, or published in the UK, that this scheme, or this kind of road scheme, will bring about an overall net reduction in traffic?

Response:

The scheme is an improvement of the Major Road Network which is being developed to accommodate future traffic growth resulting from increased population and economic activity in the corridor. It would not be expected to bring about a reduction in traffic, but the complementary walking and cycling proposals do have the potential to reduce traffic.

Question 2:

Can you give an example of a road already scheme built in Wiltshire, or indeed anywhere in the Western Gateway area, which has delivered agglomeration in a town and/or led to an overall net reduction in traffic?

Response:

In 2016, Wiltshire Council, Dorset County Council and Bath and North East Somerset (BANES) Council commissioned a study to undertake a wider economic impact assessment of improving north – south connectivity across strategic transport corridors in the area covered by the three counties – essentially M4 to South Coast.

One of the key objectives of that study was to calculate the wider economic benefits that the area is effectively foregoing due to poor north – south connectivity. The methodology is based on DfT “Wider Impacts” guidance - the main feature being the calculation of agglomeration improvements once connectivity has been improved in a defined area.

Agglomeration impacts arise because firms derive productivity benefits from being close to one another and from being located in large labour markets. If transport investment brings firms closer together and closer to their workforce this can be anticipated to generate an increase in labour productivity. Knowledge and technology transfers are also important aspects of agglomeration effects.

If a major corridor is improved, journey times will be significantly better than they are today. It is this change in generalised journey time that drives the improvements in agglomeration.

Wiltshire Council

Cabinet

13 October 2020

Questions from Anne Henshaw on Behalf of the CPRE Wiltshire

Agenda Item 8 – A350 Melksham Bypass

To Cllr Bridget Wayman – Cabinet Member for Highways, Transport and Waste

Question 1:

Does the continued pursuance of a major road building programme, centred on the A350, reflect the Governments' decarbonising priorities or the impacts of CV19?

Response:

The proposed A350 Melksham Bypass is a long-term transport improvement and is not linked to the Council's current Covid-19 response. The carbon implications of the scheme will be considered in the light of emerging policies and strategies at government and local level. The reduced congestion, better facilities for active travel, and improved road safety would be expected to reduce energy consumption, but this is likely to vary between the different options and will be assessed as part of the options appraisal process

Question 2:

The Western Gateway Sub-National Transport Body consultation in July received so many negative responses that the Plan was delayed for further work to be done. This Plan drives work on the A350.

The highest number of comments were that there remains too much focus on highway investment.

What is the objective of the current survey?

Response:

Questions relating to decisions taken by the Western Gateway Sub National Transport Body (STB) should generally be referred to their board for response.

It is correct however that for a number of reasons, the STB has decided to delay consideration and approval of their draft Transport Strategy until their December Board meeting.

The outcome of that exercise will not affect the funding commitments already made by DfT in respect of the proposed Melksham bypass. The survey is intended to elicit local information and opinion to help consideration of route options.

Question 3:

It is stated that heavy goods vehicles account for around 8% of all the 20,000+ daily traffic movements along the A350. This indicates that 92% are private vehicles or small carriers.

Will the consultations, which it is stated are to be undertaken locally, show the up to date figures post-covid19? The fact that the 5 day car commute is dead (already accepted by the rail industry) and that the rise in on-line shopping has fundamentally altered retail patterns, and therefore traffic patterns?

Response:

There was a significant reduction of traffic volumes earlier this year as a result of the Covid-19 restrictions, but traffic flows have increased significantly since then. The situation is continuing to change and there is still uncertainty about immediate future. The current traffic information uses data collected prior to lockdown, but the traffic figures and future growth information will be adjusted to reflect amended Department of Transport predictions as these are published.

Question 4:

What is the estimated cost of the Melksham Bypass? We understand it is in the region of £30m.

How will this be justified in the light of the decarbonising programme and change in travel patterns.?

It appears that the Melksham scheme is simply following the “predict and provide” model without any consideration of the radical changes within society and how future development will be

Response:

The cost of the scheme will depend on which option is adopted but could be in the region of £130 million for the longer routes. The business case for the scheme will be reviewed against emerging carbon policies and strategies and will use future traffic growth assumptions based on DfT guidance. The strategic case for improvements to the A350 corridor are still considered to be relevant and remain a high priority for this Council.

Wiltshire Council

Cabinet

13 October 2020

Statement from Bill Jarvis

Agenda Item 8 – A350 Melksham Bypass

To Cllr Bridget Wayman – Cabinet Member for Highways, Transport and Waste

Statement:

It's disappointing that the report made by your Climate Change Task Group is not on the agenda for endorsement and action by the relevant Cabinet Members.

The report is comprehensive and not to take it into this meeting seems to show a lack of respect for the huge effort the CTG has put into it.

The report went to O&S last week, as you are well aware as a number of you were there. There were no adverse comments.

Interesting, there were over 30 attendees at that meeting. Real interest from Councillors in how climate issues are going to be addressed by you.

The report addresses specific items being discussed today on highways development.

Their recommendation is clear, "a significant proportion" of the Council's transport budget should be focussed on encouraging alternative modes of travel and away from fossil fuel use.

Your focus on highways is detrimental to the people of Wiltshire, not a boon as you seem to be suggesting.

It will have a major carbon impact; increasing traffic of the type we can do without and the reverse of your commitment to seek to make the County carbon neutral by 2030.

New roads deliver more vehicles to drive on them, ultimately creating more traffic problems to deal with.

Integrated transport, balancing all travel needs and their carbon impact must surely be the focus of this Council, not this obsession with fossil fuel transport

Unless of course, this Council is going to ban all fossil fuel vehicles in the County immediately. In which case maybe making this policy would alleviate some of this reckless addiction to an expansion of roads.

The report to this meeting highlights a number of misplaced “benefits” to the adoption of the roads expansion. What it fails to do is measure the significant increase in car and goods vehicle traffic that these “improvements” will bring, or their carbon impact

The Leader will argue that the cash would not be available for use in other, more people friendly ways. Has he asked?

The money is available, otherwise it wouldn't be on offer.

Maybe it's also to do with maximising the return from Council land sales. Perhaps value could be generated from this land, held for the benefit of the people of Wiltshire, in other ways, rather than selling off the family silver to balance the books.

Maybe it's to do with delivering Government targets for housing. Perhaps consideration of more balanced developments on brownfield sites should be a priority, not simply taking greenfield sites, an easy fix to the problem.

Maybe it's time for the Council to step back and completely revisit its travel investment, delivering a more balanced solution of integrated travel for all, not just motor vehicles.

Wiltshire Council

Cabinet

13 October 2020

Questions from Diana Evans

Agenda Item 8 – A350 Melksham Bypass

To Cllr Bridget Wayman – Cabinet Member for Highways, Transport and Waste

Question 1:

Please justify the huge expense of carrying out “walk over” surveys of acres of farmland at a cost of some £670k.

Response:

The cost of the walk over surveys and related work is estimated to be in the region of £50,000, and forms a small element of the extensive investigation and assessment work which needs to be carried out for a scheme of this type. Getting a good understanding of local environmental, ecological and landscape issues in the area is important to inform scheme development.

Question 2:

The need for a bypass to bypass a bypass which will require another crossing of the Kennet and Avon Canal, plus two further bridges over Semington Brook and the River Avon. This would appear to be a huge waste of tax payers money. We would like justification for not using the proposed Route C, unanimously approved by Melksham Town Council. As you will know, this will join the A350 near the Milk Churn roundabout which then goes under the very expensive aqua-duct plus two other bridges. This section of the A350 was designed to become a dual carriageway.

Response:

A wide variety of options are being looked at, including routes to the west and east of the town, and consultation is being undertaken on these.

There are many factors to consider in connection with appraisal of the options, including emerging guidance on carbon impacts, ecology, public health and road safety, landscape, archaeology, employment and the economy, flood risk and drainage, cost and economic benefit. The preferred option will need to demonstrate that the reduced vehicle operating costs, improved road safety and economic

benefits justify the investment required to construct the scheme, whilst taking into account the environmental factors.

The consultation will provide the opportunity for the public and organisations, including Melksham Town Council, to give their views before the matter is considered further.

Questions from Janet Giles

Agenda Item 8 – A350 Melksham Bypass

To Cllr Bridget Wayman – Cabinet Member for Highways, Transport and Waste

Question 1:

If the answers to the questions below are given before the meeting can the members of cabinet be made aware of both the questions and the answers and if not why not?

Response:

The questions and answers will be brought to the attention of the Cabinet members.

Question 2:

Traffic count. Can you please state when the last traffic count was made on the existing A350, at what precise location(s) and whether each location had live monitoring of distribution of vehicles and did not rely merely on axle counts and whether any traffic count has been made since the completion of work on traffic lights at Farmers Roundabout?

Response:

A detailed traffic model of the wider road network has been created to determine potential changes in traffic flows as a result of the scheme. There are also live Automated Traffic Count data sites at the following locations:

- A361 County Way Trowbridge (by Tesco') only a recent permanent site,
- A350 Semington Bypass
- A350 South of Westbury
- A363 Cock Hill between Trowbridge & Bradford on Avon
- A363 Farleigh Wick (between BoA and County Boundary)
- B3105 Staverton (by the Canal Bridge)

Data from these sites will be used to calibrate and validate the traffic flows across the modelled network, which were surveyed for the purposes of model creation in 2018, with local validations in 2019.

The Strategic model will further utilise signal logs from a variety of signal-controlled junctions such as Farmers, and this will inform how the calibrated traffic flows are synthesised through these junctions.

Detailed traffic counts have not been taken since the completion of work on the Farmers Roundabout. The impact of Covid-19 on traffic patterns would make any counts unrepresentative of the longer term flows.

Question 3:

Has any allowance been made for reduction in traffic flow as a result of post Covid economic recession?

Response:

The Business Case for the 'bypass' will need to include traffic scenarios for both high and low growth. The principles for generating these scenarios are dictated by Central Government guidance in the form of WebTag.

The WebTag guidance was recently supplemented by a paper titled 'A route map for updating TAG during uncertain times' (July 2020); hereafter referred to as 'Route Map'. This paper sets out parameters for how traffic flow changes will be calculated, mindful of the following implications of a 'changing world' (Route Map, p.8, DfT):

A revised economic and fiscal outlook

'As part of the Spring Budget of 2020, the Office for Budgetary Responsibility (OBR) published a revised economic and fiscal outlook and associated forecasts of the UK economy in the long-term. On 14th July, OBR published the 2020 Fiscal Sustainability Report, updating medium-term growth forecasts to 2024 to take into account COVID-19 impacts.' (para 1.6, Route Map, DfT):

The COVID-19 pandemic

The uncertainty around forecast traffic flows represents a significant difficulty for DfT in assessing business cases to ensure the best returns for the Tax Payer. The 'Route Map' ensures that a concise and coordinated approach to appraisal is provided across local, regional and national portfolios. The Route Map 'highlights the need and importance of collecting evaluation evidence to better inform these considerations over time' (para 1.8, Route Map, DfT).

The Green Book review

The Green Book underpins the economic appraisal in WebTag and will be updated to reflect changing economies of scale.

The Oakervee Review

The Oakervee Review (February 2020) reflects on lessons learned from planning and delivery of stages of HS2, as they affect other appraised schemes.

Net Zero and the Transport Decarbonisation Plan

In line with the 2016 Paris accord, the Government have set out legislation to end its contribution to global warming by 2050 and has hence set zero net green-house gas emissions targets for the same year. The 'Route Map' presents proposals for altering carbon values etc. within the appraisal of schemes to assess their impact upon this national target.

The 'Route Map' will lead to revisions to WebTag to be released in February 2021, which will directly affect the appraisal of the Bypass scheme. This will ensure that the bypass is directly appraised against post Covid economic environment as it affects travel behaviour.

Question 4:

Has any analysis been made of origination of journey and final destination for vehicles on the A350 to estimate the proportion of traffic passing through the Melksham catchment area or having a destination within the area?

Response:

The scheme will continue to be assessed using Wiltshire Council's Strategic Transport Model, which is based upon Highways England's South West Regional Model. The extent of the assessment therefore takes on board the origin and destination of trips across the entire A350 corridor. Initial studies carried out to support the Strategic Outline Business Case for the scheme suggested that up to 40% of the traffic on the A350 at Melksham is through traffic.

Question 5:

Has any analysis been made of the number of occasions when traffic was not flowing freely regardless of speed on the existing A350 and if this were the case whether this coincided only with usual peak periods of morning and evening rush hour.?

Response:

The traffic surveys which underpin the Strategic Traffic Model were taken across a considerable period considering the 24-hour variation in flows. Across the network, internal to Melksham and its surrounding environs, the typical peak hours of 8am to 9am and 5pm to 6pm exhibit the highest flows, however as is typical for a strategic

route, the peak is drawn out with high traffic flows either side of the peak hour. Further fluctuations are also exhibited at very localised sites outside of the peak, as they are affected by traffic demands generated by retail and recreational uses.

Question 6:

In May the council indicated that they needed to extend the capacity and experience of the team who would deal with major projects. Have additional officers with transport studies experience been employed by the council since then and how many and what is their experience?

Response:

The Council has created a small specialist team to manage the project. The Council already has officers with knowledge and experience of traffic and transport matters. They are supported by the Council's consultants Atkins, who have specialist teams with extensive knowledge of these matters. Atkins are an engineering consultancy who work for many clients, nationally and internationally, and bring significant expertise to carry out the required traffic modelling and help the Council develop the business case for the scheme.

Question 7:

The council estimates that the project will cost the council at least £20m for a highway which will only benefit those passing through our county rather than residents and business in the catchment area of Melksham. If this sum were increased by extending the route beyond Option C would this not be better spent on local infrastructure and will the council be willing to be scrutinised for expenditure which could be considered wasteful even before the anticipated economic recession?

Response:

The A350 forms a strategic route between the M4 corridor and the Southern Ports and is heavily trafficked along sections throughout Wiltshire. Whilst Melksham would significantly benefit from a material spend to maximise the capture of active travel modes in the town, such measures are prejudiced by the weight of strategic through traffic. In this regard, the spend to deliver the bypass, of any extent, will unlock further opportunities to maximise sustainable travel and remove severance which is currently created by the existing alignment of the A350. To ensure that these opportunities are realised, the scheme will incorporate measures to prioritise walking and cycling measures along and across the existing A350 alignment.

Question 8:

The council has allocated in excess of £670k for a pre option survey. Did this sum anticipate surveying land south of the K&A canal and why when any canal crossing be it aqueduct or viaduct would add in excess of £12m (the cost 16 years ago) to any route?

Response:

The cost of the walk over surveys and associated work is estimated to be in the region of £50,000 and forms a small element of the extensive investigation and assessment work which needs to be carried out for a scheme of this type. It was always intended that the walk over survey should be carried out over a wide area as the wider environmental and landscape issues over the whole area as well as adjacent to the routes. The possibility of a route south of the canal was suggested at the Melksham Area Board in March, and it was considered appropriate to consider this option at an early stage as it had been suggested.

Question 9:

If public consultation is confined to online reporting the council will be giving the impression they have something to hide. During the recent Governance review the man in the street found it well nigh impossible to negotiate the WCC website and the council was asked and complied with a request to accept opinions etc in writing. Will you ensure that all written evidence or comment will be accepted and will carry as much weight as online comment and how will you advertise consultation?

Response:

The consultation will not be confined to on-line responses. Written responses and emails will be welcomed. Carrying out consultations at this time is particularly difficult because of the Covid-19 restrictions. Exhibitions and public meetings which would normally be held are not feasible in the current circumstances. However, it was considered that it would be appropriate to continue with this non-statutory consultation in order to inform scheme development. The use of publicity and social media provides opportunities to raise awareness of the consultation locally, as well as direct communication with those organisations likely to have an interest in the scheme.

Question 10:

Is the Cabinet aware that land to the south of the K&A is a natural flood plain from Semington Brook and the flood risk allocated by the Environmental Agency extends over a significant area of farmland?

Response:

As Lead Local Flood Authority the Council is well aware of the local flood risk and works closely with the Environment Agency.

Question 11:

Has any preliminary analysis been made of the ecological and environmental impact of repurposing extensive areas of farmland south of the K&A and if not why not?

Response:

The walkover surveys currently being carried out are to augment existing environmental information on the wider area to inform option assessment.

Question 12:

Will the Council be compromised into granting planning permission to developers if contribution from developers is included when calculating contributions to the road scheme in excess of the original estimate?

Response:

Any planning applications by others will be considered on their merits in accordance with the regulations and relevant guidance and policy. The policy position at present reflects the adopted Core Strategy and this is being reviewed and will result in a revised Local Plan scheduled to be adopted before commencement of works on site to deliver the scheme.

Through development of the Local Plan, a transport evidence base will be produced, and this will propose mitigation measures to support housing development being brought forward. Should the evidence base provide a direct linkage between housing delivery and the need for Wiltshire's MRN schemes, such as the bypass, then Local Plan policy may reflect this and provide material support for the collection of contributions, via S106 or CIL, towards reimbursing the local contribution required.

Questions from Janey Wilks

Agenda Item 8 – A350 Melksham Bypass

To Cllr Bridget Wayman – Cabinet Member for Highways, Transport and Waste

Question 1:

Option C, though expensive, seems to fulfil the need to bypass Melksham. Please tell me why a route further South, crossing the Kennet & Avon Canal, Semington Brook and water meadows is now being considered, when the existing A350 that runs beneath the canal is already configured to be widened to dual carriageway. How can this not be a reckless misuse of taxpayers money, especially in these difficult financial times?

Response:

A wide variety of options are being looked at, including routes to the west and east of the town, and consultation is being undertaken on these.

A route crossing the Kennet & Avon Canal is being considered because it was suggested by members of the public at the Melksham Area Board in March.

There are many factors to consider in connection with appraisal of the options, including emerging guidance on carbon impacts, ecology, public health and road safety, landscape, archaeology, employment and the economy, flood risk and drainage, cost and economic benefit. The preferred option will need to demonstrate that the reduced vehicle operating costs, improved road safety and economic benefits justify the investment required to construct the scheme, whilst taking into account the environmental factors.

Question 2:

Otters have been seen along the Semington Brook, in the area which is now being considered to be crossed by a dual carriageway. Otters are a European Protected Species and it is an offence to disturb their sheltering places. How could either draining the water meadows or crossing them on concrete stilts not break the law in this respect?

Response:

The environmental and ecological impact of route options, and possible mitigation measures, will be considered as part of the options appraisal process. The scheme will be the subject of a planning application and environmental impact assessment in due course. At this stage we are gathering information to inform the adoption of a preferred option.

Wiltshire Council

Cabinet

13 October 2020

Statement by Richard Kendall

Agenda Item 8 – A350 Melksham Bypass

To Cllr Bridget Wayman – Cabinet Member for Highways, Transport and Waste

Statement:

Forget Option X (FOX)

I would like to start by stating that I recognise the importance of the A350 to the local economy – and agree that the optimal route for a bypass to Melksham should be chosen.

However, a new option – outside the ‘A, B or C’ routes which were given the ‘amber light to proceed’ to an Outline Business Case by DfT - is clearly being considered.

This route would start to the south of the canal, creating new crossing of the Semington Brook floodplain and Kennet & Avon Canal. For the purpose of this statement, I shall name the area to the south of the canal as Option X (X for expensive). It is on this specific area that I wish to make this statement.

My concern as a citizen of Wiltshire, a tax payer at both the local & national level is that Option X cannot conceivably deliver better Value for Money than Option C.

I am assuming that Option A & B are no longer *really* on the table – despite being considerably cheaper than Option C (i.e. less money) - as they don't sufficiently solve the transport outcomes (i.e. less value).

The simple logic goes as follows:

1. Crossing of the Semington Brook the and Kennet & Avon Canal: Option C benefits from the A350 already being configured to be widened into a dual carriage way. Option X would require new crossings. It should be noted that going under the canal was by far the most expensive part of the first Melksham bypass.

2. Flood Risk mitigation related to the floodplain: The cost of building a dual carriage way over an area which floods regularly will be significant. Fast forward to 2070, as per the requirement of the Flood Risk Assessments, and the costs will escalate. This would be required for Option X, but not for Option C.

3. Length = cost: All other impediments notwithstanding, Option C would simply be shorter than any possible variant of Option X

4. Ecological mitigation: the area to the south of the canal is unsurprisingly home to significantly greater biodiversity than the start of Option C. This includes several species with National as well as European level protection (such as otters & bats). Mitigation costs during construction (which will cover multiple breeding seasons) and beyond will inevitably be more under Option X than Option C

5. Historic monuments and listed buildings: The Wiltshire and Swindon Historic Environment Record clearly shows the area which is now proposed to be surveyed for Option X, to have historic monuments and listed buildings with statutory designations. These would need to be navigated – which comes at both a cost and adds inefficiency. Option C has no such impediments.

6. Complication, uncertainty and duration – also known as ‘deliverability’: taken on their own and then combined - Option X is more likely to result in a longer and less predictable construction programme than Option C. The forecast contingency for Option X would need to be higher than for Option C

7. Increased chance of Public Inquiry: as the list above provides plenty of genuine ammunition to any opponents of Option X, the chances of a Public Inquiry by the Secretary of State are higher. This would lead to further delays and cost ... and ever-more decreasing value for money. A vicious cycle

8. Poor use of developer contributions: DfT have only committed to partfunding this bypass which we all hope will go ahead. The rest will be funded by Wiltshire Council. If this is to come via developer contributions, this money would be better spent on improving the local infrastructure in Melksham. Option X would take up a disproportionate amount of future developer contributions. This would lead to ‘worse value for money’ for local residents

Value for money is clearly a *relative* concept. But if Option C was already scheduled to use up a disproportionate amount of the potential money £1.3m from DfT ... in *absolute* terms would there be enough money to deliver Option X?

So, in conclusion, Option C is simply a far more logical option than Option X because:-

- It represents better value for money
- It is achievable within the ear-marked budget – and within the existing list of options already presented to DfT

I would therefore urge you to Forget Option X and focus on delivering Option C.

Wiltshire Council

Cabinet

13 October 2020

Statement from Adrian Temple-Brown

Agenda Item 10 – Chippenham Housing Infrastructure Fund

To Cllr Philip Whitehead – Leader of the Council and Cabinet Member for Economic Development, MCI and Communications

Statement:

This Cabinet has a core policy of economic growth, a leader who treats the council as a business and a plan to use Wiltshire County assets to generate as much money as possible.

Despite declaring a Climate Emergency and many requests to recognise the emissions related to construction, this Council still has no Planning Policy related to calculating project emissions.

The Chippenham Eastern Expansion provides an opportunity to educate cabinet and councillors on just how irresponsible it is to dig up the countryside for profit in a climate Emergency.

Previous questions established that this Cabinet has no intention of calculating the Carbon emissions from building industrial estates, housing estates and roads over the Wiltshire countryside and has no intention of asking developers to calculate total emissions either.

The current policy is to ignore the responsibility of Carbon budgeting, talk about anything but emissions, and 'Get Building Done' before any Carbon Accounting Policy exists.

Despite having over 5000 paid members of staff, it falls to a member of the public to make you people aware of the emissions you are planning.

Page 5 of the HiF Business case states that the Chippenham Eastern Expansion will cover **657.8 Hectares of Wiltshire countryside**.

This Cabinet is actively ignoring the potential release 6.5 million tonnes of CO₂ from Soil excavation.

State-of-the-art Direct Air Capture technology requires 2500kWh of energy to capture 1 tonne of CO₂ from the atmosphere.

To re-capture this amount of CO₂ requires 16.4 *Tera-Watt hours* of energy.

That's **53x** the total energy used by Chippenham Town in 2019.

If we covered *every inch of Chippenham* with solar panels, it would take **18 years** to generate this amount of renewable electricity.

Perhaps Cabinet is planning to use Carbon Offsetting for the CO₂ emissions ?

In that case, developers should pay **at least** the Carbon Market price for these CO₂ soil emissions (that's Eu30/tonne – or £180 million for 6.5 million tonnes)

If the WC Homes England HiF Business case (pages 5&6) allocates 20% profit for each house,

- at £200K/house,
 - 7500 houses,
 - 76% of houses are to be sold
- ... then 20% profit is £225m. Paying £180m in Carbon Offsets would be 80% of the allocated Developer profit.

Easy to see why Cabinet refuse to account for project Carbon Offset Costs - it makes the Chippenham Eastern Expansion project financially unviable.

Supporting Information:

State-of-the Art CO₂ DAC Capture real energy costs are detailed at [this link](#)

Chippenham Energy Usage figure is in the CSE-led Chippenham Energy Futures Workshop report Page 11.

Working used to derive these energy figures:

657	hectares	Is the area of the Chippenham Eastern Expansion
6,570,000	m ²	Is this area <u>converted to square meters</u>
1.03	tonnes	CO ₂ is released per tonne of soil given a 28% soil carbon content

6,570,000	tonnes	tonnes of CO2 released by excavation at 1 tonne/cubic meter
2,500	kWh	of Electricity is required per tonne of CO ₂ sequestration by Direct Air Capture
16,425,000,000	kWh	of renewable Energy is required to re-capture the CO ₂ from site excavations
16,425	GWh	Is the amount of renewable energy required converted to GWh
310	GWh	Is the total Energy consumption of Chippenham, expressed in GWh
<u>53x</u>		CEE CO ₂ capture cost shown as a multiple of Chippenham's annual energy usage
10.24	km ²	Is the current Land Area of Chippenham
0.357	GWh/Acre	Is a <u>reasonable figure for the Solar power generated by a UK Solar Farm</u>
247		Is the number of Acres in a square kilometre
903	GWh/Year	Is the power generated if ALL of Chippenham were covered in Solar panels
<u>18</u>		# of Years required to power sequestration of CEE CO ₂ emissions with DAC

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Wiltshire Council

Cabinet

13 October 2020

Questions from Andrew Nicolson

Agenda Item 10 – Chippenham Housing Infrastructure Fund

To Cllr Philip Whitehead – Leader of the Council and Cabinet Member for Economic Development, MCI and Communications

Statement:

Given that,

you have said before that you would like to open all the information about the HIF project up to the public, but that your hands are tied by Homes England, including by oral agreements that you have claimed were made, but you have been unable to give full details of;

in practice, at every opportunity, you have resisted and restricted Freedom of Information and Environmental Information requests to Wiltshire Council and to Homes England by claiming not only that disclosure would affect commercial interests, but also that the harm of disclosure overrides the public interest in transparency and having the facts, and in members the of the public being able to scrutinise the features and effects of this controversial scheme with its hugely significant environmental impacts;

your Stakeholder and Community Engagement Strategy, if it is to be meaningful, will have to disclose information, such as the land to be developed, the route options and much else about the Future Chippenham project, which may prejudice commercial interests including the Council's;

you may be intending to withhold this kind of information, and release it in a managed way as part of the Strategy, but in many cases there can surely be no more harm done by releasing that information now, than in early 2021; and

the public report before you says at 21(L) that "The GDA also contains other provisions relating to communications and confidentiality, freedom of information,

data protection, intellectual property, indemnity, governance arrangements and disputes resolution",

Question 1:

Will you please now state the terms of the provisions of the Grant Determination Agreement that commit Wiltshire Council and/or Homes England to either restricting or releasing information, and if not why not?

Response:

All parties responsibilities under FOI and EIR remain the same. The GDA provides for a confidentiality obligation, excluding information that is already in the public domain.

Question 2:

Will you agree now to review the many requests you have received from members of the public, and release and publish any information now, that you will need to publish for the consultation, and if not why not?

Response:

The project webpage will be up and running shortly. We will utilise this platform as the primary source of information pertaining to the project. Documents relating to the project to support stakeholder and community engagement and consultation will be published here.

Wiltshire Council

Cabinet

13 October 2020

Questions from Anne Henshaw on Behalf of the CPRE Wiltshire

Agenda Item 10 – Chippenham Housing Infrastructure Fund

**To Cllr Philip Whitehead – Leader of the Council and Cabinet Member for
Economic Development, MCI and Communications**

Question 1:

Can the following anomalies be explained and clarified?

In the **Future Chippenham Consultation Engagement Strategy** report points 3.3.4, 3.4.1 and 3.4.2

A timetable is set out for a planning application to be made in the Winter 2021/22 for the road and an outline planning application for mixed use development for Wiltshire Council land.

This is repeated at points 17 and 18 in the accompanying report by the **Chief Executive**.

Local Plan Review. Wiltshire website information

In Table 4: Summary programme for development plan document production (**Review of the Local Plan**) the programme shows that the Plan papers will be published for pre-submission consultation

(Reg 19) in Q4 2021.

Therefore the planning application for the road, and for unallocated mixed use development will be going out to the public for consultation at the same time as the Review of the Local Plan consultation process.

Table 4 makes it clear that it is anticipated that submission to the Secretary of State will be Q¹ and Q4 of 2022.

Examination process (including hearings and receipt of inspectors report) Q4 – Q2 of 2023.

Response given to Chris Caswill, Question 8 at the last Cabinet meeting states “that funding will not become available unless certain conditions are met **including allocation of land via the Local Plan process**”

Chief Executive report point 38

“There is a risk that the **Local Plan Review process does not seek to allocate the project site** for development and as such planning consent is not achieved for the infrastructure work”

Response:

There are no anomalies. As stated previously there is complete separation between the statutory role of the Council as Local Planning Authority and the Project.

Question 2:

Is it not the case that the planning application cannot be brought forward according to the suggested timetable since the site proposed will not have been through the democratic planning and allocation process.?

Response:

A planning application can be made at any time and determined by the local planning authority at that time.

Question 3:

We would also request that all information relating to the question of the sale of County Farms is made public since information relating to proposed development for which the local planning authority may grant itself planning permission is not exempt information.

Response:

As and when the sale of County Farms are proposed the information relating to those disposals will be published in line with the Councils constitution at the appropriate time.

Wiltshire Council

Cabinet

13 October 2020

Questions from Austen Espeut

Agenda Item 10 – Chippenham Housing Infrastructure Fund

**To Cllr Philip Whitehead – Leader of the Council and Cabinet Member for
Economic Development, MCI and Communications**

Question 1:

How is it possible that Chippenham is in a situation where it is to have an additional 7,500 houses built without there being any public consultation?

These aren't in the Local Plan and the next Local Plan hasn't even been prepared yet.

Even if we assume only 3 people per household, this will increase the population by 22,500 which takes it to 68,000.

An increase of 50%, equivalent to a settlement the size of Calne.

This will totally change the nature of the town and will wipe out the Bremhill Neighbourhood Plan, which has a green buffer between Chippenham and the surrounding villages.

According to transport planners, the traffic congestion in Chippenham will be significantly worse as a result of all the additional traffic, not better.

Greenhouse gas emissions will be hugely increased as a result of building houses in a place that everyone will commute in and out of.

And not only will we lose an area of outstanding natural beauty but we will destroy three county farms and high quality farmland that we will increasingly depend on as a nation for future food security.....'

Response:

The Cabinet report concerns a separate issue, namely the consideration of whether to enter into a Grant Determination Agreement with Homes England.

Growth at Chippenham is being considered through the separate Local Plan process

Wiltshire Council

Cabinet

13 October 2020

Questions from Chris Caswill

Agenda Item 10 – Chippenham Housing Infrastructure Fund

To Cllr Philip Whitehead – Leader of the Council and Cabinet Member for Economic Development, MCI and Communications

Question 1:

In para. 5, the Cabinet paper says that the then Chief Executive Officer (Place) and yourself gave the 'authority to submit' the final bid for this HIF funding in March 2019.

a) please specify the delegations which allowed each of you to give this permission.

Response:

Under Part 3 of the Council's Constitution, Directors have authority to submit requests for grant funding, at the stage of the original decision the council was not committed to accepting grant funding subsequently offered. If/when grant funding was offered, then before accepting the grant funding it would be considered as per Part 9 of the Constitution, Financial Regulations, in this case, the amount of the grant requires Cabinet to decide whether to accept the grant.

b) Was the CEO (Place) not the principal author of the original outline proposal and in effect the principal proposed of the HIF Bid? And if so, how could he be a proper person to give the authority to submit?

Response:

The decision that Executive Director Place took was an operational decision to apply for the grant so that if the proposal was taken forward by Cabinet they could be informed as to whether there was government funding for the proposal. It is in effect due diligence needed to inform any executive decision which may or may not be taken in the future (an operational decision).

The Executive Director is authorised under the constitution to make such operational decisions in consultation with Relevant Members and other Officers. If the application was accepted by the DfT (as it was) then before any draw down could occur it would need to be considered by Cabinet as to whether to accept the grant agreement or not.

c) The HIF Bid contains the intention to allocate 7500 houses to Chippenham as a part of the case for the £75 million for the road. Will you confirm that this number had not at that time been approved by any democratic process? And that therefore the two who provide the 'authority to submit', including yourself, were responsible for imposing this number on the Chippenham community?

Response:

The HIF bid does not contain the intention to allocate 7500 home to sites in and around Chippenham.

The Bid identified the opportunity to provide 7500 homes with supporting evidence. The number of homes allocated will be established via the Local Plan process including required consultation.

d) Will you confirm that this proposal for 7500 houses and a roads around two sides of Chippenham was not consulted with the local communities in Chippenham, Calne and the local villages before it was submitted in March 2019?

Response:

The HIF bid aims at securing the opportunity to drawdown government funding for infrastructure should development proceed. We can confirm there has not been consultation with the community of Chippenham for 7500 houses and a road around two sides of Chippenham.

Growth at Chippenham is being considered through the separate Local Plan process

e) And also that the only evidence of local support that was provided came from only one of the two MPs whose constituencies would be affected, and a letter from the CE and Leader of Chippenham Town Council which had not been approved by that Council?

Response:

Letters of support for the Bid were received from numerous stakeholders of the project including those detailed above.

Question 2:

Where is the evidence base that supported the choice of the 7500 number for Chippenham, and how can it be examined for its validity?

Response:

The HIF bid identified the potential of sites to support the viability and deliverability of 7500 homes in Chippenham.

Question 3:

Are any of the studies listed in para. 12 of the paper available to the public, and if so which? And if not, why not?

Response:

Any studies relating to a project required in support of a planning application will be placed in the public domain at the time of the application.

Question 4:

In para. 33 of the paper it is claimed that there are 'no Environment and Climate Change Considerations to be made at this stage'. To quote a popular catchphrase - you cannot be serious! This is a proposal to build miles of what would be traffic intense road across open countryside and destroy the Avon and Marden valley open space and farmland by building thousands of houses on it. How can that not have any negative environmental and climate Impact?

Response:

The statement in the paper is correct. The proposal under consideration relates to whether the council enter the Grant Determination Agreement on the terms proposed, which will secure the opportunity to draw down HIF funding if development proceeds. The environmental and climate change considerations of any future development proposals will be addressed and consulted on through the planning process.

Question 5:

This proposal has been publicly promoted with the benefits to the local community from monies subsequently recovered as a part of this HIF process. Indeed the Chippenham MP cited this as the main reason for her support of the project. Para 43 of the report makes a brief but important statement that 'critical to this (proposal) is a recovery strategy.....'. Yet this vital strategy is being kept secret by including it in 'Part II' ie those papers which are hidden from public sight and scrutiny. How can that be justified?

Response:

The Recovery Strategy is exempt information under Paragraph 3 of Section 12A of the Local Government Act 1972 as amended because it contains details of the business and financial affairs of both the council and other parties.

The provisions under the Local Government Act 1972 as amended exist to protect peoples' financial and business interests, including authorities. The conditions of the grant are business sensitive and confidential between the council and Homes England.

Question 6:

para 21. I lists a number of the issues included in the proposed agreement which are only include in Part II. Of particular concern are the references to confidentiality and freedom of information. Will you confirm that none of these proposed conditions include any restriction or weakening of the Councils responsibilities under the Freedom of Information Act 2000?

Response:

Our responsibilities under FOI remain the same.

Question 7:

In addition to the Recovery Strategy, it seems the secret Part II paper includes the actual conditions of the grant for which the Cabinet is about to approve acceptance. There is a clear public interest in knowing the actual conditions to which the Cabinet is asked to agree, not least so that the public can judge their implications for local communities, the Council's financial position, local taxation and the governance of the project. How can keeping this information from the public be justified, beyond the usual bland and meaningless references to ' the Local Government Act 1972 as amended'?

Response:

The provisions under the Local Government Act 1972 as amended exist to protect peoples' financial and business interests, including authorities. The conditions of the grant are business sensitive and confidential between the council and Homes England

Question 8:

Why is such a large, financially significant proposal, with huge implications for the people of Chippenham, Calne and the neighbouring villages, not being considered, debated and decided by the full Council?

Response:

Once again it is important to point out that this is the Council securing the opportunity for funding for infrastructure if development proceeds. Any development proposals as set out in the Local Plan will be considered by Full Council.

Wiltshire Council

Cabinet

13 October 2020

Questions from Cllr Nick Murry

Agenda Item 10 – Chippenham Housing Infrastructure Fund

To Cllr Philip Whitehead – Leader of the Council and Cabinet Member for Economic Development, MCI and Communications

Statement:

The consequences of the HIF bid proposals are not only hugely significant, and risky, in financial terms for Wiltshire Council (and its taxpayers) but have substantial and far reaching consequences for the people of Chippenham, Calne and wider North Wiltshire; not least through their implications for the Local Plan, which will have to be reshaped to accommodate them, replacing far smaller numbers of houses (3,000) in locations that were yet to be determined, with an urban extension (7,500 houses) the size of Calne, in a single location to the East of Chippenham. In addition to creating an even larger commuter town (for which an upgrading of J17 will be required), generating more carbon emissions and embedding yet more car dependency into our place-making, the loss of three county farms (critical to our future) and the substantial environmental damage (Avon and Marden valleys) that would be caused, seems not to count for anything. These are massively important proposals, which have been developed covertly (and the details of which are still not being shared), have bypassed any public consultation (including consultation with the impacted parish councils) and have circumvented the entire democratic process, with elected members (other than Cabinet members, none of which speak for Chippenham) having no say whatsoever.

Question 1:

How can it be possible that the decisions about these proposals have been, and continue to be made without any discussion or involvement of Full Council?

Response:

The current decision before Cabinet is to accept the grant offer, this is subject to Homes England agreeing a recovery plan that will safeguard the council against financial risk.

The matter of growth at Chippenham will be considered as part of the Local Plan process, and ultimately the draft Local Plan will be considered by Full Council.

Question 2:

Is this allowed by the Council's Constitution (please explain how) and if so, does it not raise a serious question about how the Constitution upholds core principles of transparency, inclusion, integrity, accountability (of members to their electorate) and democratic process?

Response:

See response above. The wider implications around growth at Chippenham will be considered as part of the Local Plan process which will also be subject to consultation and ultimately the draft Local Plan will be considered by full Council.

Wiltshire Council

Cabinet

13 October 2020

Questions from Helen Stuckey

Agenda Item 10 – Chippenham Housing Infrastructure Fund

To Cllr Philip Whitehead – Leader of the Council and Cabinet Member for Economic Development, MCI and Communications

Statement:

There has been no effective public consultation, before the HIF bid or since. The first consultation in January to March 2021 presumes the public wants the HIF Bid to proceed and only consults on route options. There is a vast swathe of public opinion against this scheme. Surely the Council should not commit to this contract before it has established the level of public support for a vast undertaking.

Question 1:

Can the Cabinet confirm that any consultation carried out before submitting the bid did not include a wider public consultation (outside of stakeholders etc)

Response:

There was no wider public consultation prior to submitting the bid. The submission of the bid is to secure the opportunity to draw down funding if development proceeds.

Question 2:

Can the Council confirm that the HIF bid team did not consult with the MP for the land (James Gray MP) or with the Parish Council for the land (Bremhill Parish)?

Response:

We are unable to find a record of directly consulting with James Gray or Bremhill Parish Council

Question 3:

Section 2.1.3 of the Future Chippenham report states that a public engagement report has been published on the Council website. Has it, and if so where is it?

Response:

The report referred to is in draft form and will be published. The webpage is being developed and will also go live in the coming weeks

Wiltshire Council

Cabinet

13 October 2020

Questions from Isabel McCord

Agenda Item 10 – Chippenham Housing Infrastructure Fund

To Cllr Philip Whitehead – Leader of the Council and Cabinet Member for Economic Development, MCI and Communications

Statement:

The HIF bid and the grant of £75m does **not** have local support. This is because Wiltshire Council only consulted with some of the stakeholders identified in the Consultation Strategy. And it could be argued that some of those who were consulted had an obvious vested interest in the bid being successful. The residents of Chippenham, the parish councils to the east and south of Chippenham and their residents were not consulted. The relief roads and associated housing and employment development are not included in the current local plan for Chippenham (CSAP) and therefore it cannot be said that support for that plan shows support for Future Chippenham. Much of the road and associated development will be located in Bremhill Parish Council who were not consulted and any such development will be against the wishes of the residents as expressed in the parish's Neighbourhood Plan. The CAUSE petition which already has over 3000 signatures from people who are against the development. The GDA should not be signed until the local people affected have been consulted.

Question 1:

What is the mechanism for Wiltshire Council to recover the costs of building the road from the developers ? Will the recovery of these costs be legally binding on the developers ?

Response:

The recovery strategy will be dependant on requirements linked to the planning permission granted for development.

Question 2:

What's the evidence the relief roads will reduce traffic congestion in Chippenham when 7500 more houses are built ?

Response:

Traffic modelling for the Bid identified opportunities to reduce traffic congestion. Traffic modelling will be provided to support any road route options.

Question 3:

Which local plan will the planning application for the road be determined against? If it is to be a new local plan when will this be published for consultation by the public?

Response:

The planning application will be determined against the policies within the Wiltshire Local Plan. This comprises the adopted Local Plan and the policies within the emerging Local Plan. Appropriate weight will be attached to each by the planning authority (or inspector) according to the stage of the Local Plan review at the time the planning application is considered.

Question 4:

Under what circumstances would the road and associated development be abandoned and at what monetary cost to Wiltshire Council ?

Response:

Any proposed development and road provision will be subject to the Local Planning process and subject to planning permission. The availability of HIF funding does not determine the outcome of that process. It has been recommended that the Council enters into a GDA which includes general and fundamental default provisions so that the Council is protected against abortive costs.

Wiltshire Council

Cabinet

13 October 2020

Questions from Kim Stuckey

Agenda Item 10 – Chippenham Housing Infrastructure Fund

To Cllr Philip Whitehead – Leader of the Council and Cabinet Member for Economic Development, MCI and Communications

Statement:

Wiltshire Council admits to being the “promoter and landowner” of the Future Chippenham site. In the report below paragraph 51 it also admits there is already severe cost implications of the HIF bid by doing nothing.

Question 1:

Can you explain how Wiltshire Council has not predetermined the outcome of both the local plan review and planning consent through this HIF bid?

Response:

There is no question of predetermination in relation to the project proposals. The Council’s role as statutory planning authority is entirely separate from its role as promoter of the HIF scheme. This report recommends entering into the GDA which will secure the opportunity to draw down funding for infrastructure if development proceeds.

Question 2:

Can you give any examples of where Wiltshire Council has not previously recommended adoption of a site in the local plan where it is promoting it as landowner?

Response:

To the best of our knowledge No.

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Wiltshire Council

Cabinet

13 October 2020

Questions from Myla Watts

Agenda Item 10 – Chippenham Housing Infrastructure Fund

To Cllr Philip Whitehead – Leader of the Council and Cabinet Member for Economic Development, MCI and Communications

Question 1:

There has been a lot of secrecy from WCC surrounding the HiF bid. My questions are: why have the public not been properly consulted, when will they be consulted and by what means will WCC ensure all households in Chippenham are consulted prior to any decisions being made?

Response:

The Council does not consult on bid submissions. The project will be consulting with all stakeholders and the general public in January 2021.

Question 2:

The report states:

Environmental and Climate Change Considerations

33. There are no Environment and Climate Change Considerations to be made at this stage.

The terms of the GDA will require the Council to have full regard to all relevant environmental and climate change legislation.

Building 2 huge new roads and 7500 new homes (which are likely not to be to Passivhaus standards and most will have at least 1 petrol car), will only serve to bring more traffic, congestion, CO2 and pollution into Chippenham and surrounds. At a time when climate change should be at the centre of all decisions made by those in power, environmental impacts should have been considered from the very beginning. My question is this – given that WCC has acknowledged the climate emergency with plans to be carbon neutral by 2030, the HIF bid will certainly be thrown out on environmental grounds because carbon neutrality does not entail

building new roads and more houses, destroying areas full of biodiversity. If you do not believe the bid will be thrown out on environmental grounds, why not?

Response:

The stage at which the proposal will be determined as with all other development proposals will be the planning application stage. A full Environmental Impact Assessment will support the planning application for any proposed development meeting the required threshold.