

AGENDA SUPPLEMENT (1)

Meeting: Cabinet
Place: Online meeting
Date: Tuesday 3 November 2020
Time: 10.00 am

The Agenda for the above meeting was published on 26 October 2020. Additional documents are now available and are attached to this Agenda Supplement.

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

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This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

5 **Public Participation and Questions from Councillors (Pages 3 - 24)**

Public questions

7 **Financial Year 2020/21: Q2 Budget Monitoring (Pages 25 - 26)**

Public questions

DATE OF PUBLICATION: 2 November 2020

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Wiltshire Council

Cabinet

3 November 2020

From Ian James

To Councillor Philip Whitehead, Leader of the Council

Item 5 – Public Participation

Question 1

As the public understand it the Council is entering into a high risk project with Homes England, there is already strong opposition to the road in the River Marden valley, over 3,000 people have signed a petition against the road. If the Council is successful in being able to draw down funds to construct a road which will allow the Council to build 3,000 council houses, and in addition to allow developers to concrete over farmland to build houses and 1 million sq ft of industrial units.

Why will the Council not make public all the documents pertaining to the bid now that it has been approved by Cabinet, What does Wiltshire Council have to hide and will it now release those documents into the public domain?

Response

The Council will provide information that complies with the requirements set out in the Environmental Information Regulations 2004.

Question 2

The Council builds the road, but the economic situation is so bad the developers say “no thank you” this is too big a risk for us to build now, we will come back in 5 or 10 years time when the banks may lend money to borrowers, and there will be more people in employment to buy the houses.

Do you think the shareholders of Persimmon Homes and others with billions of pounds in the bank will be happy to bail out Wiltshire Council. No they will wait until they can smell blood, and then come back when the land (our land taxpayers land) is so cheap the Council will have to let it go below market value. This is a scenario as the Cabinet member for Finance may have to consider, it is hypothetical, but it is a risk the Council needs to mitigate. How would the Council deal with a road, but no houses or employment land constructed as often happens in Spain? Wiltshire Council is taking all the risk and the developers zero risk.

The economic situation in the country is so bad children do not have enough to eat, unemployment will soar next year, shops and offices will close, and the Council's income will drop further. Now is the time to be brave and say this is just a “Bridge too Far” and withdraw before the writing on the wall becomes a reality.

If the economic situation does not concern the Council then the rising tide of opposition in Chippenham and from a number of Conservative Councillors should.

Response

The state of the economy will obviously impact on the viability of any development proposals. The grant determination agreement to be agreed with Homes England provides the opportunity to review the agreement in the light of changed economic conditions.

From Ian James

**To Councillor Ian Blair-Pilling, Cabinet Member for IT, Digitalisation,
Operational Assets, Leisure and Libraries**

(The questions have been assigned to the relevant Cabinet Portfolio)

Item 5 – Public Participation

Sometime in the past [Cllr Whitehead was] the lead on the roll out of fibre broadband to houses in Wiltshire. Wiltshire is one of the largest, but also one of the poorest counties in the UK the effects of COVID 19 will be with us until a vaccine is found, which may never happen. The changes in working practices and continuous lockdowns will impact the economic prosperity of the people of Wiltshire.

I am sure you fully appreciate the importance of high speed broadband to all houses in Wiltshire to allow people to work from home, and children to maintain their schooling.

Question 1

How many houses in Wiltshire now have fibre to their homes? How many homes are still left without fibre to the home?

Response

Since the inception of the Wiltshire Online Programme in 2013, we have delivered multiple contracts using differing technical solutions, namely Fibre to the Cabinet (FTTC) and more recently, Fibre to the Premises (FTTP).

As at 29th October, “Think Broadband”, the UK’s largest independent broadband news and information site, reports that Wiltshire has 96.06% fibre coverage at >24Mbps, and 95.43% coverage at >30Mbps.

Currently over 94,000 premises in Wiltshire has access to a fibre enabled service, as a direct result of the Wiltshire Online programme of funded intervention, with an additional circa 7,000 premises to be fibre enabled, as part of our current Phase 3 contracts.

This figure excludes any commercial operators build activity, as we do not have line of sight to their commercial data, other than through the likes of “Think Broadband”, which is already available in the public domain.

Notwithstanding the above, without this significant investment by Wiltshire Council, these premises (approx. 40% of Wiltshire) would not have been upgraded to fibre, as they were considered to be commercially non-viable.

Question 2

Why is the programme in North Wiltshire running 2 years late, many homes were informed this broadband service would be delivered in 2019, and are now being informed it will be in 2021.?

Response

Initially the start of the Gigaclear build was delayed due to the lack of the right quality tier 1 and tier 2 sub-contractors required, to deliver within time and to the necessary standard. This has been an issue experienced across the UK, not just in Wiltshire and one that Central Government BDUK, through the Department for Digital, Culture, Media and Sport, has been aware of.

In addition, the originally planned deployment timeframes were impacted by necessary EU State Aid compliance activities. Now that these EU State Aid activities have been concluded and formally approved, Gigaclear have subsequently published the revised dates for all communities, on their website.

Notwithstanding the above, the Gigaclear deployment in the north of the county has also faced significant technical and engineering challenges, including having to plan and negotiate the crossing of six Network Rail structures, multiple wayleaves, multiple bridge and culvert crossings and multiple planned road closures from the North heading South, to allow for the backhaul (the main fibre supply to the world wide web) to be brought down the A429 route

Question 3

What date will the roll out of fibre to the homes be complete?

Response

Current Phase 3 Contracts - The Gigaclear Lot 1 North build programme is currently forecast to be completed by the end of Q4 FY 2021/22, whilst the Lot 2 South Openreach delivery is currently scheduled to finish by the end of Q1 FY 2021/22, subject to no unforeseen circumstances presenting during the remainder of the build

Question 4

What finance is available to continue this important infrastructure roll out?

Response

Wiltshire Council does not have any uncommitted funds, nor headroom in its current Phase 3 contracts, to further extend its planned deployment, beyond the above dates.

The Conservative government made a manifesto commitment to cover the whole of the UK with “*gigabit-capable*” broadband services by 2025 and to spend £5bn on helping to reach those in the hardest to reach (final 20%) of areas. Details on this intervention are still emerging and are very much at the planning stage with the Department for Digital, Culture, Media and Sport, through Building Digital UK.

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From Chris Caswill

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

Item 5 – Public Participation

Question 1

How many farms does the Council own in the area on the left bank of the River Avon, north of the A4, between Chippenham and Bremhill?

Please list them, with the acreage of each?

Response

There are 4 farms to the North of the A4 between Chippenham and Bremhill as follows:

Hardens Farm No.1 – 80.75 acres (equipped farm)

Hardens Farm No.3 - 114.26 acres (equipped farm)

Hither Farm – 120.66 acres (bare land let as 4 parcels)

Forest Gate Farm – 169.95 (bare land)

Question 2

a) Have you read the CPRE 2019 report on Reviving County Farms?

b) Do you agree with its recommendations?

c) Would you not agree that local farms like these have a vital role to play in feeding the local community, especially when food imports could be disrupted and made more expensive after the Interim Brexit Arrangements end on December 31?

Response

a) Yes

b) Of the three recommendations only one refers specifically to Local Authorities actions. In relation to that recommendation the Council's County Farms Estate is managed in accordance with the Rural Estate Asset Management Framework which was ratified by Council in August 2019 before the CPRE was published.

c) The Council's farms are let to tenants who are already actively supplying the food chain via their own supply contracts and sales. We cannot comment on

the impact of the role of these particular farms in feeding the local community, however based on the scale and quality of the land in question the impact is likely to be negligible.

Wiltshire Council

Cabinet

3 November 2020

From Chris Caswill

To Councillor Philip Whitehead, Leader of the Council

Item 5 – Public Participation

Question 1

When and how will the Council publish its response to the Planning for the Future White Paper?

Response

This was published on 29 October 2020 as a Wiltshire Council [News Release](#).

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Wiltshire Council

Cabinet

3 November 2020

From Anne Henshaw (CPRE)

To Councillor Philip Whitehead, Leader of the Council

Item 5 – Public Participation

Under Agenda Item 5 of the meeting 13 October 2020 CPRE asked who will participate in the informal engagement of the revised scope and emerging strategy of the review of the Local Development Scheme and how this is different to what is referred to as public consultation.

We were given the response that the consultations will be public and open to anyone who wishes to respond.

Question 1

Please can the following be clarified:

The aim of the informal engagement in January

Those informed and invited to make comment

We note that in the article in the Gazette and Herald October 22 2020 entitled “Cash for Future Chippenham” it is stated that “consultation on the Local Plan will be carried out early in the new year”

Response

The cabinet report set out the proposed consultation programme concerning possible road routes subject to COVID restrictions.

The Consultation on the Local Plan planned for early in the new year has the aim of inviting views on what broad scale and distribution of growth we should plan for in the County over the period 2016-2036; what priorities we should tackle; and where development should take place. There will be material available to view for anyone who wishes to see and everyone is invited to comment

Question 2

Which one is to be carried out. An informal engagement or a consultation?

Does the Council agree that there is a considerable difference in the weight given to an informal engagement rather than a consultation.

The Council's web-site shows there will be informal engagement in January and public consultation on the Local Plan Review beginning in the third quarter of the year

Response

The Council will treat comments with equal weight. The different terminology simply reflects the legal stage at which plan preparation will have reached and the format of the consultation/engagement.

Early in the new year the Council will be at 'the regulation 18 stage' of plan preparation, which is specified to be informal and without a draft version of the Local Plan Review.

In the third quarter of next year plan preparation will have reached 'a regulation 19 stage' and will publish a draft version of the Local Plan Review. It is more formal in that comments can then go on to be considered by an independent inspector appointed by the Secretary of State.

Wiltshire Council

Cabinet

3 November 2020

From Isabel McCord

To Councillor Philip Whitehead, Leader of the Council

Item 5 – Public Participation

Question 1

For the public to understand and make representations on future development in Chippenham they need access to both the proposals for Future Chippenham and its associated infrastructure as well as the new local development plan for the Chippenham Housing Market Area.

Will the Leader confirm that the consultation on the distributor road and masterplan for Future Chippenham take place at the same time as the consultation on the new local plan for the Chippenham Housing Market Area and that no planning application for the road will be submitted until the new local development plan is adopted.

Response

As stated in the recent cabinet report consultation on possible distributor road route will be taking place early in the new year. Consultation on the local plan will similarly take place early in the new year.

The decision on the timing of a planning application for a distributor road will be informed by progress on the development of the local plan and would need to be taken at the time having regard to all of the circumstances then applying. Therefore, it would not be appropriate for the Council to confirm in advance when a planning application for a distributor road will or will not be made without regard to those circumstances.

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From Andrew Nicolson

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

Item 5 – Public Participation

Question 1

As Wiltshire Council is a member of the Western Gateway Sub-national Transport Body, a formal partnership to produce a Strategic Transport Plan, and its Draft Strategic Transport Plan 2020-2025, says members are “committed to... providing a single voice to Government on strategic transport investment and prioritisation.” and refers to a single plan, "Our plan", which is to be "approved by its members",

(i) Does this mean that the plan is a single unit, with its priorities, objectives, strategies and schemes in the Plan collectively approved and supported by the Body's board members jointly and severally, in a similar way to decisions of Wiltshire Council's Cabinet, and not a collection of separately decided more local priorities, schemes etc.?

(ii) Which of the Sub-national Transport Body's members have, and which of them have not, given their unqualified support to these schemes in Wiltshire - all for spending on roads: A350-M4 Junction 17 Improvement, A350 Chippenham Bypass Improvements, A338 Southern Salisbury Improvements and the A350 Melksham Bypass scheme?

Response

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

Question 2

The STB says it will be "Taking responsibility with Transport and Highway authorities, alongside transport operators for the decarbonisation of the strategic transport network", and in an earlier answer to Mr & Mrs Fish's question, you claimed that A350 improvements will contribute the Government's decarbonisation targets, and gave details, effectively saying that building fast new major roads will lead to modal shift towards Active Travel (cycling and walking) and that improving north-south road travel and transport connectivity will reduce the demand for travel by bringing about "agglomeration" in towns along the A350, so

(i) Can you please define "agglomeration" as used in that context and indicate the source of this notion?

(ii) Can you please explain the contradiction between your earlier claim, and the fact that on page 74 of the Draft Plan, (in Table 9 "Future schemes and associate objectives for the Missing Link Strategic Corridor V2 – Midlands to South Coast"), the boxes showing whether "Short term - A350 capacity improvements" meet the Environmental objectives of "Decarbonisation" and "Adoption of fossil fuel-free transport" are not ticked but left blank?

Response

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

Wiltshire Council

Cabinet

3 November 2020

From Councillor Chris Hurst, Royal Wootton Bassett South Division

To Councillor Laura Mayes, Cabinet Member for Children, Education and Skills

Item 5 – Public Participation

Question 1

It is now a legal requirement on schools to provide remote learning for children in the event of a local lockdown or pupil self-isolation.

I'm concerned about reports that the Government is cutting the promised number of laptops to schools that are designed to help the most disadvantaged children who do not have access to home IT facilities.

In Wiltshire, was an allocation of laptops promised by the Government? If so, what is the current number of laptops being promised?

If there is a shortfall, will Wiltshire Council commit to meeting this gap? I appreciate there is already a significant budget deficit in the higher needs block and this commitment would put further strain on already stretched resources but without access to IT equipment the attainment gap will only grow between the most disadvantaged children and the rest.

Response

(Q submitted post deadline 29/10/20)

A written response will be provided after the meeting.

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From Adrian Temple Brown

To Councillor Philip Whitehead, Leader of the Council

Item 5 – Public Participation

The set of documents that has been released under Freedom of Information (or appeal) to date are available in the following public folder:

https://drive.google.com/drive/folders/1hJuQS9EmTVOG3nktKgnT-8iUzwujeo_E?usp=sharing

The Atkins document “*Chippenham Urban Expansion Environmental TAG Report Wiltshire Council 07-February 2018*”, listed as Appendix 33 of the HIF Bid has one single section related to the impact of Greenhouse Gas emissions from this WC Cabinet project, as follows:

4.3. Greenhouse gases

4.3.1. Assessment

The scheme will introduce a new source of greenhouse gas emissions from road transport. It may also serve to change journey distances due to traffic rerouting via the distributor road rather than through central Chippenham. The proposed scheme may also affect average vehicle speeds on existing and proposed routes.

Construction of the scheme would include additional embedded carbon emissions.

4.3.2. Impacts

The potential impact of the scheme on greenhouse gases is anticipated to be slight adverse.

Cabinet is aware that I would particularly like to spotlight the huge amount of environmental damage and the immense quantity of GHG emissions that will occur from the site preparation and construction associated with this 6.5million m² of countryside being turned into a housing and industrial estate. The above document considers GHG emissions from the extra vehicle journeys which this Countryside Expansion will bring in excruciating detail, but it does not consider the CO₂ emissions from it's construction in any detail at all.

In the concluding GHG “Impacts statement” presented by Atkins to Cabinet, the phrase “slight adverse” is

- a. not defined and is
- b. utterly meaningless when used in the context of the other words in the impact statement.

Significant emissions will occur from the following sources which are not detailed by Atkins in this document:

- CO₂ and CH₄ emissions from the removal and the compost of (incineration of) trees, shrubs, vegetation, insects and soil bio-matter prior to site clearance
- Inorganic Carbon CO₂ Soil emissions from site levelling
- Inorganic Carbon CO₂ Soil emissions from excavation of foundations
- CO₂ and NO_x emissions from all on-site construction equipment through the clearance, build and finishing phases
- CO₂ emissions from all personnel through the project and fuel for their transport to and from site during the project
- Carbon footprint of concrete and steel materials used in foundations and utility channels
- Carbon footprint of all construction materials for houses and industrial units built to current HMG planning regulation standards
- Carbon footprint of all construction materials for roads, pavements and street furniture
- Carbon footprint of all internal finishes for new houses and industrial units
- CO₂ and NO_x emissions from all transport of personnel and materials to and from the site through the duration of the project

The arguments that “cabinet is just following orders”, that “there is a housing crisis”, that “there is no money”, that “new houses will be sustainable”, that “we can’t we don’t have any detail” have all been repeatedly trotted out, but it is clear from the HIF application document that this development is about money and work and has no consideration for Emissions and Ecological destruction.

Since each cabinet member is individually responsible for driving this project forward by voting this project through either in public or in secret, each cabinet member really should be aware of the immense damage they are personally planning to do to the environment and to the atmosphere, NOW - at the outset of the project. The information which quantifies this damage in terms that cabinet members can understand is completely missing from the documentation set.

There is no WC Policy that forces WC Carbon and Ecological budgeting for building projects and Cabinet currently has no plan or intent to put such a policy in place. It is therefore unclear if the lack of detailed GHG emissions data in the documentation set is due to incompetence, ignorance or deliberate suppression.

Cabinet members cannot possibly balance the economic and social gain of this project against Climate Damage and Environmental Loss because you don’t have the key information to make a decision!

I often ask myself how long will you guys will string out doing nothing on the huge infrastructure projects, whilst fiddling around with the little green projects - despite having declared a Climate Emergency *18 months ago!*

So I have a few of questions for cabinet on this:

Question

1. Is Section 4.3 of Appendix 33 of the 1000s of pages associated with the HiF Bid the only place where CO₂, CH₄ and NO_x emissions are considered and an impact statement about GHG is made ?
2. If the answer to 1. Above is 'No', could you list all HIF-bid document references that consider GHG emissions – and release the [redacted] documents (or relevant sections), if required, so that the full detail and calculations which drive the 15-word impact assessment in “Section 4.3.2” can be reviewed by the public?
3. Considering the existing peaceful countryside *today* vs the proposed Chippenham Urban Expansion *when finished*, what is the reasonable worst case figure for the number of extra vehicle journeys in Wiltshire brought about by this project [document reference for this figure much appreciated]

Response

(Q submitted post deadline on 30/10/20)

A written response will be provided after the meeting.

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Wiltshire Council

Cabinet

3 November 2020

From Ian James

To Councillor Pauline Church, Cabinet Member for Finance, Procurement and Commercial Investment

Item 7 – Budget Monitoring

Question 1

Please explain in more detail what is the general reserve fund and how much money is available today (3/11/20) for the Council to draw down on? Does the Council have any other reserves, and if so how much?

Response

Sections 32 and 43 of the Local Government Finance Act 1992 requires a local authority to have due regard to the level of balances and reserves it needs for meeting estimates of future expenditure when calculating the Council's budget. The general fund reserve is a reserve that is set aside to help mitigate the risks within the normal business activity of the council. Its main purpose is as a working balance to help cushion the impact of uncertainties on cash flows and also act as a contingency to cushion the impact of unexpected events and emergencies that may arise in any given year. The current balance on this reserve is £15.456m.

The council also holds other usable reserves that are earmarked to meet other known and predictable events and liabilities that are faced in future years. These are listed in detail within the Annual Statement of Accounts and as at the 31 March 2020 and they totalled £27.202m, however this excludes the cumulative deficit of the Dedicated Schools Grant and Schools Balances. Including the Dedicated Schools Grant and Schools Balances the total is £23.916m.

The council also has other reserves that are ring-fenced for capital purposes and are set aside to fund the Capital Programme in both this year and future years. As at 31 March 2020 these totalled £74.626m.

Question 2

At the last meeting you stated that the Future Chippenham Team is now part of the Major Project Team and utilising exiting resources. Are there consultants engaged with this team, and what is their cost to the major projects team?

Response

There are no consultants employed in the Major Projects Team.

The Major Projects team are funded by Revenue and Capital funding allocated for the projects that they work on. Projects may need specialist advice provided by consultants; such costs will be charged to the appropriate capital scheme.

Question 3

The three companies set up by Wiltshire Council under the names Stone Circle. Is Wiltshire Council funding those companies with the £4.2m which was agreed at the 24th March cabinet meeting. If so this money was indicated as capital funding.

This money you stated was capital funding, is it now being used for resource funding to run these three companies?

Response

The £4.220m that was advanced in the 24 March Cabinet report is to be used to progress the programme as outlined in the report. This will be used for preliminary investigations, route option assessment and preliminary design for the road and associated housing sites. None of this funding will be going to Stone Circle.