

## AGENDA

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**Meeting:** Cabinet  
**Place:** The Kennet Room - County Hall, Trowbridge BA14 8JN  
**Date:** Tuesday 13 September 2016  
**Time:** 9.30 am

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### Membership:

Cllr Baroness Scott of Bybrook OBE	Leader of the Council
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Jonathon Seed	Cabinet Member for Housing, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste
Cllr Dick Tonge	Cabinet Member for Finance
Cllr Jerry Wickham	Cabinet Member for Health (including Public Health) and Adult Social Care
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage and Arts, Governance and Support Services
Cllr Philip Whitehead	Cabinet Member for Highways and Transport

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Please direct any enquiries on this Agenda to Will Oulton, of Democratic Services, County Hall, Trowbridge, direct line 01225 713935 or email [William.Oulton@wiltshire.gov.uk](mailto:William.Oulton@wiltshire.gov.uk)

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All public reports referred to on this agenda are available on the Council's website at [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

## Part I

### Items to be considered while the meeting is open to the public

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

**1 Apologies**

**2 Minutes of the previous meeting (Pages 5 - 16)**

To confirm and sign the minutes of the Cabinet meeting held on 19 July 2016, previously circulated.

**3 Minutes - Capital Assets Committee (Pages 17 - 20)**

To receive and note the minutes of the Capital Assets Committee held on 19 July 2016.

**4 Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

**5 Leader's announcements**

**6 Public participation and Questions from Councillors**

The Council welcomes contributions from members of the public. This meeting is open to the public, who may ask a question or make a statement. Questions may also be asked by members of the Council. Written notice of questions or statements should be given to Will Oulton of Democratic Services by 12.00 noon on Wednesday 7 September 2016. Anyone wishing to ask a question or make a statement should contact the officer named above.

**7 Community Infrastructure Levy Revised Regulation 123 List and Revised Planning Obligations Supplementary Planning Document (Pages 21 - 212)**

 Report by Dr Carlton Brand, Corporate Director.

**8 Revenue Budget Monitoring report (Pages 213 - 228)**

Report by Carolyn Godfrey, Corporate Director.

**9 Report on Treasury Management Strategy 2016-17 – First Quarter ended 30 June 2016 (Pages 229 - 242)**

Report by Carolyn Godfrey, Corporate Director.

**10 Performance Management and Risk Outturn Report: Q1 2016/16 (Pages 243 - 260)**

Report by Dr Carlton Brand, Corporate Director.

## 11 **Urgent Items**

Any other items of business, which the Leader agrees to consider as a matter of urgency.

Our vision is to create stronger and more resilient communities. Our priorities are: To protect those who are most vulnerable; to boost the local economy - creating and safeguarding jobs; and to support and empower communities to do more themselves.

\* These headings reflect the key goals of Wiltshire Council to achieve its vision to  
‘Create stronger and more resilient communities’

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## CABINET


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DRAFT MINUTES of a MEETING held in THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 19 July 2016.

Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Jonathon Seed	Cabinet Member for Housing, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste
Cllr Dick Tonge	Cabinet Member for Finance
Cllr Jerry Wickham	Cabinet Member for Health (including Public Health) and Adult Social Care
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage and Arts, Governance and Support Services
Cllr Philip Whitehead	Cabinet Member for Highways and Transport

Also in Attendance: Cllr Jon Hubbard, Cllr Alan MacRae, Cllr Richard Gamble, Cllr Fred Westmoreland, Cllr Chuck Berry, Cllr David Jenkins, Cllr Simon Killane, Cllr Gordon King, Cllr Jacqui Lay, Cllr Magnus Macdonald and Cllr Bill Moss

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

### 83 **Apologies**

Apologies were received from Cllr Baroness Scott of Bybrook OBE.

### 84 **Minutes of the previous meeting**

The minutes of the meeting held on 14 June 2016 were presented.

#### **Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 14 June 2016.**

**85 Declarations of Interest**

There were no declarations of interest.

**86 Leader's announcements**

There were no announcements.

**87 Public participation and Questions from Councillors**

It was noted that no requests for public participation had been received. The Deputy Leader did however explain that, as usual at meetings of Cabinet, he would be more than happy to hear from any member of the public or Councillor present on any of the items on the agenda.

**88 Annual Governance Statement 2015-16**

Councillor Dick Tonge presented the report which asked Cabinet to consider a draft Annual Governance Statement for 2015-16 for comment before final approval is sought from the Audit Committee on 27 July 2016.

**Resolved**

- 1. To note the draft AGS as set out in Appendix 1; and**
- 2. To note that the draft AGS will be revised in the light of any comments by Cabinet and ongoing work by the Governance Assurance Group before final approval by the Audit Committee and publication with the Statement of Accounts at the end of July 2016.**

*Reason for Decision*

*To prepare the AGS 2015-16 for publication in accordance with the requirements of the Audit and Accounts Regulations 2011.*

**89 CSE Action Plan Update**

Councillor Laura Mayes presented the report which provided Cabinet with a review of the Council's CSE Action Plan with specific reference to the Wiltshire App and Website, as agreed at 15 March 2016 Cabinet meeting.

In giving her presentation, Councillor Mayes highlighted the work done in the community and schools to raise awareness; the training provided to staff; the additional resources being deployed and effective partnership working ongoing to address the issue.

In response to a matter raised by Cabinet at the previous meeting, Councillor Mayes stated that some work had been undertaken to establish whether it was feasible to use the my Wiltshire App in this area. It had been decided that it was not the best use of technology but that officers had been investigating how the council's website could be best used. It was noted that the next update would be reported to Cabinet in a year.

At the invitation of the Deputy Leader, Councillor Jacqui Lay gave an update on the work of the CSE Task Group. She stated that she was happy with the way the Task Group had worked with the officers; that the Task Group's work would be focused on prevention; and that their report was planned to be completed in the Autumn.

### **Resolved**

**That Cabinet notes progress on the Council's CSE Action Plan with specific reference to the Wiltshire App and Website, as agreed in 15 March 2016 Cabinet meeting.**

#### *Reason for Decision*

*In March 2015 the government announced that the sexual abuse of children is a National Threat.*

*Monitoring of the plan's implementation needs to be at the most senior level to ensure that actions are effective in protecting and supporting children.*

## **90 Wiltshire Council Grants Policy**

Councillor Dick Tonge presented the report which presented a draft grants expenditure policy to Cabinet for adoption. In giving his presentation, Councillor Tonge thanked the officers for their efforts which were apparent in the quality of the report.

Issues highlighted in the course of the presentation and discussion included: the need to ensure high quality outcomes from the projects grant funded; the links to the business plan and the joint needs assessments undertaken in each community area; and how performance monitoring and evaluation can be undertaken.

In response to a query in relation to grant recipients who were not registered charities and would therefore be subject to VAT, the Deputy Leader suggested that members could lobby their MP on the issue if they so wished.

### **Resolved**

- 1. To adopt the grants expenditure policy presented;**
- 2. To delegate to the Cabinet Member responsible for the Finance portfolio, in consultation with the Section 151 officer and the Associate Director for Corporate Function and Procurement responsibility for minor amendments provided that to do so does not alter (but gives further effect to) the executive arrangements or the principles enshrined in this policy; and**
- 3. To delegate to the Section 151 officer in consultation with the Solicitor to the Council responsibility for amending this policy to reflect changes in the law, to correct errors or clarify ambiguities where to do so does not alter (but gives further effect to) the executive arrangements or the principles enshrined in this policy**

### *Reason for Decision*

*The adoption of the Grants Expenditure Policy will ensure best use of the limited funding to ensure both high quality outcomes for Wiltshire residents in accordance with the Council's Business Plan and effective, efficient use of council resources.*

## **91 Wiltshire's Obesity Strategy 2016-2020**

Councillor Jerry Wickham presented the report which informed Cabinet of the results of the consultation and to present the final Obesity Strategy (Appendix 1 to the report) for approval and adoption together with the draft implementation plan to deliver the strategy.

Issues highlighted in the course of the presentation and discussion included: that this is a joint strategy with the Wiltshire CCG; that a 2<sup>nd</sup> summit had been held as part of the development of action plans; that obesity was the biggest public health challenge facing the country and the county; the chronic diseases that can follow as a consequence; the costs to NHS and Council arising from obesity; the strategic targets in relation to children and adults; how schools, businesses and other partners can support the aims of the strategy; how physical environmental factors can impact; and the role Councillors can play in promoting work, such as the Health Schools programme, in their community.

Councillor Jon Hubbard, Chair of the Children's Select Committee stated that the he had, initially, been disappointed not see more of the Task Group's

recommendations explicitly included in the strategy, but had been somewhat assured by Councillor Wickham's statement that both the Health and Children's Select Committees recommendations had been considered and were implicitly included in the strategy.

In response to a question from Councillor Jon Hubbard, Councillor Toby Sturgis stated that he would be happy to engage with the Children's Select Committee to investigate how planning policy can effectively assist the strategy.

### **Resolved**

- 1. To note the information about consultation responses.**
- 2. To approve the final Obesity Strategy (Appendix 1) and the draft implementation plan (Appendix 2) for adoption.**
- 3. To delegate authority to the Corporate Director for Public Health, Protection Services, Adult Care and Housing in consultation with the Cabinet Member for Health (including Public Health and Adult Care, to finalise the strategy document for publication and to execute the implementation plan.**

### *Reason for Decision*

*The draft obesity strategy has already gained approval from the NHS Wiltshire CCG Executive groups, the CCG Clinical Executive, Governing Body and Wiltshire Council's Health Improvement Panel. Approval to go out to public consultation from the Health and Wellbeing Board was also obtained. The post-consultation finalised strategy and implementation plan requires Cabinet approval for the work to progress.*

## **92 Adult Care Charging Policy**

Councillor Jerry Wickham presented the report which asked Cabinet to consider implementing and adopting the proposed charging policy for adult care. The report, which followed on from a report made to Cabinet at their 19 January 2016 meeting, provided details of the feedback received during the consultation process and how this feedback has been considered in the proposed policies. It noted that the feedback was supplemented by the report provided by Healthwatch Wiltshire as presented.

In giving his presentation, Councillor Wickham stated that he had considered the views of the Health Select Committee and whilst recognising the lessons that could be learned from the relatively low response to the consultation, was satisfied that the consultation could still be considered relevant.

In response to issues raised by the Chairman and Vice Chairman of the Health Select Committee, Councillor Wickham agreed that regular updates could be made available to the Committee with a full report made 6 months after the implementation of the policy.

### **Resolved**

- 1. To adopt the proposed adult care charging policy.**
- 2. To note the resolution of the Health Select Committee as detailed at Para. 10.**
- 3. To take into account 100% of an adult's eligible disposable income when assessing for contributions for care and support at home (Currently 80%)**
- 4. To take into account the full rate of attendance allowance received (Currently only take into account the lower amount regardless of rate received)**
- 5. To update the list of Disability Related Expenses (DRE) (Appendix A) items in accordance with The Care Act (2014). The most significant proposed change is to remove allowances for continence products<sup>1</sup> where these are provided by the NHS continence service.**
- 6. To ask for an interim report to Health Select in 6 months following the implementation of the policy, to assess the impact of the changes.**

### *Reason for Decision*

*The proposals have been drafted so as to ensure the Council's charging policy is compliant with the Care Act (2014) and all relevant legislation.*

*To align the discretionary elements in Wiltshire Council's policy to those of local authorities across the South West.*

*So that everyone in receipt of care and support who is required to pay contributes what they can afford to pay in accordance with the Care Act guidance.<sup>2</sup>*

## **93 Adult Care Prevention and Choice Policy**

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<sup>1</sup> This reflects the Guidance at Annex C paragraph 40(13)

<sup>2</sup> Care Act statutory guidance paragraph 8.2

Councillor Jerry Wickham presented the report which asked Cabinet to consider the implementation of two adult care policies: Preventing, Reducing and Delaying Eligible Needs Policy (PRD) and a General Policy Statement. It was noted that the report includes details of the public consultation that has been completed and should be read in conjunction with the supporting documents including the Equalities Impact Assessment. In making his presentation, and with reference to the previous item on the Charging Policy, Councillor Wickham recommended that in addition to the proposed recommendations, the Council should review the efficacy of consultations of this type.

### **Resolved**

- 1. To agree the implementation of the Preventing, Reducing and Delaying Eligible Needs Policy.**
- 2. To agree the implementation of the 'General Policy Statement'.**
- 3. That the Council should undertake a review of how it consults with people, especially those with either Learning Difficulties and/or are vulnerable.**

### *Reason for Decision*

- 1. These policies have been drafted so as to ensure the Council is compliant with all relevant legislation in particular the Care Act (2014) which came in to effect in April 2015.*
- 2. The policies will ensure the Council has published clear guidance that will ensure adults with needs have clear expectations about what to expect from Adult Social Care and provide a framework for decision making and operational guidance.*
- 3. So that social care best practise is reflected in the Council's policies in terms of choice and control, prevention and personalised care and support*
- 4. To update policies based on outdated legislation and practices.*

### **94 Wiltshire Council Adoption Service: 2015-16 Year End Report**

Councillor Laura Mayes presented the report which provided a year-end report to Cabinet regarding the performance of the Adoption Service within Wiltshire Council. This was also a requirement of the condition of registration as described in 2014 Adoption Minimum Standards and 2013 Statutory Guidance that Cabinet is satisfied that the Adoption Agency complies with the conditions of registration, is effective and is achieving good outcomes for children.

Councillor Jon Hubbard, Chairman of the Children's Select Committee, stated that he recognised that some of the statistics that compared less favourably to national average were a reflection of the fact that the Council was continuing to do the right thing by seeking potential adoption for more difficult placements.

### **Resolved**

**That the contents of the report be noted and accepted.**

#### *Reason for Decision*

*Wiltshire Council is an Adoption Agency registered with Ofsted. The 2014 Adoption Minimum Standards (25.6) and 2013 Statutory Guidance (3.93 and 5.39) describe the information that is required to be reported to the executive side of the local authority every six months in order to provide assurance that the adoption agency is complying with the conditions of registration whilst being effective and achieving good outcomes for children and service users.*

## 95 **Adoption West Update**

Councillor Laura Mayes presented the report which asked Cabinet to endorse outline proposals for the development of the Adoption West Regional Adoption Agency (RAA) and approve public engagement on these outline proposals.

Councillor Jon Hubbard, Chairman of the Children's Select Committee, thanked the Cabinet Member for inviting him to engage in the process so far, and that he looked forward to further engagement.

Councillor Mayes, in response, stated that she agreed that Member scrutiny was particularly important in this matter.

### **Resolved**

**To endorse the outline proposals for the development of a Regional Adoption Agency (RAA) and agree public engagement.**

#### *Reason for Decision*

*The initial development phase for Adoption West is complete. To proceed with plans to establish an RAA a period of consultation with the public, service users and staff is required. Cabinet approval is therefore needed before progression to this next stage.*

## 96 **Extension of DCS0518 Call Centre and Response Services (Telecare)**



Councillor Jerry Wickham presented the report which set out a proposal for the consideration of the Cabinet regarding the extension of the Call Centre and Response Service (Telecare) with Medvivo for the period of one year, noting that the report was required in advance of procurement activity to utilise the extension provisioned within the current contract.

## **Resolved**

- 1. That the current Call Centre and Response (Telecare) contract with Medvivo is extended for one year as provisioned for within current contract arrangements.**
- 2. That the Assistant Director for Adult Social Care, in consultation with the Cabinet Member for Health (including Public Health) and Adult Care, is asked to establish savings and efficiencies arising from joint working with providers, and to further develop the use of telecare in Wiltshire.**

### *Reason for Decision*

*The core reasons for extending the contract on a short term basis are:*

- Significant CCG contracts with Medvivo are due to expire in January 2018. There may be opportunity to integrate contracts and services more fully with the CCG at this time providing closer integrated working opportunities whilst potentially providing overall efficiencies; a longer term extension and/or re commissioning process would prohibit this opportunity.*
- Telecare remains an area of significant potential and growth. Medvivo are a positive partner, keen to explore the future use of telecare in Wiltshire.*
- Commissioners feel that there are operational opportunities to explore with the current provider over the next twelve months and a 12 month action plan is currently being developed. It is anticipated that this work will inform the future recommissioning of an efficient and effective telecare service in Wiltshire.*
- Medvivo continue to have the expertise and experience to provide telecare services in Wiltshire and to meet any increase in demand. It also continues to have the ability to link this social care service with its provision of health service out of hours response for the benefit of customers.*
- The provision of urgent care domiciliary is intrinsically linked with the response service and any changes to provider at this time could impact on that services viability.*

*The one year extension would be utilised by commissioners from both Wiltshire Council and Wiltshire CCG to inform a comprehensive re tender process for this service, aligned to other services currently provided by Medvivo.*

97 **Extension of Integrated Community Equipment Service Contract and Pooled Budget Arrangement**

Councillor Jerry Wickham presented the report which sets out a proposal for the consideration of the Cabinet regarding extension of the current Integrated Community Equipment and Support Service contract with Medequip for the period of two years; the continuation of current pooled budget arrangements between Wiltshire Clinical Commissioning Group and Wiltshire Council, noting that the report was required in advance of procurement activity to utilise the extension provision within the current contract.

**Resolved**

- 1. That the current ICESS contract with Medequip and nominal pooled budget arrangements are extended for two years, as provisioned for within current contract arrangements.**
- 2. Note that this proposal has been submitted to the Joint Commissioning Board in May 2016 and the JCB agreed to recommend an extension to the current contract to February 2019.**
- 3. That the Assistant Director for Adult Social Care is asked, in consultation with the Cabinet Member for Health Including Public Health) and Adult Care, to establish the exact savings and efficiencies arising from joint working with the provider and then secure these savings through agreed targeted changes in practice and delivery.**

*Reason for Decision*

*The core reasons for seeking a contract extension are:*

- The contract was originally awarded after a competitive tender through the OJEU*
- There are a limited number of large providers in the market for equipment and within such a limited market procuring a lower value contract will be unlikely*
- Commissioners from both Wiltshire Council and Wiltshire CCG understand that there are opportunities to reconfigure service provision facilitating greater efficiency from the provider.*

- *The current provider is meeting all the necessary performance metrics, is an active and collaborative partner and is keen to explore areas where operational efficiencies can be identified and implemented in order to reduce costs and improve the quality of service delivery*
- *The current provider is delivering a high quality service which is backed up by reviews from service users and Wiltshire and Swindon User Network (WSUN) audit*
- *Medequip is the largest UK Community Equipment Service provider and currently holds contracts with 35 organisations having won another 4 contracts in 2015. Medequip have been delivering the contract in Wiltshire for the past 17 years. At the present time, given the size of the organisation and their local knowledge, it is unlikely that another provider could match the best practice opportunities and low equipment costs available through Medequip*

*The two year extension period will be utilised fully by commissioners from both the CCG and Wiltshire Council to inform a comprehensive tender process for the future of this critical frontline service.*

## 98 **Urgent Items**

There were no urgent items.

(Duration of meeting: 9.30 - 11.10 am)

These decisions were published on the 22 July 2016 and will come into force on 1 August 2016.

The Officer who has produced these minutes is Yamina Rhouati, of Democratic Services, direct line 01225 718024 or e-mail [Yamina.Rhouati@wiltshire.gov.uk](mailto:Yamina.Rhouati@wiltshire.gov.uk)  
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## **CABINET CAPITAL ASSETS COMMITTEE**

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DRAFT MINUTES of a MEETING held at THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 19 July 2016.

Cllr Fleur de Rhé-Philipe	Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Dick Tonge	Cabinet Member for Finance
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage and Arts, Governance and Support Services

Also in Attendance: Cllr Jonathon Seed, Cllr Philip Whitehead and Cllr Jerry Wickham

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### **33 Apologies and Substitutions**

Apologies were received from Cllr Toby Sturgis and Cllr Baroness Scott of Bybrook OBE  
Cllr Baroness Scott of Bybrook OBE was substituted by Cllr Laura Mayes; and Cllr Tony Sturgis was substituted by Cllr Stuart Wheeler.

### **34 Minutes of the previous meeting**

The minutes of the meeting held on the 17 May 2016 were presented and considered.

#### **Resolved**

**To approve as a correct record and sign the minutes of the meeting held on the 17 May 2016**

### **35 Leader's Announcements**

There were no leaders announcements.

### **36 Declarations of interest**

There were no declarations of interest.

### **37 Public Participation and Questions from Councillors**

It was noted that no requests for public participation had been received. The Leader did however explain that, as usual at meetings of Cabinet, she would be

more than happy to hear from any member of the public present on any of the items on the agenda.

**38 ICT Capital Funding Bid**

Councillor Dick Tonge, Cabinet Member for Finance, presented the report which sought the approval of capital funding for the re-procurement and implementation of case management systems in Children's Services.

When considering the proposals, the meeting took account of the information in the appendices exempt from publication.

After a short debate, the meeting;

**Resolved**

- 1. To release from the ICT capital budget, an additional amount, as specified in the part II appendix, over the next 3 years to research, procure and implement replacement Children's Services support solutions.**
- 2. It is proposed that the revenue element is funded from either grant fund bids or if that is unsuccessful the Children's Service. When the procurement process is complete and the providers selected, a full evaluation will be carried out, to assess the requirements around staffing levels in both Children's Social Care and ICT. Future staffing levels and savings will depend on the future system selected.**
- 3. To delegate powers to enter into resulting contract(s) for these solutions, to the Associate Director, People and Business Services in conjunction with the Section 151 Officer.**

*Reason for Decision*

*Systems that support Children's Services need to be fit for purpose and give the opportunity to streamline working practices and keep pace with change. The current systems are limited in what they can offer to the changing needs of the council and Children's Services. The renewal of contracts offer an opportunity to enable the aims of the council and the Children's Services to offer an improved and mobile solution as well as reducing existing IT solutions and support and maintenance costs.*

**39 Urgent items**

There were no urgent items.

40 **Exclusion of the Press and Public**

**Resolved**

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

Reason for taking the item in private:

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

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

41 **ICT Capital Fund (Part ii)**

The meeting noted the information in the appendices to the report.

(Duration of meeting: 11.15 - 11.37 am)

These decisions were published on the 22 July 2016 and will come into force on 1 August 2016
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**Wiltshire Council**

**Cabinet**

**13 September 2016**

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**Subject:** **Community Infrastructure Levy Revised Regulation 123 List and Revised Planning Obligations Supplementary Planning Document**

**Cabinet Member:** **Councillor Toby Sturgis - Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste**

**Key Decision:** **Yes**

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## **Executive Summary**

On 12 May 2015, Wiltshire Council adopted a Community Infrastructure Levy (CIL) Charging Schedule, Planning Obligations Supplementary Planning Document (SPD), CIL Instalments Policy and Regulation 123 List. The Council became a CIL Charging Authority on 18 May 2015.

It has become clear, as development proposals have come forward, that the Regulation 123 List would benefit from reviewing to clarify which infrastructure projects may be funded through CIL in order to address perceived uncertainties.

The Government's Planning Practice Guidance recognises that Regulation 123 Lists may need updating and advises "*Authorities may amend their charging schedule, subject to appropriate consultation. However, where a change to the regulation 123 list would have a very significant impact on the viability evidence that supported the examination of the charging schedule, this should be made as part of a review of the charging schedule*" (PPG ref: 25-098-20140612).

On 26 February, the Cabinet Member resolved by delegated decision to approve a Draft Revised Regulation 123 List and Draft Revised Planning Obligations SPD for consultation. Following consultation both documents would be finalised for consideration by Cabinet and, subject to the Cabinet resolution, the SPD be recommended to Council for adoption.

As the Planning Obligations SPD clarifies the relationship between CIL and planning obligations, changes were also proposed to this document in the interest of clarity and accuracy and to recognise that the Regulation 123 List would be reviewed and updated periodically.

The Council undertook consultation for six weeks on both documents (14 March to 25 April 2016) and also made available a Draft Updated Infrastructure Delivery Plan for comment.

Comments received during the consultation period have been taken into account and final versions of the documents are proposed. A future Cabinet should consider the process for prioritising spending on the Regulation 123 List and the process for future reviews in the interest of openness and transparency.

Adopting the Revised CIL Regulation 123 List and Revised Planning Obligations SPD will assist the effective operation of CIL.

### **Proposals**

That Cabinet:

- (i) Notes the response to the consultation on the Draft Revised Community Infrastructure Levy Regulation 123 List, Draft Revised Planning Obligations Supplementary Planning Document and Updated Infrastructure Delivery Plan, set out in **Appendix 2**.
- (ii) Adopts the Revised CIL Regulation 123 List as amended in **Appendix 3**.
- (iii) Recommends to Council that it adopts the proposed Revised Planning Obligations Supplementary Planning Document (**Appendix 4**).
- (iv) Subject to approval of Council, agrees that the Associate Director for Economic Development and Planning, in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste undertake the final stages associated with the formal adoption of the Supplementary Planning Document, including any minor textual changes in the interest of clarity and accuracy.
- (v) Consider proposals for the process for prioritisation of spending and future reviews of the Regulation 123 List by February 2017.

### **Reason for Proposals**

To assist with the effective operation of CIL and ensure appropriate infrastructure is secured as part of development proposals.

**Dr Carlton Brand**  
**Corporate Director**



## Wiltshire Council

### Cabinet

13 September 2016

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**Subject:** Community Infrastructure Levy Revised Regulation 123 List and Revised Planning Obligations Supplementary Planning Document

**Cabinet Member:** Councillor Toby Sturgis - Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste

**Key Decision:** Yes

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### Purpose of Report

1. To:
  - (i) Update Cabinet on the response to the consultation on the Draft Revised Community Infrastructure Levy Regulation 123 List (February 2016), Draft Revised Planning Obligations Supplementary Planning Document (February 2016) and Draft Updated Infrastructure Delivery Plan (February 2016).
  - (ii) Recommend that the Revised Community Infrastructure Levy Regulation 123 List be adopted by Cabinet and the Revised Supplementary Planning Document be adopted by Council.

### Relevance to the Council's Business Plan

2. Maintaining an up to date Regulation 123 List will support the effective implementation of the Community Infrastructure Levy (CIL) within Wiltshire. CIL supports the Council's vision to create resilient communities by raising revenue from new development to help pay for infrastructure to support growth.

### Background

3. On 12 May 2015, Wiltshire Council adopted a CIL Charging Schedule, Planning Obligations Supplementary Planning Document (SPD), CIL Instalments Policy and Regulation 123 List. The Council became a CIL Charging Authority on 18 May 2015.
4. The Regulation 123 List supports the CIL Charging Schedule, setting out strategic infrastructure types or projects that Wiltshire Council may fund, wholly or partly, through CIL. The List does not apply to the ring-fenced proportion of

CIL passed to town and parish councils for them to allocate to community infrastructure projects. It takes projects from the Infrastructure Delivery Plan (IDP), which supports the Wiltshire Core Strategy by identifying strategic infrastructure to support the delivery of planned growth.

5. Projects on the Regulation List cannot be funded by planning obligations. The Planning Obligations SPD clarifies the relationship between CIL and planning obligations and should be read alongside the Regulation 123 List.
6. The existing CIL Regulation 123 List, included at **Appendix 1**, has been in operation since 18 May 2015. It has become apparent as development proposals have come forward that the List would benefit from reviewing to clarify which infrastructure projects may be funded through CIL in order to address perceived uncertainties.
7. Planning Practice Guidance (PPG) recognises Regulation 123 Lists may need updating. It advises charging authorities should ensure changes are explained and subject to appropriate local consultation. It says “*Authorities may amend their charging schedule, subject to appropriate consultation. However, where a change to the regulation 123 list would have a very significant impact on the viability evidence that supported the examination of the charging schedule, this should be made as part of a review of the charging schedule*” (PPG ref: 25-098-20140612).
8. The existing List includes generic infrastructure types and the provision “*except where the requirement can be attributed to five or fewer developments*”. It also makes explicit reference to the exclusion of infrastructure projects associated with the development of strategic sites within the Wiltshire Core Strategy. The exclusions recognised that Section 106 agreements remain an appropriate infrastructure delivery mechanism subject to pooling restrictions set out in legislation.
9. CIL is one of the mechanisms used to fund the infrastructure required to support Wiltshire’s growth. Core Policy 3 of the Wiltshire Core Strategy and the Planning Obligations SPD set out how CIL works alongside, rather than replaces, Section 106 agreements. Section 106 agreements ensure delivery of infrastructure that is directly related to a development. They are important to ensure that sustainable development can be achieved with infrastructure delivered at the right time alongside development.
10. A Draft Revised Regulation 123 List was prepared that took projects from the IDP (September 2013), which formed the infrastructure evidence for the CIL Charging Schedule, and had been updated to reflect the changing requirements of infrastructure service providers. As the revised List is based on evidence that supported the Charging Schedule the proposed amendments do not have a very significant impact on the viability evidence that supported its examination.
11. Changes were also proposed to the Planning Obligations SPD in the interests of clarity and accuracy and to recognise that the Regulation 123 List will be reviewed and updated periodically.

12. On 26 February, the Cabinet Member resolved by delegated decision to approve a Draft Revised Regulation 123 List and Draft Revised Planning Obligations SPD for consultation. Following consultation both documents would be finalised for consideration by Cabinet and, subject to the Cabinet resolution, the SPD be recommended to Council for adoption.
13. The delegated report stated that the process for prioritising spending on the Regulation 123 List should be considered by Cabinet alongside approval of the Revised List and the process for future reviews.

### **Main Considerations for the Council**

14. From 14 March until 25 April, 2016, the Council consulted for six weeks upon the Draft Revised Regulation 123 List and Draft Revised Planning Obligations SPD. A Draft Updated IDP was also available for comment. Further information can be found on the Council's website at:  
<http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.htm>.
15. A Consultation Statement detailing the approach to the consultation, consultation responses and proposed changes to address matters raised is set out in **Appendix 2**. This demonstrates how the documents have been prepared in line with legislation and the Council's Statement of Community Involvement. In total, there were 87 respondents to the consultation.
16. In summary, the main issues raised during the consultation were as follows:

#### *Draft Revised Regulation 123 List*

- Concern there is no direct geographic relationship between where CIL is generated and where it is spent.
- Concern about the amount of developer contributions the Council is still seeking through planning obligations in addition to CIL.
- Concern how the proposed changes affect the viability evidence that supported the CIL Charging Schedule at examination.
- Concern about the perceived risk of 'double-dipping', i.e. whereby developers are charged twice for the same infrastructure.
- Queries over the inclusion of individual projects and how they are selected from the IDP.
- Requests for improved communication with the community over the content.
- Suggestions of individual projects to be included.

#### *Draft Revised Planning Obligations SPD*

- Suggestions on how it could allow for recent and anticipated changes to national planning policy regarding affordable housing (including starter homes).
- Concerns about the pooling of Section 106 contributions and how this is

monitored.

- Concerns about how open space in new developments is managed and whether this can be undertaken by parish councils.
- Comments on minor textual and formatting issues and how to improve the clarity.

#### *Draft Updated Infrastructure Delivery Plan*

- Concerns that the consultation has not been authorised by the Cabinet Member in his delegated decision nor will the finalised IDP be considered by Cabinet.
  - Concern about the inclusion of infrastructure requirements in relation to proposed strategic sites in Chippenham prior to the conclusion of the examination into the Chippenham Site Allocations Plan.
  - Need for further updating of information, e.g. a query over the inclusion of proposals for a new secondary school in Salisbury, which was included in previous published versions of the IDP but is no longer seen as a potential solution to the provision of secondary school places as plans and requirements have since changed.
  - Queries about the progress of related plans and strategies, e.g. the Green Infrastructure Strategy.
  - Queries over the inclusion of individual projects and suggestions for further projects to be included.
  - Comments on minor textual and formatting issues and how to improve the clarity.
17. Sections 4, 5 and 6 of **Appendix 2** presents more detail on the representations made and set out officer responses and proposed changes.
18. Proposed final versions of the Revised Regulation 123 List and Revised Planning Obligations SPD are set out in **Appendices 3** and **4** respectively. The Revised Regulation 123 List shows tracked changes from the draft put out for consultation and the Revised SPD shows tracked changes to the existing adopted SPD that have arisen as a result of changes proposed in the consultation draft, new changes arising from the consultation feedback and further minor changes in the interest of clarity and accuracy. Section 7 of the consultation report clarifies the nature of the changes to the SPD.
19. CIL will take time to accrue sufficiently to be directed towards infrastructure delivery and will not meet all requests for funding. Infrastructure providers and stakeholders in addition to Wiltshire Council are likely to seek CIL funding to help meet their needs or aspirations. The Council will need to develop its approach to prioritising funding to provide clarity and avoid raising expectation. This process for prioritisation and future reviews will be considered at a future Cabinet meeting.

#### **Next Steps**

20. Subject to Cabinet approval, the Revised Regulation 123 List will be finalised and published on the Council's website at:

<http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.htm>.

21. While Cabinet can approve revisions to the List, Council reserved the power under the constitution to agree amendments to Local Development Documents, including SPDs. The SPD will need to be adopted by Council following a recommendation by Cabinet.
22. The IDP is an evidence base document that is reviewed and updated periodically. Comments received through the consultation on the IDP will be taken into consideration prior to its publication on the Council's website.

### **Overview and scrutiny engagement**

23. There has been no engagement with the report.

### **Safeguarding Implications**

24. There are no safeguarding implications from this proposal.

### **Public Health Implications**

25. CIL and Section 106 agreements will help fund infrastructure to support growth. Well-planned development supports the health and wellbeing of local communities by providing green infrastructure, sports facilities and measures to encourage walking and cycling.

### **Procurement Implications**

26. There are no direct procurement implications. Proposed procurements to deliver projects on the Regulation 123 List will comply with the Council's contract rules and any applicable Procurement Law.

### **Environmental and Climate Change Considerations**

27. CIL Section 106 agreements will help fund infrastructure to support sustainable development and adapt to a changing climate, by funding specific projects. For example, sustainable transport, strategic open space and green infrastructure, flood mitigation measures, sustainable energy infrastructure and strategic habitat protection. They should ensure all projects are assessed on their sustainability merits.
28. While preparing the Wiltshire Core Strategy, the Council agreed with Natural England that CIL would be directed towards projects relating to European protected sites. These comprise the Salisbury Plain and New Forest Protected Areas and the River Avon Special Area of Conservation. Provision is made within the Revised Regulation 123 List for these projects in order to meet the requirements of the Habitats Directive.

### **Equalities Impact of the Proposal**



29. The public consultation aimed to ensure all interested parties were able to comment on the Draft Revised Regulation 123 List and Draft Revised Planning Obligations SPD.

### **Risk Assessment**

30. To ensure effective implementation of CIL, revisions should be made to the existing Regulation 123 List to clarify what infrastructure may be funded by CIL.
31. The consultation may have raised expectations within local communities, who saw an opportunity to identify local infrastructure requirements rather than strategic requirements to support growth. During the consultation, three CIL information sessions were arranged for town and parish councils to reduce the risk of raising unrealistic expectations.

### **Risks that may arise if the proposed decision and related work is not taken**

32. By retaining the existing List, the Council would continue to address perceived uncertainties over CIL funding on an application-by-application basis, with potential for legal challenge.

### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

33. Only limited changes are proposed to the Draft Revised Regulation 123 List. Communities may still be concerned that CIL generated in their area may not all be spent locally.
34. Formalising the process for updating the IDP and also, the approval of a transparent and open process for reviewing the List and for allocating CIL funds will further help promote understanding.

### **Financial Implications**

35. The financial implications of finalising the Revised Regulation 123 List and Revised Planning Obligations SPD will be met from the Economic Development and Planning budget. CIL is one of the funding mechanisms available for supporting the delivery of infrastructure to support growth. The projected income of CIL receipts over the Core Strategy Plan period to 2026 was estimated to be circa £48million<sup>1</sup>. Since the CIL scheme came into operation the Council has received CIL receipts of £835,585, of which £134,305 has been transferred to Town and Parish Councils and 5% (£41,827) retained by Wiltshire Council for the purpose of administering CIL consistent with legislation. The remaining £659,453 is the Wiltshire Council element of the levy and is available to fund projects on the 123 list.
36. In accordance with Regulations, Parish and Town Councils within which CIL receipts are raised receive 15% of CIL receipts (capped at £100 per registered council tax dwelling in any one financial year) from development in their area. This increases to 25% (uncapped) where neighbourhood plans

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<sup>1</sup> Paragraph 32, Cabinet Report of 11 May 2015, Adoption of CIL Charging Schedule  
Final 5-9-16 9.44

have been 'made'. The Town and Parish Councils must use their CIL receipts to support the development of the parish area or any part of it by funding "*the provision, improvement, replacement, operation or maintenance of infrastructure; or anything else that is concerned with addressing the demands that development places on an area*" (Regulation 59C, Community Infrastructure Levy (Amendment) Regulations 2013). Wiltshire Council, as Charging Authority, has the power to recover CIL passed to parish councils if it has not been spent in accordance within the Regulation 59C or it has not been spent within 5 years of receipt. Similar to the Charging Authority, Parish and Town Council's receiving CIL have a duty to publish reports on CIL to ensure that spending on the levy is open and transparent. With agreement of the Parish or Town Council concerned Wiltshire Council can spend the parish proportion of CIL on specified infrastructure on behalf of the local parish.

37. The Revised Regulation 123 List clarifies those strategic projects that may be funded through CIL and will be reviewed and updated periodically. Funding will be directed to meet the requirements of the Habitats Directive, as referred to in paragraph 28, to be secured before funding other projects. As set out in paragraph 34, the process for prioritising funding of projects on the Regulation 123 List will be brought to a subsequent meeting of Cabinet.

### **Legal Implications**

38. The Council is required by legislation to publish on its website a list of infrastructure it intends to fund, wholly or partly, through CIL. The purpose of this list, known as the 'Regulation 123 List', is to avoid developers being charged twice for the same infrastructure type or project. This means that Section 106 agreements cannot be used to fund the delivery of infrastructure on the Regulation 123 List. Inclusion of infrastructure on the List does not signify commitment from the Council to fund it (either wholly or partly) nor imply preference or priority. It is important the CIL List does not limit the Council's ability to negotiate Section 106 agreements where infrastructure is directly related to a development and specific infrastructure needed.
39. Section 26(1) of the Planning and Compulsory Purchase Act 2004 allows for a Local Planning Authority to revise Local Development Documents, including SPDs. This follows the same process as the preparation of an SPD. In accordance with Part 5 Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012, before a local planning authority can adopt an SPD (or revisions to one) it must consult for not less than four weeks and then prepare a Consultation Statement setting out who was consulted, a summary of the main issues and how they have been addressed in the SPD.

### **Options Considered**

40. In May 2015, the Council adopted the existing Regulation 123 List alongside the CIL Charging Schedule. They came into operation on 18 May 2015. It has become clear that development proposals would benefit from reviewing to clarify which infrastructure projects may be funded through CIL. The alternative would be to retain the existing List and continue to address

perceived uncertainties over CIL funding on an application-by-application basis. Alongside the revised 123 List, some changes are also necessary to the Planning Obligations SPD in the interest of clarity and accuracy and to recognise that the Regulation 123 List will be reviewed and updated periodically.

## **Conclusions**

41. Adopting the Revised CIL Regulation 123 List and Revised Planning Obligations SPD will assist the effective operation of CIL. It will ensure that the Council, within viability constraints, can maximise developer contributions for infrastructure to support sustainable growth in the county.

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Date of Report: September 2016

## **Appendices**

- Appendix 1: Wiltshire Community Infrastructure Levy Regulation 123 List (May 2015)
- Appendix 2: Wiltshire Community Infrastructure Levy - Consultation Report (August 2016)
- Appendix 3: Wiltshire Revised Community Infrastructure Levy Regulation 123 List (September 2015)
- Appendix 4: Revised Wiltshire Planning Obligations Supplementary Planning Document (September 2015)

## **Background Papers**

The following documents have been relied on in the preparation of this report:

None

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## Wiltshire Community Infrastructure Levy

# Regulation 123 List

May 2015

## Wiltshire Council

Information about Wiltshire Council services can be made available on request in other languages including BSL and formats such as **large print** and audio. Please contact the council on **0300 456 0100**, by textphone on 01225 712500 or by email on [customerservices@wiltshire.gov.uk](mailto:customerservices@wiltshire.gov.uk).

如果有需要我們可以使用其他形式（例如：大字體版本或者錄音帶）或其他語言版本向您提供有關威爾特郡政務會各項服務的資訊，敬請與政務會聯繫，電話：0300 456 0100，文本電話：(01225) 712500，或者發電子郵件至：[customerservices@wiltshire.gov.uk](mailto:customerservices@wiltshire.gov.uk)

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## Wiltshire Community Infrastructure Levy Regulation 123 List

May 2015

<b>Types of infrastructure that may be funded, in whole or in part, by CIL</b>	
<b>Education facilities</b>	The provision, improvement, replacement, operation or maintenance of new and existing public education facilities (excluding sites, which will be secured through s106), except where the requirement can be attributed to five or fewer developments.
<b>Sustainable Transport</b>	The provision, improvement, replacement, operation or maintenance of new and existing roads, highways, traffic management, public transportation, cycling and pedestrian routes and other transport facilities, except where the requirement can be attributed to five or fewer developments.
<b>Open space/ green infrastructure</b>	The provision, improvement, replacement, operation or maintenance of new and existing open space, including rights of way, biodiversity measures and meeting the requirements of the Habitat Directive, except where the requirement can be attributed to five or fewer developments.
<b>Flood mitigation measures</b>	The provision, improvement, replacement, operation or maintenance of new and existing flood mitigation measures, except where the requirement can be attributed to five or fewer developments.
<b>Community and cultural facilities</b>	The provision, improvement, replacement, operation or maintenance of new and existing community and cultural facilities such as leisure centres and libraries, except where the requirement can be attributed to five or fewer developments.
<b>Emergency services</b>	The provision, improvement, replacement, operation or maintenance of new and existing emergency services facilities, except where the requirement can be attributed to five or fewer developments.
<b>Health facilities</b>	The provision, improvement, replacement, operation or maintenance of new and existing primary health care facilities, except where the requirement can be attributed to five or fewer developments.
<b>Historic environment and public realm infrastructure</b>	The provision, improvement, replacement, operation or maintenance of new and existing historic and public realm infrastructure, except where the requirement can be attributed to five or fewer developments.
<b>Cross boundary infrastructure</b>	The provision, improvement, replacement, operation or maintenance of new and existing cross boundary infrastructure where it supports development in Wiltshire, except where the requirement can be attributed to five or fewer developments.

**Table 1 - Infrastructure that may be funded through the Community Infrastructure Levy**

*Table 1* above sets out the types of infrastructure that the council intends will be, or may be, wholly or part funded by CIL. The inclusion of an infrastructure type on the list does not signify a commitment from the council to fund (either in whole or part) the listed project or type of infrastructure. The order of the list does not imply any preference or priority.

Wiltshire Council may seek planning obligations through section 106 agreements for specific infrastructure projects or types of infrastructure included within this list but **only where the**

**requirement is created by five or fewer developments.** This pooling limit is backdated to include all planning obligations entered into since 6 April 2010. Any such site-specific infrastructure requirements will be subject to the three statutory tests set out under Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended).

Appendix A sets out in more detail how the List will be applied drawing on examples from the council's Infrastructure Delivery Plan.



## Appendix A: Examples of how the Council will apply the R123 List and Planning Obligations in practice

Infrastructure type	Specific requirement	Site/ location	Delivery mechanism	
			S106	CIL
<b>Affordable housing</b>	See Wiltshire Core Strategy (Core Policies 43, 44, 45 and 46), Planning Obligations SPD (draft March 2015) and Affordable Housing SPD (TBC)		✓	X
<b>Education facilities</b>	2 x 2FE primary schools	Ashton Park Urban Extension/ Trowbridge	✓	X
	2FE Primary School	Churchfields & Engine Shed / South Wiltshire	✓	X
	2FE Primary School	Fuggleston Red / South Wiltshire	✓	X
	1FE Primary School	Hampton Park / South Wiltshire	✓	X
	2FE Primary School	Longhenge / South Wiltshire	✓	X
	1FE Primary School	UKLF, Wilton / South Wiltshire	✓	X
	1FE Primary School	Kings Gate / Amesbury	✓	X
	Secondary school expansion	Kings Gate / Amesbury	✓	X
	Secondary school site	Ashton Park Urban Extension/ Trowbridge	✓	X
	Nursery, primary, special and secondary schools (including sites), where the requirement can be attributed to five or fewer developments		✓	X
	Other cumulative impact of development upon nursery, primary, special and secondary school provision (excluding sites, which will be secured through s106)		X	✓

Infrastructure type	Specific requirement	Site/ location	Delivery mechanism	
			S106	CIL
<b>Sustainable transport</b>	Site-specific transport/ highways mitigation and sustainable transport improvements (e.g. site-specific highway works, including localised safety improvements, reinstatement of highways etc. and site-specific works to amenity land, access roads etc.)		✓	X
	Strategic, county-wide sustainable transport improvements, except where the requirement can be attributed to five or fewer developments		X	✓
<b>Open space/ green infrastructure</b>	Site-specific open space/ green infrastructure, including parks, children's play space, green areas, outdoor sports and playing fields, where the requirement can be attributed to five or fewer developments		✓	X
	Strategic open space/ green infrastructure, including parks, children's play space, green areas, outdoor sports and playing fields		X	✓
	Site-specific ecological impacts of development, where the requirement can be attributed to five or fewer developments		✓	X
	Strategic habitat protection and nature conservation		X	✓
<b>Flood mitigation measures</b>	SUDS, exceptional drainage or flood risk management measures		✓	X
<b>Community and cultural facilities</b>	Site-specific requirements for community and cultural facilities, where the requirement can be attributed to five or fewer developments		✓	X

Infrastructure type	Specific requirement	Site/ location	Delivery mechanism	
			S106	CIL
	Strategic provision of community and cultural facilities, such as multi-use community facilities, leisure centres and libraries and cultural facilities, except where the requirement can be attributed to five or fewer developments		X	✓
	Waste and recycling containers		✓	X
<b>Emergency services</b>	Fire stations, ambulance stations/ standby points and police stations		X	✓
	Fire hydrants (if not secured through planning conditions)		✓	X
<b>Health facilities</b>	Primary Health Facility	Ashton Park Urban Extension/Trowbridge	✓	X
	Primary Health Facility	Churchfields & Engine Shed / South Wiltshire	✓	X
	Primary health facilities, where the requirement can be attributed to five or fewer developments		✓	X
	Other cumulative impact of development upon the provision of health facilities		X	✓
<b>Cross boundary infrastructure</b>	Strategic cross-boundary infrastructure, except for site-specific projects where the need can be attributed to five or fewer developments		X	✓
	Site-specific, cross-boundary infrastructure, where the need can be attributed to five or fewer developments		✓	X

Infrastructure type	Specific requirement	Site/ location	Delivery mechanism	
			S106	CIL
<b>Historic environment and public realm infrastructure</b>	Site-specific public realm infrastructure, where the requirement can be attributed to five or fewer developments		✓	X
	Strategic public realm infrastructure, e.g. streetscene and built environment, community safety measures, heritage asset improvements, visitor management issues and public art, except where the requirement can be attributed to five or fewer developments		X	✓
<b>Other</b>	Employment and skills training, where the requirement can be attributed to five or fewer developments (e.g. job brokerage, construction phase skills training, end user skills training, apprenticeships and work placements, local enterprise supply chain and training commuted sum improvements)		✓	X



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Wiltshire Community Infrastructure Levy

**CIL Consultation Report**

Response to the Consultation on the Draft Revised Regulation 123 List, Draft Revised  
Planning Obligations Supplementary Planning Document, and Draft Updated Infrastructure  
Delivery Plan 3

August 2016

[TRANSLATIONS]



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## 1. Introduction

### Overview

- 1.1. Between 14 March and 25 April 2016, the Council consulted upon a Draft Revised Community Infrastructure Levy (CIL) Regulation 123 List and a Draft Revised Planning Obligations Supplementary Planning Document (SPD). The Council made available for comment a Draft Updated Infrastructure Delivery Plan (IDP) at the same time.
- 1.2. It became apparent, as development proposals have come forward, that the Regulation 123 List (adopted May 2015) would benefit from reviewing to provide clarity over those infrastructure projects that may be funded through CIL.
- 1.3. Alongside the changes to the Regulation 123 List, some changes were also proposed to the Planning Obligations SPD (adopted May 2015) in the interests of clarity and accuracy, and to recognise that the Regulation 123 List will be reviewed and updated periodically.
- 1.4. The Government's Planning Practice Guidance recognises that Regulation 123 Lists may need to be updated over the lifetime of the CIL Charging Schedule. The Council does not consider that the proposed amendments would have a very significant impact on the viability evidence that supported examination of the Charging Schedule and is therefore compliant with the online Planning Policy Guidance (PPG) at paragraph 098 (reference ID: 25-098-20140612). Therefore, a review of the Charging Schedule is not required. The Council may amend the Regulation 123 List without also revising its Charging Schedule, ensuring that any changes are clearly explained and subject to appropriate local consultation.

### Background

- 1.5. The purpose of the Community Infrastructure Levy (CIL) Regulation 123 List is to support the Wiltshire CIL Charging Schedule. The Regulation 123 List sets out the strategic infrastructure types or projects that Wiltshire Council may fund, in whole or in part, through CIL. It does not apply to the ring fenced proportion of CIL passed to town and parish councils for them to allocate to community infrastructure projects.
- 1.6. Inclusion on the Regulation 123 List does not signify a commitment from the Council to fund (either in whole or in part). The order of the Regulation 123 List does not imply any preference or priority. The Council will periodically review and update the Regulation 123 List.
- 1.7. The Draft Revised Regulation 123 List has been informed by the Wiltshire Infrastructure Delivery Plan (IDP). The Regulation 123 List takes projects from the IDP, which is an evidence base document developed in consultation with

service providers and updated periodically. The IDP identifies the infrastructure requirements of planned growth set out in the adopted Wiltshire Core Strategy (January 2015). A final Updated IDP will be published on the Council's website.

- 1.8. Wiltshire Council may not seek planning obligations through section 106 agreements for any of the infrastructure projects on the Regulation 123 List.
- 1.9. CIL is one of the mechanisms used to fund the infrastructure required to support Wiltshire's growth. Core Policy 3 of the Wiltshire Core Strategy (adopted January 2015) and the Planning Obligations SPD set out how CIL would work alongside, rather than replace, Section 106 legal agreements. Section 106 agreements provide the mechanism to ensure infrastructure can be delivered where it is directly related and specific to a development. They are important to ensure that sustainable development can be achieved, with infrastructure delivered at the right time alongside development.
- 1.10. The Revised Planning Obligations SPD will support policies within the adopted Core Strategy, particularly Core Policy 3 Infrastructure Requirements. It will identify the types of planning obligations that may be sought by the Council from development that generates a need for new infrastructure. While it is not part of the statutory development plan, the Revised Planning Obligations SPD will be a material consideration in determining planning applications.
- 1.11. Both the CIL Regulation 123 List and the SPD should be read in conjunction with the CIL charging schedule (adopted in May 2015). The charging schedule sets out the amount of CIL that will be charged on new development.

### **Consultation report**

- 1.12. Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for preparing a supplementary planning document. The same requirements apply to a review of an SPD. Regulation 12 requires the Council to prepare a statement setting out who was consulted, a summary of the main issues they raised and how those issues have been addressed in the supplementary planning document.
- 1.13. The Council has produced this document, a 'Consultation Statement', to set out:
  - the consultation methodology
  - the representations received on the draft Revised CIL Regulation 123 List, the draft Revised Planning Obligations SPD and the draft Updated Infrastructure Delivery Plan
  - a summary of the key issues, and how these have been considered by the Council
- 1.14. Key Council services, such as Development Management, New Housing, Sustainable Transport, Environment Services, Environmental Health, Libraries

and Heritage, Drainage, Countryside Management and Children and Education, have also been involved in the preparation of these documents and considering consultation feedback as appropriate.

### **Structure of this document**

- 1.15. Chapter 2 lists the various ways by which the Council consulted upon the draft Revised CIL Regulation 123 List, draft Revised Planning Obligations SPD and draft Updated IDP.
- 1.16. Chapter 3 provides a breakdown of the number of representations received.
- 1.17. Chapters 4, 5 and 6 summarises the key issues arising from the representations with officer comments and proposed actions **where necessary**.
- 1.18. Chapter 7 collates the proposed actions. It also sets out the next steps and a timetable.
- 1.19. Appendix A provides a list of those who submitted representations.
- 1.20. Appendix B collates the various consultation adverts and notices.

## 2. Consultation methodology

2.1. The Council advertised the Draft Revised Regulation 123 List, Draft Revised Planning Obligations SPD and made available for comment the Draft Updated IDP as follows:

- Town and parish newsletter (published week commencing 7 April 2016)
- Local newspapers (i.e. Wiltshire Times, Wiltshire Gazette and Herald and Salisbury Journal) (published week commencing 7 April 2016)
- Direct email/ letter notifications to all town and parish councils, neighbouring authorities, a wide range of national/ local developers, landowners and property agents, infrastructure providers, local businesses and Chambers of Commerce, charities and voluntary organisations and local interest groups
- Hard copies of the Draft Revised Regulation 123 List and the Draft Revised Planning Obligations SPD available from the main Council offices and libraries (The Draft Updated IDP was made available online only)
- Information published on the Council's website and electronic copies of all consultation documents available from the Council's website at [www.wiltshire.gov.uk/communityinfrastructurelevy](http://www.wiltshire.gov.uk/communityinfrastructurelevy) and online consultation portal at <http://consult.wiltshire.gov.uk/portal>
- Comments accepted by post, email and online through the Council's consultation portal
- Three information giving sessions for parish and Wiltshire councillors in Chippenham (7 April 2016), Salisbury (11 April 2016) and Trowbridge (5 April 2016)

2.2. The following consultation material was provided:

- Wiltshire Draft Revised Planning Obligations Supplementary Planning Document (February 2016)
- Wiltshire Draft Revised Regulation 123 List (February 2016)
- Wiltshire Draft Updated Infrastructure Delivery Plan (February 2016)
- Representation Form (PDF and WORD versions)

### 3. Representations

- 3.1. In all, the Council received representations from 87 different individuals or organisations.
- 3.2. *Figure 3.1* below illustrates the breakdown of respondent by category. It shows that the largest number of responses came from the general public. Other representations were received from parish and town councils, landowners and developers, local interest organisations, infrastructure providers, and neighbouring authorities.

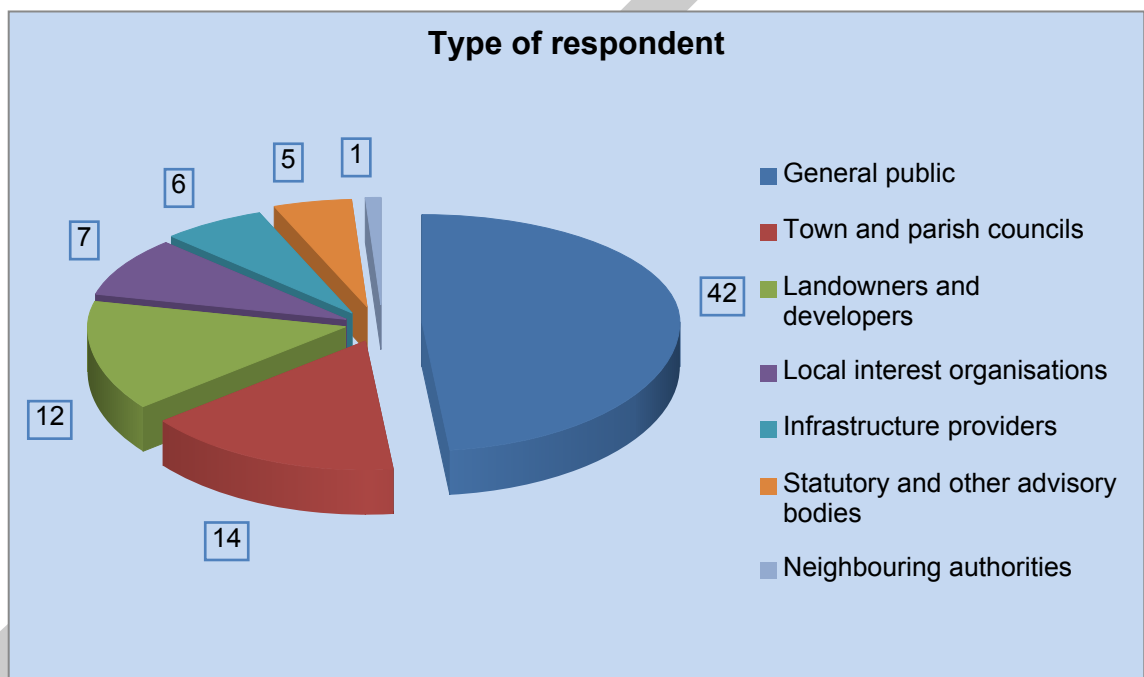


Figure 3.1 – Number of representations by category of respondent

- 3.3. *Figure 3.2* below illustrates the methods by which representations were received.

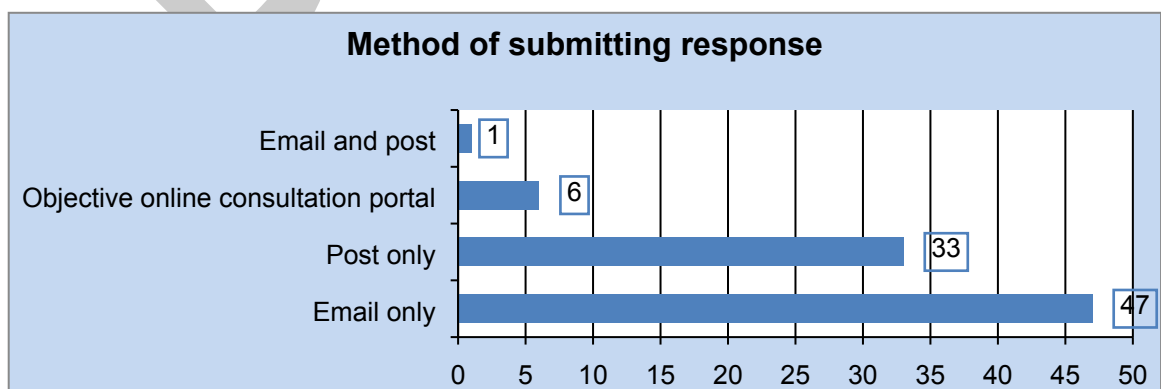


Figure 3.2 - Number of representations received by method

#### 4. Draft Revised Community Infrastructure Levy Regulation 123 List - summary of the main issues raised by the representations

4.1. *Table 4.1* summarises the main issues raised by the representations, with officer commentary and proposed actions, and is ordered by the following areas that reflect the document layout:

- General issues
- Education
- Sustainable transport
- Open space, green infrastructure and the environment
- Community and cultural
- Health and social care
- Emergency services
- Other

4.2. All individual representations are available to view in full through the Council's online consultation portal at <http://consult.wiltshire.gov.uk/portal>.



**Table 4.1 – Draft Revised CIL Regulation 123 List - Main issues with officer comments and proposed actions**

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
<b>General issues</b>	Westbury Town Council (5)	Lack of projects for Westbury. CIL generated by development in the town is not being invested back in the area ( <i>see below for suggested projects</i> ).	<p>CIL is a mechanism that Wiltshire Council can use to fund strategic infrastructure across the County. Unlike with s106 agreements, CIL does not have to be spent in the area where the development takes place. It may be more appropriate for the Council to deliver some infrastructure by other means, such as through section 106 agreements. Other funding mechanisms could also be used, such as grant funding.</p> <p>However, the Draft Revised CIL Regulation 123 List does in fact identify several projects that could directly benefit Westbury, including:</p> <ul style="list-style-type: none"> <li>• Trans Wilts train service and improvements (Westbury – Swindon)</li> <li>• Westbury Railway Station Additional Platform</li> <li>• Provision of air quality monitoring infrastructure, and</li> <li>• Upgrades and improvements to Leighton Sports Centre</li> <li>• Wiltshire Heritage Museum (archaeological storage)</li> <li>• Library provision</li> </ul> <p>Nevertheless, if further projects are identified for Westbury that are suitable for CIL funding then they can be added to the Regulation 123 List at a later date.</p> <p>In addition, a percentage of CIL is ring-fenced for</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>spending on local, community projects through the neighbourhood proportion of CIL. Parish councils receive 15% of CIL generated from development in their area, or 25% if there is an adopted neighbourhood plan in place.</p> <p><b>No action</b></p>
	<p>Redrow Homes (39) (<i>Nathaniel Litchfield</i>)</p>	<p>Lack of projects for Warminster. Extensive s106 contributions requested from Redrow's planning application at Land at St Andrew's Road, Warminster. Includes affordable housing, primary and secondary education, GP provision, public art, on-site public open space, public right of way improvements and sustainable transport connections.</p> <p>Advised by Wiltshire Council that CIL will cover outdoor sports provision, cemetery provision, stone curlew project and community facilities. However, cost of this only amounts to half of the estimated CIL from the development. With so few projects in Warminster on the draft Revised CIL Regulation 123 List, how will the Council spend the remaining CIL from this development? Question the way that the Council decides, in relation to specific planning applications, whether specific contributions, such as education, health facilities or community facilities, are collected through CIL or s106. Viability must be at the heart of this decision-making process – it is central to delivery but is being frustrated by the lack of transparency.</p>	<p>CIL is a mechanism that Wiltshire Council can use to fund strategic infrastructure across the County. Unlike with s106 agreements, CIL does not have to be spent in the area where the development takes place. It may be more appropriate for the Council to deliver some infrastructure by other means, such as through section 106 agreements. This can apply to directly related infrastructure that is necessary to make a development acceptable in planning terms.</p> <p>However, the Draft Revised CIL Regulation 123 List does in fact identify several projects that could directly benefit Warminster, including:</p> <ul style="list-style-type: none"> <li>• Stone Curlew and Salisbury Plain Special Protection Area</li> <li>• Nutrient Management Plan – to address the level of phosphate in the River Avon</li> <li>• Cranborne Chase and West Wiltshire Downs AONB green countryside training and visitor centre</li> <li>• Expansion of Warminster cemetery</li> <li>• Provision of air quality monitoring infrastructure</li> </ul>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<ul style="list-style-type: none"> <li>• Wiltshire Heritage Museum (archaeological storage)</li> <li>• Library provision</li> <li>• Improvements to Warminster Fire Station</li> </ul> <p>Nevertheless, if further projects are identified for Warminster that are suitable for CIL funding then they can be added to the Regulation 123 List at a later date.</p> <p>In addition, a percentage of CIL is ring-fenced for spending on local, community projects through the neighbourhood proportion of CIL. Parish councils receive 15% of CIL generated from development in their area, or 25% if there is an adopted neighbourhood plan in place.</p> <p><b>No action</b></p>
	<p>APT &amp; Persimmon Homes (36) (<i>Pegasus Planning Group</i>)</p> <p>Redrow Homes (39) (<i>Nathaniel Litchfield</i>)</p>	<p>Risk of double-dipping. CIL, not s106, should be used to deliver wider community benefits that are not directly necessary for a specific project. S106 should be used to secure site-specific infrastructure, such as on-site public open space, public art and affordable housing. Council also asking for education and NHS contributions, which arguably meet the broader impact of development. Conversely, Council advises that community facilities and outdoor sports provision, which also meet the broader impact of development, will be funded through CIL. Illogical and unjustified for some to be funded through CIL and some through s106.</p>	<p>'Double-dipping' is a term used to describe a potential scenario where a planning applicant is charged twice for the same item of infrastructure through both CIL and section 106 agreements. Wiltshire Council will not use both CIL and s106 agreements to fund the same item of infrastructure. The purpose of identifying specific projects on the Draft Revised CIL Regulation 123 List is to provide further clarity on what Wiltshire Council may fund, in whole or in part, through CIL. Any infrastructure project that Wiltshire Council includes on its CIL Regulation 123 List, it cannot then request s106 contributions towards. Therefore, by revising its CIL Regulation 123 List in this way, Wiltshire Council is improving the</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>openness and transparency of its approach to CIL and section 106 agreements and, thereby, eliminating any perception of 'double-dipping'.</p> <p>CIL is a mechanism that Wiltshire Council can use to fund strategic infrastructure across the County. Unlike with s106 agreements, CIL does not have to be spent in the area where the development takes place. It may be more appropriate for the Council to deliver some infrastructure by other means, such as through section 106 agreements. This applies to directly related infrastructure, which can include education and healthcare facilities that is necessary to make a development acceptable in planning terms.</p> <p><b>No action</b></p>
	<p>Wainhomes (South West) Holdings Ltd (40) (<i>Emery Planning</i>)</p>	<p>PPG guidance states that s106 contributions should be scaled back under CIL. However, the consultation documents state that the Council intends for CIL to be but one of the mechanisms used to fund infrastructure to support growth.</p>	<p>The CIL Regulations 2010 (as amended) restrict the use of s106 agreements in three ways. Firstly, by ensuring that there is no overlapping between what is funded by CIL and what is funded by section 106 agreements. Secondly, by enshrining in law the three tests on the use of planning obligations from the National Planning Policy Framework (NPPF). Lastly, by limiting the pooling of planning obligations to no more than five per infrastructure project.</p> <p>However, the CIL Regulations 2010 (as amended) and the planning practice guidance (PPG) still envisage a role for section 106 agreements, which is to deliver directly related infrastructure. It is not and never has been the</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>intention for CIL to completely replace s106 agreements.</p> <p><b>No action</b></p>
	Housebuilder Consortium Group (45) (Savills)	<p>The Draft Revised CIL Regulation 123 List (as does the current adopted CIL Regulation 123 List) creates further uncertainty about the relationship between CIL and s106 and changes the basis upon which the viability of the CIL rates was tested at examination.</p> <p>With the submission draft CIL Regulation 123 List, it was assumed that CIL would cover the cost of all the infrastructure types. On this basis, the assumption of £1,000 per dwelling for residual s106 costs was not unreasonable.</p> <p>However, the Draft Revised CIL Regulation 123 List means that the entire infrastructure required to make a development acceptable in planning terms (apart from the limited number of projects on the CIL Regulation 123 List) must be delivered through s106 agreements. This represents a substantial shift from funding this infrastructure through CIL to instead funding through s106 agreements. Such a major change would clearly and demonstrably impact upon the outputs from the viability evidence and their interpretation into the appropriate CIL residential rates. When all the potential s106 contributions are totalled, the amount is likely to come to substantially more than £1000 per dwelling.</p>	<p>The purpose of identifying specific projects on the Draft Revised CIL Regulation 123 List is to provide further clarity on what Wiltshire Council may fund, in whole or in part, through CIL. Any infrastructure project that Wiltshire Council includes on its CIL Regulation 123 List, it cannot then request s106 contributions towards. Therefore, by revising its CIL Regulation 123 List in this way, Wiltshire Council is improving the openness and transparency of its approach to CIL and section 106 agreements and, thereby, eliminating any perception of 'double-dipping'.</p> <p>The CIL Viability Study (November 2013) recognises that larger developments are likely to face greater section 106 costs. It assumed a higher allowance of £15,000 per dwelling for residual section 106 costs for developments of 70 units and over. Furthermore, the viability study incorporated a substantial buffer between the maximum viable rates of CIL and the recommended rates of CIL for each development type/ location. Therefore, the Council does not consider that the proposed changes to the CIL Regulation 123 List will have a 'very significant impact' on the viability evidence that underpinned the CIL charging schedule at examination.</p> <p>In any case, the CIL Regulations 2010 (as amended) restrict the use of s106 agreements in</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>three ways. Firstly, by ensuring that there is no overlapping between what is funded by CIL and what is funded by section 106 agreements. Secondly, by enshrining in law the three tests on the use of planning obligations from the National Planning Policy Framework (NPPF). Lastly, by limiting the pooling of planning obligations to no more than five per infrastructure project.</p> <p><b>No action</b></p>
	<p>Salisbury Area Greenspace Partnership (16)</p> <p>Salisbury City Council (19)</p> <p>Laverstock and Ford Parish Council (50)</p>	<p>Lack of projects for Salisbury compared with similar settlements, such as Chippenham. Accept that some projects will have cross-boundary benefits. Accept many strategic sites around the city have planning permission and will be contributing through s106. However, many strategic sites are without planning permission, as well as many smaller sites coming forward, so CIL will be generated. For instance, which funding sources will deliver off-site green infrastructure connecting new developments with the city, surrounding communities and the countryside? Suspicion that CIL from development in Salisbury will be used to fund infrastructure elsewhere in the County. Suggest that CIL be distributed across the County broadly in proportion to the amount of CIL generated by development in those areas.</p>	<p>CIL is a mechanism that Wiltshire Council can use to fund strategic infrastructure across the County. Unlike with s106 agreements, CIL does not have to be spent in the area where the development takes place. It may be more appropriate for the Council to deliver some infrastructure by other means, such as through section 106 agreements. Other funding mechanisms could also be used, such as grant funding.</p> <p>However, the Draft Revised CIL Regulation 123 List does in fact identify several projects that could directly benefit the Salisbury area, including:</p> <ul style="list-style-type: none"> <li>• A36 Southampton Road upgrades</li> <li>• Trans Wilts train service and improvements (Westbury – Swindon)</li> <li>• New railway station in Wilton</li> <li>• Stone Curlew and Salisbury Plain Special Protection Area</li> <li>• Nutrient Management Plan – to address the</li> </ul>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>level of phosphate in the River Avon</p> <ul style="list-style-type: none"> <li>• New Forest Recreation Management Project</li> <li>• Provision of air quality monitoring infrastructure</li> <li>• Upgrades to the Five Rivers Health and Wellbeing Centre</li> <li>• Wiltshire Heritage Museum (archaeological storage)</li> <li>• Library provision</li> </ul> <p>Nevertheless, if further projects are identified for Salisbury that are suitable for CIL funding then they can be added to the Regulation 123 List at a later date.</p> <p>In addition, a percentage of CIL is ring-fenced for spending on local, community projects through the neighbourhood proportion of CIL. Parish councils receive 15% of CIL generated from development in their area, or 25% if there is an adopted neighbourhood plan in place.</p> <p><b>No action</b></p>
	Salisbury City Council (19)	Question why certain projects from the Infrastructure Delivery Plan have been selected and others excluded from the draft Revised CIL Regulation 123 List? For example, no mention of projects to provide additional secondary school places in Salisbury and Wilton among the eight education projects.	<p>The Infrastructure Delivery Plan (IDP) identifies infrastructure projects necessary to deliver planned growth in the adopted Wiltshire Core Strategy. Not all of these projects are intended to be funded through CIL.</p> <p>CIL is a mechanism that Wiltshire Council can use to fund strategic infrastructure across the County. Unlike with s106 agreements, CIL does not have to be spent in the area where the</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>development takes place. It may be more appropriate for the Council to deliver some infrastructure, including education projects, by other means, such as through section 106 agreements. Other funding mechanisms could also be used, such as grant funding.</p> <p>Nevertheless, if further education projects are identified for Salisbury that would be more appropriately delivered through CIL funding then they can be added to the Regulation 123 List at a later date.</p> <p><b>No action</b></p>
	Housebuilder Consortium Group (45) (Savills)	The Draft Revised CIL Regulation 123 List identifies a limited range of projects under each infrastructure type without a clear rationale for why these projects have been chosen and others omitted. For each type, apart from the projects identified, all the funding will have to come through s106 agreements. An explanation of the rationale behind these choices would be helpful.	<p>While certain projects have been prioritised over others, the omission of any given project from the proposed revised Regulation 123 List does not preclude it from being latterly included in any subsequent revision of the List.</p> <p><b>No action</b></p>
	Housebuilder Consortium Group (45) (Savills)	<p>The Draft Revised CIL Regulation 123 List is contrary to the PPG because:</p> <ul style="list-style-type: none"> <li>• CIL should be the primary mechanism for funding infrastructure, whereas s106 should only account for the site-specific impact of development (Reference ID: 25-094-20140612 and 25-097-20140612). The proposed changes fundamentally alter this balance, giving s106 a very wide remit.</li> </ul>	<p>CIL is a mechanism that Wiltshire Council can use to fund strategic infrastructure across the County. Unlike with s106 agreements, CIL does not have to be spent in the area where the development takes place. However, the CIL Regulations 2010 (as amended) and the planning practice guidance (PPG) still envisage a role for section 106 agreements, which is to deliver directly related infrastructure. It is not and never has been the intention for CIL to completely replace s106 agreements.</p>



Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<ul style="list-style-type: none"> <li>The CIL Regulation 123 List should be based upon the draft that the charging authority presented at the CIL examination (Reference ID: 25-096-20140612). The proposed changes depart further from the submission draft and, in so doing, undermine the judgement and conclusions of the CIL Examiner.</li> <li>Any changes to the CIL Regulation 123 List, in the absence of a review of the charging schedule, should not have a 'very significant impact' on the viability evidence underpinning the charging schedule (Reference ID: 25-098-20140612). However, removing a great deal of infrastructure from the remit of CIL is likely to increase the cost of s106 agreements above the £1000 per dwelling assumption in the viability assessment. If the Council wishes to pursue these proposed changes then it should do so as part of a review of the charging schedule.</li> </ul>	<p>Planning Policy Guidance (NPPG ID: 25-098-20140612) permits the revision of Regulation 123 Lists. Infrastructure items can properly be included or removed from the List without undermining the conclusions of the CIL examination provided that there is not a very significant impact on the evidence supporting examination of the charging schedule.</p> <p>The purpose of identifying specific projects on the Draft Revised CIL Regulation 123 List is to provide further clarity on what Wiltshire Council may fund, in whole or in part, through CIL. Any infrastructure project that Wiltshire Council includes on its CIL Regulation 123 List, it cannot then request s106 contributions towards. Therefore, by revising its CIL Regulation 123 List in this way, Wiltshire Council is improving the openness and transparency of its approach to CIL and section 106 agreements and, thereby, eliminating any perception of 'double-dipping'.</p> <p>The CIL Viability Study (November 2013) recognises that larger developments are likely to face greater section 106 costs. It assumed a higher allowance of £15,000 per dwelling for residual section 106 costs for developments of 70 units and over. Furthermore, the viability study incorporated a substantial buffer between the maximum viable rates of CIL and the recommended rates of CIL for each development type/ location. Therefore, the Council does not consider that the proposed changes to the CIL Regulation 123 List will have a 'very significant</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>impact' on the viability evidence that underpinned the CIL charging schedule at examination.</p> <p><b>No action</b></p>
	Housebuilder Consortium Group (45) (Savills)	<p>The Council should reintroduce the submission draft CIL Regulation 123 List, which provided clarity about the relationship between CIL and s106. This would retain the link with the viability evidence supporting the examination of the charging schedule.</p>	<p>The link with the viability evidence is retained and Planning Policy Guidance (NPPG ID: 25-098-20140612) requires review of the charging schedule only where there is a very significant impact on the evidence supporting examination of the charging schedule.</p> <p>The purpose of identifying specific projects on the Draft Revised CIL Regulation 123 List is to provide further clarity on what Wiltshire Council may fund, in whole or in part, through CIL. Any infrastructure project that Wiltshire Council includes on its CIL Regulation 123 List, it cannot then request s106 contributions towards. Therefore, by revising its CIL Regulation 123 List in this way, Wiltshire Council is improving the openness and transparency of its approach to CIL and section 106 agreements and, thereby, eliminating any perception of 'double-dipping'.</p> <p>In simple terms, if an infrastructure project is on the Regulation 123 List then it cannot also be funded through section 106 agreements.</p> <p><b>No action</b></p>
	Redrow Homes (39) (Nathaniel Litchfield)	<p>Support removal of several caveats from Table 1 in the current adopted CIL Regulation 123 List.</p>	<p>Support noted.</p> <p><b>No action</b></p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
	Chippenham Town Council (7)	Publishing a list of infrastructure projects for proposed strategic sites in Chippenham prior to the approval of the Chippenham Site Allocations Plan is premature and might prejudice the plan process and future planning applications.	The IDP reflects the latest available information and is periodically updated. The Plan takes priority.  <b>No action</b>
	Chippenham Town Council (7)	Parish councils reserve the right to add to the CIL Regulation 123 List	The Council welcomes input from parish councils and will periodically review the Regulation 123 List, when comments can be made. How and when the List is updated will be a matter for Wiltshire Council as Charging Authority.  Parish Councils have complete control over how they spend their proportion of CIL, as long as it is in line with the CIL Regulations 2010 (as amended).  <b>No action</b>
	Chippenham Town Council (7)	There should be improved communications with the local council, local members and the community regarding the content of the CIL Regulation 123 List. Parish councils wish to be involved in any future discussions, consultations and workshops.	Comment noted. The Council will continue to look for ways by which it can improve communications with the community, parish councils and other interested parties.  <b>No action</b>
	Persimmon Homes Wessex (52)	Generally support the Council's proposed changes to the CIL Regulation 123 List. The Council has used the existing list of infrastructure types as a basis for the draft Revised CIL Regulation 123 List. This should provide greater clarity for projects to be funded through CIL and, those, by implication to be delivered by other sources. Helpful for landowners and developers	Supported noted.  <b>No action</b>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		on what will be funded through CIL. Greater certainty will enable a more efficient and effective framework for discussing planning obligations. Identifying specific projects allows more comprehensive and transparent understanding of the Council's approach to delivering strategic infrastructure and is of benefit to the general public and key stakeholders.	
	Persimmon Homes Wessex (52)	Reconsider whether appropriate to remove infrastructure projects previously identified on the Regulation 123 List, e.g. strategic flood and drainage, strategic green infrastructure and public realm improvements.	The previous Regulation 123 List did not include specific projects. Logically, therefore, no specific projects have been removed. However, if specific projects that would fall under the categories of strategic flood and drainage, green infrastructure and public realm improvements are identified then they could be added to the Regulation 123 List at a later date.  <b>No action</b>
	Persimmon Homes Wessex (52)	Reference should be made to the neighbourhood portion of CIL passed on to parish councils.	Unsure what this would achieve.  Parish Councils do not have to spend their proportion of CIL on projects identified on the Regulation 123 List. They are free to set their own priorities, as long as they are in line with the CIL Regulations 2010 (as amended).  <b>No action</b>
	Shaftesbury Town Council (38)	Development on a county boundary would have strategic infrastructure implications for the town (Shaftesbury) and request that this is given due consideration in terms of CIL.	Noted. If strategic infrastructure projects are identified in the future that would have cross-boundary benefits then they could be added to the Regulation 123 List at a later date.

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<b>No action</b>
	Shrewton Parish Council (17)	Parish councils should have the freedom to decide how CIL is spent. CIL should be spent on whatever community facilities are required. Planners should liaise with parish councils to ensure that CIL is best used locally, not like s106/ R2 that was spent on leisure facilities whether there was a need or not.	<p>The Council welcomes input from parish councils on the development of the Regulation 123 List. However, Wiltshire Council will need to determine how spending the strategic proportion of CIL on individual projects on the Regulation 123 List can be best prioritised to support the delivery of growth.</p> <p>Parish Councils have complete control over how they spend their proportion of CIL, as long as it is in line with the CIL Regulations 2010 (as amended).</p> <p><b>No action</b></p>
	Bradford on Avon Town Council (14)	Request advice on how identification of local infrastructure needs through neighbourhood plan could feed into planning process.	<p>It was suggested during the series of CIL workshops during the consultation period that parish councils might wish to draw up their own list of infrastructure priorities, in effect a mini-IDP, as part of their neighbourhood planning process. They could then use this as a basis for prioritising the spending of their proportion of CIL.</p> <p><b>No action</b></p>
	Bradford on Avon Town Council (14) Natural England (41) The Canal & River Trust	General support for proposals.	<p>Support noted.</p> <p><b>No action</b></p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
	(42)		
	Health & Safety Executive (1)  Vale of White Horse District Council (2)  CLH Pipelines Systems Ltd (3)  Southern Water (13)	No comments.	Noted.  <b>No action</b>
<b>Education</b>	Westbury Town Council (5)	Add "upgrade and expansion of Matravers Secondary School" to the Regulation 123 List	Matravers Secondary School currently has some surplus places but is forecast to be full by 2021. Additional capacity will therefore be required.  CIL is only one of the available mechanisms to fund infrastructure. Depending upon the circumstances, it may be more appropriate to deliver some expansions to secondary schools through other funding sources, such as section 106 agreements or grant funding.  It is possible to add projects to the Regulation 123 List at a later date, when further details become available.  <b>No action</b>
	St Michael's Preschool (18)  Ros Huggins (25)	Add "extension/ purpose built building for St Michael's Preschool" (currently using Hilperton village hall) to the Regulation 123 List	CIL is only one of the available mechanisms to fund infrastructure. As a local need, a pre-school building may be more appropriately delivered through other funding sources, such as section

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
	Lucie OLeary (26) Cara King (53) Cllr Ernie Clark (86)		106 agreements, or the neighbourhood proportion of CIL that is passed to parish councils for them to spend on anything that supports development in their area.  <b>No action</b>
	Downton Parish Council (51)	Extension to Trafalgar Secondary School is on the Draft Revised CIL Regulation 123 List and marked as 'essential' in the IDP. Downton Parish Council informed during consultation on the Downton Neighbourhood Plan that the school already has the capacity to provide for up to 750 children and, therefore, is not a priority for an extension.	While Trafalgar Secondary School has just been expanded to cater for housing already completed, further expansion may be necessary to cater for future development.  <b>No action</b>
	Redrow Homes (39) (Nathaniel Litchfield )	Support removal of the caveat in the adopted CIL Regulation 123 List; "The provision, improvement, replacement, operation or maintenance of new and existing public education facilities (excluding sites, which will be secured through s106), except where the requirement can be attributed to five or fewer developments"	Support noted.  <b>No action</b>
	Persimmon Homes Wessex (52)	Unclear why some secondary school education projects have been included on the Draft Revised CIL Regulation 123 List and not others. Suggest the Council consider including all secondary school expansions identified in the IDP (unless there is already funding in place to deliver these projects).	CIL is only one of the available mechanisms to fund infrastructure. Depending upon the individual circumstances, it may be more appropriate to deliver some expansions to secondary schools through other funding sources, such as section 106 agreements.  However, further identified expansions to secondary schools could be added to the

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>Regulation 123 List at a later date.</p> <p><b>No action</b></p>
	<p>Persimmon Homes Wessex (52)</p>	<p>No explanation/ evidence to justify different approach to primary and secondary school projects on the Draft Revised CIL Regulation 123 List. No primary school projects included. Relatively high remaining housing requirement in many rural areas across Wiltshire means that it is likely that the cumulative impact of development may require expansion of village primary schools. Accept it might be difficult to establish precisely which village primary schools would be required to expand but the Regulation 123 List should have some flexibility for primary education to be supported by CIL. Request retention of existing reference to education in adopted Regulation 123 List, “cumulative impact of development upon nursery, primary, special and secondary school provision” should be delivered through CIL”.</p>	<p>CIL is only one of the available mechanisms to fund infrastructure. It may be more appropriate to deliver some primary school projects through other funding sources, such as section 106 agreements.</p> <p>However, if expansions to specific rural primary school are identified in the future then they could be added to the Regulation 123 List at a later date.</p> <p><b>No action</b></p>
	<p>Redrow Homes (39) (Nathaniel Litchfield )</p>	<p>Unclear whether CIL or s106 will pay for education in Warminster. No projects identified in the draft Revised CIL Regulation 123 List (out of 8), nor in the draft Revised Planning Obligations SPD (out of 9). However, the draft Updated IDP identified four education schemes in Warminster, including new primary school and site (for strategic site) and extensions to town schools.</p> <p>Impacts on the evidence base tested at the CIL examination. Creates uncertainty for developer in terms of reviewing land values and scheme viability. Education department seeking s106</p>	<p>CIL is only one of the available mechanisms to fund infrastructure. It may be more appropriate to deliver some education projects through other funding sources, such as section 106 agreements. In simple terms, if an education project is on the Regulation 123 List then Wiltshire Council cannot seek s106 contributions towards this project.</p> <p>It is not and never has been the intention for CIL to completely replace s106 agreements. The CIL Regulations 2010 (as amended) and the planning practice guidance (PPG) still envisage a role for</p>



Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		contributions towards primary and secondary education. However, education should be sought through CIL. PPG and CIL Regulations make it clear that, under CIL, s106 should be scaled back and focused on site-specific mitigation. CIL should address the broader impacts of development. Education is clearly a broader impact of development.	section 106 agreements, which is to deliver directly related infrastructure.  <b>No action</b>
<b>Sustainable transport</b>	Amesbury Town Council (54)	Add "Completion of the link road from Solstice Park to Stockport Avenue" to the Regulation 123 List for Amesbury	Potential scheme to be directly delivered by the developer of the site.  <b>No action</b>
	Chippenham Town Council (7)	Add "Improvements to traffic management access and exit into Bumpers Farm, Chippenham (as part of the A350 Chippenham Bypass Improvements Bumpers Farm project)" to the Regulation 123 List for Chippenham	This suggestion will be further considered as part of the Chippenham Transport Strategy refresh later in 2016. However, the A350 Chippenham Bypass Improvements (Bumpers Farm) scheme was opened in February 2016. It is one of two transport schemes on the Draft Revised CIL Regulation 123 List that have since been completed and, therefore, will be removed from the Revised List.  <b>Proposed action R123 1</b>  Remove "A350 Chippenham Bypass Improvements (Bumpers Farm)" from the Regulation 123 List.  <b>and,</b>  <b>Proposed Action R123 2</b>  Remove "A429 Malmesbury Access

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			Improvements (junction improvements at B4014 Tetbury Road/ Tetbury Hill and B4014 Filands/ A429 Crudwell Road)" from the Regulation 123 List
	Chippenham Town Council (7)	Add "Mobility, disabled and pedestrian access improvements to the Town centre" to the Regulation 123 List for Chippenham	<p>Mobility and disabled improvements will be considered as an integral part of the design of any pedestrian access schemes in the town centre. Therefore, a specific entry relating to this issue is not required.</p> <p>The Town Council may wish to consider whether the CIL they receive from new development could help address this issue.</p> <p><b>No action</b></p>
	Chippenham Town Council (7)	Add "Mobility/disabled access improvements (add to Frogwell, Bumpers Farm and Cepen Park North pedestrian/cycle scheme bullet points)" to the Regulation 123 List for Chippenham	<p>Mobility and disabled improvements will be considered as an integral part of the design of any pedestrian access schemes in the town centre. Therefore, a specific entry relating to this issue is not required.</p> <p>The Town Council may wish to consider whether the CIL they receive from new development could help address this issue.</p> <p><b>No action</b></p>
	Chippenham Town Council (7)	Add "Lighting and pedestrian improvements from Hill Corner Road to Greenway Lane" to the Regulation 123 List for Chippenham	<p>This suggestion will be considered as part of the Chippenham Transport Strategy refresh later in 2016.</p> <p>Potential funding options will be considered at</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			that time. <b>No action</b>
	Cllr Chris Caswill (43)	Add "Chippenham Railway Station redevelopment to include third lift on north side of the footbridge for improved access over the railway and link to Olympiad, College and town centre, mitigate congestion on Station Road, Cocklebury Road and other roads leading to the station entrance from the south" to the Regulation 123 List for Chippenham	A third lift is being considered as part of the Langley Park development, with S106 developer contributions specifically sought towards this proposal. <b>No action</b>
	Downton Parish Council (51)	Add "Pedestrian/ cycling paths/ links between the west and east end of the village, including a bridge over the River Avon" to the Regulation 123 List for Downton	Given Downton's function and status in the Wiltshire Core Strategy, no transport measures have been included in the Infrastructure Delivery Plan.  Pedestrian and cycling improvements will primarily be considered as and when development proposals come forward. <b>No action</b>
	Downton Parish Council (51)	Add "Compulsory purchase of land behind the White Horse Inn (owned by Enterprise Inns) to allow for additional car parking in the village" to the Regulation 123 List for Downton	This is not considered appropriate for inclusion in the CIL Regulation 123 List.  The Parish Council may wish to consider whether the CIL they receive from new development could help address this issue. <b>No action</b>
	Marlborough Town	Add "improve pavements in Marlborough High	This issue is likely to be addressed as part of the

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
	Council (55)	Street” to the Regulation 123 List for Marlborough	<p>Council’s normal highways maintenance programme.</p> <p>The Town Council may wish to consider whether the CIL they receive from new development could help address this issue.</p> <p><b>No action</b></p>
	Marlborough Town Council (55)	Add “improve public footpaths/rights of way in Marlborough” to the Regulation 123 List for Marlborough	<p>This issue is likely to be addressed as part of the Council’s normal highways maintenance programme.</p> <p>The Town Council may wish to consider whether the CIL they receive from new development could help address this issue.</p> <p><b>No action</b></p>
	Melksham Town Council (8)	Add “Extension of current eastern by-pass north-west towards Beanacre” to the Regulation 123 List for Melksham	<p>The A350 Melksham Bypass project was submitted by the Swindon and Wiltshire LEP to the DfT’s Local Transport Majors Fund with the aim of securing funding to develop an outline business case for the scheme.</p> <p>This may inform a future update to the Infrastructure Delivery Plan (IDP), with view to potential inclusion on the Regulation 123 List.</p> <p><b>No action</b></p>
	Salisbury Area Greenspace Partnership (16)	Add “Improved links to Salisbury Railway Station” to the Regulation 123 List for Salisbury	<p>This is already part of the Salisbury Transport Strategy and will be further considered as part of the Strategy refresh later in 2016.</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>This may inform a future update to the Infrastructure Delivery Plan (IDP), with view to potential inclusion on the Regulation 123 List.</p> <p><b>No action</b></p>
	Salisbury Area Greenspace Partnership (16)	Add "Extension to Harnham Road cycleway" to the Regulation 123 List for Salisbury	<p>This will be considered as part of the Salisbury Transport Strategy refresh later in 2016.</p> <p>Potential funding options will be considered at that time.</p> <p><b>No action</b></p>
	Salisbury Area Greenspace Partnership (16)	Add "Upgrading of rights of way, e.g. Broken Bridges footpath and other links between urban areas and surrounding countryside" to the Regulation 123 List for Salisbury	<p>Broken Bridges is already a key cycle link in the Salisbury Transport Strategy and along with other pedestrian links will be further considered as part of the Strategy refresh later in 2016.</p> <p>This may inform a future update to the Infrastructure Delivery Plan (IDP), with view to potential inclusion on the Regulation 123 List.</p> <p><b>No action</b></p>
	Laverstock and Ford Parish Council (50)	Add "Commuter railway station in Laverstock, modelled on proposed Wilton Railway Station project" to the Regulation 123 List for Salisbury	<p>This proposal has not been shortlisted by the Swindon and Wiltshire Local Enterprise Partnership and does not currently form part of the Salisbury Transport Strategy. It will, however, be considered as part of the Strategy refresh later in 2016.</p> <p>Potential funding options will be considered at</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			that time. <b>No action</b>
	Cllr Trevor Carbin (20)	Add “study of the impact of increasing development on the capacity of the length of the B3105 through Staverton village from the canal bridge to the Causeway” to the project about increasing capacity at B3105 Staverton Bridge, Trowbridge	The scope for the Staverton Options Review does consider the impacts of traffic in Staverton village and therefore this suggestion is already covered. <b>No action</b>
	Westbury Town Council (5)	Add “Traffic relief on the A350 through the town” to the Regulation 123 List for Westbury	Measures to address the impacts of A350 traffic on Westbury are being considered by the Westbury Air Quality Group in the development of a community air quality action plan and would be included in any future proposals to improve the A350 at Westbury which may be taken forward by the Swindon & Wiltshire Local Enterprise Partnership.  This may inform a future update to the Infrastructure Delivery Plan (IDP), with view to potential inclusion on the Regulation 123 List. <b>No action</b>
	Westbury Town Council (5)	Add “Extension of the Trans Wilts railway service to Salisbury” to the Regulation 123 List for Westbury	Agreed in principle. This project is not identified in the current IDP. Further work needs to be undertaken. However, this may inform a future update to the Infrastructure Delivery Plan (IDP), with view to potential inclusion on the Regulation 123 List. <b>No action</b>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
	Highways England (34)	Highways England support inclusion of M4 Junction 17 part-signalisation scheme on the Regulation 123 List	Support noted.  <b>No action</b>
	Highways England (34)	Highways England concerned about the inclusion of "A36 Southampton Road upgrades (inc. road widening, increasing roundabout capacity and bus priority lanes)" on the Regulation 123 List. Too broad and potentially prohibitive to securing improvement schemes necessary for development in this location by means other than CIL, i.e. s106 and s278 agreements. Location of further growth in Salisbury is unknown at this time and, thus, where the transport pressures will be and what mitigation measures may be required. Await publication of Wiltshire Housing Site Allocations Plan and finalisation of the Salisbury Transport Strategy.	Agreed. It is likely that specific schemes will either come through the review of the Salisbury Transport Strategy or work between the Council and Highways England.  <b>Proposed action R123 3</b>  Remove "A36 Southampton Road upgrades (inc. road widening, increasing roundabout capacity and bus priority lanes)" from the Regulation 123 List.
	Wainhomes (South West) Holdings Ltd (40) ( <i>Emery Planning</i> )	Planning obligation is being sought for improvements and widening of the pedestrian and cycle path along the western side of the railway line that accesses the White Horse Business Park. This would provide a link from the town centre to the business park. Proposed site would access route from Drynham Lane (and Wainhomes support the planned improvements).  However, four schemes for improvements to cycle and pedestrian paths are included on the R123 List specifically to be funded through CIL and not by site-specific planning obligations. Should the improvement of the pedestrian and	If the improvement of the pedestrian and cycle path is directly related to an individual development then it may be more appropriate for contributions to be sought through section 106 agreements.  <b>No action</b>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		cycle path (for which a planning obligations is being sought from this development) come under CIL and not planning obligations as it is part of the wider pedestrian and cycle network for Trowbridge?	
	Laverstock and Ford Parish Council (50)	Support inclusion of "A36 Southampton Road upgrades (inc. road widening, increasing roundabout capacity and bus priority lanes)" on the Regulation 123 List.	Comment noted. However, it is now proposed to remove this project.  <b>No action</b>
	Highways England (34)	Highways England concerned that the instalments policy might lead to funding shortfalls for transport schemes on the Regulation 123 List. They usually recommend a Grampian condition such that any necessary mitigation should be in place prior to severe impact, i.e. occupation. Highways England recommend Council publish an indicative forward profile of future spend to inform future review of the Regulation 123 List.	The Council is mindful of the time that CIL from development will take to accrue and will seek to plan ahead accordingly.  <b>No action</b>
	Gleeson Developments Ltd (46) (Terence O'Rourke)	List of transport schemes should be amended to include those in the transport assessment submitted by Gleeson Developments Ltd (November 2015), in support of the development of 200 houses at Forest Farm, Chippenham and the cumulative impact of this development alongside the other strategic development sites around Chippenham.  The Chippenham Site Allocations Plan is yet to be found sound and alternative/ additional sites may be identified. The Regulation 123 List should be based upon an up to date evidence base and	Those projects address the cumulative impact of development in Chippenham. Site-specific infrastructure will be delivered through s106 contributions from individual developments.  The IDP is updated periodically and will take into account the latest available information at that time.  <b>No action</b>



Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		the IDP only refers to the three strategic sites identified in the Plan.	
	Persimmon Homes Wessex (52)	<p>Suggest that, given the large number of transport projects on the Regulation 123 List, the Council should identify those that will be prioritised.</p> <p>Some projects listed in the IDP to be funded by CIL are not included on the Regulation 123 List. Recommend that A350 Yarnbrook/ West Ashton Road be included.</p>	<p>The Regulation 123 List includes infrastructure projects that the Council may fund, in whole or in part, through CIL. The Council is working towards a prioritisation system for the allocation of CIL funds.</p> <p>Funding towards the A350 Yarnbrook/ West Ashton Road project has already been secured through the Local Enterprise Partnership (LEP).</p> <p><b>No action</b></p>
<b>Open space, green infrastructure and the environment</b>	Cotswolds Canal Trust (32)	Add "Canal restoration projects" (generally) to the Regulation 123 List	<p>CIL is only one of the mechanisms used to fund infrastructure. It may be more appropriate to fund some canal restoration projects through other funding sources, such as section 106 agreements or grant funding.</p> <p>However, if a canal restoration project is identified that could benefit from CIL funding then it could be added to the Regulation 123 List at a later date.</p> <p><b>No action</b></p>
	Chippenham Town Council (7)	Chippenham Hydro Plant not a priority	<p>Noted</p> <p>The Council will consider the relative priority of infrastructure projects on the Regulation 123 List when it comes to prioritising and allocating CIL funding.</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<b>No action</b>
	Chippenham Town Council (7)	Add "Extension to existing cemetery in Chippenham" to the Regulation 123 List for capacity reasons	<p>Cemeteries included in the IDP and on the Regulation 123 List are those for which the Council has responsibility and has identified as a priority. If further cemeteries are identified as a priority for extension then they could be added in a future review of these documents.</p> <p>A proportion of CIL is ring-fenced for local community projects. This is passed to town and parish councils for them to spend on anything that supports development in their area. If extending the cemetery in Chippenham is a priority for the town council, which has responsibility for this service, then it is possible to direct the CIL it receives from development towards this project.</p> <p><b>No action</b></p>
	Chippenham Town Council (7)	Add "Enhancements to indoor and/or outdoor sports and recreational facilities at Stanley Park" to the Regulation 123 List for Chippenham	<p>A proportion of CIL is ring-fenced for local community projects. This is passed to town and parish councils for them to spend on anything that supports development in their area. If enhancements to the facilities at Stanley Park are a priority for the town council, which has responsibility for this service, then it may wish to consider spending its proportion of CIL on this project.</p> <p><b>No action</b></p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
	Chippenham Chamber of Commerce (27)	Add "Improvements to town centre and riverside public realm (IDP ref CHI035) to include improvements to the high street" to the Regulation 123 List for Chippenham	<p>In addition to other potential funding sources, such as section 106 agreements and grant funding, a proportion of CIL is ring-fenced for local community projects. The latter is passed to town and parish councils for them to spend on anything that supports development in their area. If improvements to the public realm in the town centre, high street and riverside area are a priority for the town, then it may be worth discussing with the town council whether they wish to consider spending their proportion of CIL and any funds they receive from other sources on public realm projects.</p> <p><b>No action</b></p>
	Downton Parish Council (51)	Add "Air quality monitoring on A338 and mitigation measures" to the Regulation 123 List for Downton	<p>Air quality monitoring is already on the Regulation 123 List.</p> <p><b>No action</b></p>
	Marlborough Town Council (55)	Add "expansion of cemetery in Marlborough" to the Regulation 123 List	<p>Cemeteries included in the IDP and on the Regulation 123 List are those for which the Council has responsibility and has identified as a priority. If further cemeteries are identified as a priority for extension then they could be added in a future review of these documents.</p> <p>A proportion of CIL is ring-fenced for local community projects. This is passed to town and parish councils for them to spend on anything that supports development in their area. If extending the cemetery in Marlborough is a priority for the town council, which has responsibility for this service, then it is possible to</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>direct the CIL it receives from development towards this project.</p> <p><b>No action</b></p>
	Marlborough Town Council (55)	Add "action to reduce pollution and improve air quality in Marlborough and the de-priming of the A346" to the Regulation 123 List	<p>Air quality monitoring is already on the Regulation 123 List.</p> <p><b>No action</b></p>
	Southwick Parish Council (15)	Add "Southwick Country Park" to the Regulation 123 List for Trowbridge	<p>CIL is only one of the mechanisms used to fund infrastructure.</p> <p>A proportion of CIL is ring-fenced for local community projects. This is passed to town and parish councils for them to spend on anything that supports development in their area. If Southwick Country Park is a priority for the parish council then it may wish to consider spending its proportion of CIL on this project.</p> <p><b>No action</b></p>
	Salisbury Area Greenspace Strategy (16)	Add "Digital greenspace asset mapping tool" to the Regulation 123 List	<p>This is not 'infrastructure' and so cannot be added to the Regulation 123 List.</p> <p><b>No action</b></p>
	Westbury Town Council (5)	Add "Redevelopment of the high street and rotunda area" to the Regulation 123 List for Westbury	<p>In addition to other potential funding sources, such as section 106 agreements and grant funding, a proportion of CIL is ring-fenced for local community projects. The latter is passed to town and parish councils for them to spend on anything that supports development in their area.</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>If improvements to the public realm in the town centre are a priority for the town council, then it may wish to consider spending its proportion of CIL and any funds they receive from other sources on public realm projects.</p> <p><b>No action</b></p>
	<p>Salisbury Area Greenspace Partnership (16)</p> <p>Laverstock and Ford Parish Council (50)</p>	<p>Support provision of air quality monitoring infrastructure</p>	<p>Support noted.</p> <p><b>No action</b></p>
	<p>Laverstock and Ford Parish Council (50)</p>	<p>Support inclusion of the Stone Curlew and Salisbury Plain Special Protection Area, Nutrient Management Plan and the New Forest Recreation Management Project</p>	<p>Support noted.</p> <p><b>No action</b></p>
	<p>Environment Agency (11)</p>	<p>Environment Agency concerned that flood risk infrastructure is not included on the Regulation 123 List but mentioned in the SPD and IDP. Accept that it may be included in future updates to the Regulation 123 List and IDP. However, Council may be reliant upon developers to fund and deliver these schemes identified in the IDP. Accept that some strategic sites will require these measures and the Council intends for developers to fund and deliver these schemes.</p>	<p>As the comments from the Environment Agency recognise, CIL is only one of the available mechanisms to fund infrastructure.</p> <p>Currently, no specific strategic flood risk projects have been identified. However, if any such projects that would be eligible for CIL funding are identified then they could be added to the Regulation 123 List at a later date.</p> <p><b>No action</b></p>
	<p>Malmesbury Civic Trust (9)</p>	<p>Question why CIL is not being used to safeguard the historic environment and public realm? The</p>	<p>CIL is only one of the available mechanisms to fund infrastructure.</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
	Historic England (44)	<p>current adopted CIL Regulation 123 List (and adopted Planning Obligations SPD) includes the historic environment and public realm. Substantial economic and tourism benefits and development places pressure on the built environment and street-scene.</p> <p>Historic England concerned that the only reference to the historic environment in the Regulation 123 List appears to be the archaeological storage at the Wiltshire Heritage Museum. Reduces potential means to deliver the heritage strategy, Core Strategy objective and policies 57, 58 and 59.</p>	<p>As the comments from Historic England recognise, there is already an historic environment project included on the Regulation 123 List (the archaeological storage at the Wiltshire Heritage Museum). However, if any other historic environment projects that would be eligible for CIL funding are identified then they could be added to the Regulation 123 List at a later date.</p> <p><b>No action</b></p>
<b>Community and cultural</b>	Amesbury Town Council (54)	Add "Contribution towards storage facilities at Amesbury History Centre" to the Regulation 123 List	<p>Wiltshire Council is already the primary funder of VisitWiltshire, which runs the Amesbury History Centre.</p> <p><b>No action</b></p>
	Amesbury Town Council (54)	Add "New pavilion at Bonnymead Park and sports facilities" to the Regulation 123 List for Amesbury	<p>A proportion of CIL is ring-fenced for local community projects. This is passed to town and parish councils for them to spend on anything that supports development in their area. If new facilities for Bonnymead Park are a priority for the town council, which has responsibility for this service, then it may wish to consider spending its proportion of CIL on this project.</p> <p><b>No action</b></p>
	Chippenham Town Council (7)	Add "Need/ Library community space and cultural enhancements (phase 3)" to the Regulation 123	<p>A proportion of CIL is ring-fenced for local community projects. This is passed to town and</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		List for Chippenham	<p>parish councils for them to spend on anything that supports development in their area. If new facilities for the Neeld Hall are a priority for the town council, which has responsibility for this service, then it may wish to consider spending its proportion of CIL on this project.</p> <p><b>No action</b></p>
	Chippenham Town Council (7)	Add "Museum & Heritage Centre additional storage provision" to the Regulation 123 List for Chippenham	<p>A proportion of CIL is ring-fenced for local community projects. This is passed to town and parish councils for them to spend on anything that supports development in their area. If new facilities for the Museum and Heritage Centre are a priority for the town council, which has responsibility for this service, then it may wish to consider spending its proportion of CIL on this project.</p> <p><b>No action</b></p>
	Chippenham Town Council (7)	Add "Museum & Heritage Centre glazed extension to building (new atrium) forming exhibition/community space" to the Regulation 123 List for Chippenham	<p>A proportion of CIL is ring-fenced for local community projects. This is passed to town and parish councils for them to spend on anything that supports development in their area. If new facilities for the Museum and Heritage Centre are a priority for the town council, which has responsibility for this service, then it may wish to consider spending its proportion of CIL on this project.</p> <p><b>No action</b></p>
	Chippenham Town	Add "Chippenham Bath Road and Bridge Centre	Library provision is already on the Regulation 123

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
	Council (7)	site – community facilities led development to potentially include a cinema, library, community campus facilities, cycle parking and public conveniences/ baby changing facilities” to the Regulation 123 List for Chippenham	List. A cinema would be a development-led project and not appropriate for CIL funding. The other facilities mentioned could be considered for delivery as part of the regeneration scheme for the Chippenham Bath Road and Bridge Centre site. This redevelopment of this site is supported by Core Policy 9 <i>Chippenham Central Areas of Opportunity</i> of the adopted Wiltshire Core Strategy.  <b>No action</b>
	Cllr Chris Caswill (43)	Add extra projects to the Olympiad Sports Centre in Chippenham (already on the Regulation 123 List but limited projects identified in the IDP), to include new swimming pool, better provision for gymnastics, more halls, courts, studios and sports gym facilities, improved leisure and relaxation facilities (i.e. sauna, steam room etc.), social facilities (e.g. sports club type café or bar) and complete refurbishment and redecoration of existing halls, studios and courts	Upgrades to sport and recreation facilities within the Olympiad, Chippenham are already included on the Regulation 123 List.  If further specific projects are identified for this facility then they could be added to the Infrastructure Delivery Plan in subsequent updates.  <b>No action</b>
	Marlborough Town Council (55)	Add “Marlborough Youth Centre” to the Regulation 123 List for Marlborough	A long term solution is currently being looked at for the Wiltshire Council owned Marlborough Youth Centre building. Therefore, it would be premature to consider this project for CIL funding until the situation is resolved.  <b>No action</b>
	Westbury Town Council (5)	Add “Conversion of old youth centre into a community facility (to be shared with schools and the Westbury Shed)” to the Regulation 123 List	A proportion of CIL is ring-fenced for local community projects. This is passed to town and parish councils for them to spend on anything



Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		for Westbury	that supports development in their area. If new community facilities are a priority for the town council, then it may wish to consider spending its proportion of CIL on this project.  <b>No action</b>
	Sports England (6)	Sports England support the Regulation 123 List and hope that when the playing pitch strategy is adopted later this year some of the priority projects will be included	Support noted.  <b>No action</b>
	Laverstock and Ford Parish Council (50)	Support inclusion of library facilities	Support noted.  <b>No action</b>
	Wiltshire Scullers School (56)	Wiltshire Scullers School object to the projects it has previously submitted as part of the IDP process being excluded from the Regulation 123 List and removed from the draft Updated IDP. These projects are too large to be considered at the parish level.	The draft Updated Infrastructure Delivery Plan (IDP) focusses on strategic infrastructure projects that will support planned growth across the County (or identified strategic sites as set out in the Core Strategy and subsequent plans).  There are considerable demands on CIL funds. The cost of funding infrastructure identified in the IDP far exceeds the expected level of income from CIL over the Plan period. There is a whole range of infrastructure, including transport, education, open space and community facilities, that will have wider benefits across the County. This added to the fact that CIL funds will take some time to accrue, leads to the inevitable conclusion that it is not realistic, or appropriate, to expect development to fund, through CIL, the provision of rowing school facilities. Therefore,

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>Wiltshire Scullers School might wish to consider other funding sources, such as grant funding, to achieve its aims.</p> <p><b>No action</b></p>
Health and social care	Downton Parish Council (51)	Include expansion of Downton GP practice on the Regulation 123 List. Practice willing to expand but current site has very little room for expansion.	<p>CIL is only one of the available mechanisms to fund infrastructure. It may be more appropriate to deliver expansion of individual GP practices by other means, such as section 106 agreements or funded directly by health organisations, such as NHS England or individual GP practices.</p> <p>However, if specific infrastructure projects are identified that would be eligible for CIL funding then they could be added to the Regulation 123 List at a later date.</p> <p><b>No action</b></p>
	Persimmon Homes Wessex (52)	Question removal of healthcare facilities from current adopted Regulation 123 List. The Core Strategy and the draft updated IDP identifies 'essential' need for new/ improved primary healthcare facilities across the County. However, only expansion of Chippenham hospital is identified on the Regulation 123 List. Lack of clarity as to whether these projects are required and, if so, how they will be delivered. Consult with health organisations and include allowance for health and social care requirements of cumulative development to be delivered through CIL.	<p>The Council proposed changes to the Regulation 123 List to provide clarity over the specific infrastructure projects that it intends may be funded, in whole or in part, through CIL. Where a specific healthcare facility has been identified that is eligible for CIL funding, such as in Chippenham, it has been added to the Regulation 123 List. While the IDP identifies a need for healthcare facilities across the County based upon discussions with health organisations, including NHS England and the Wiltshire CCG, details about specific solutions are still under discussion. The prioritisation of healthcare facilities as 'essential' reflects the classification under Core Policy 3 of the adopted Wiltshire Core</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>Strategy. However, if specific infrastructure projects are identified that would be eligible for CIL funding then they could be added to the Regulation 123 List at a later date.</p> <p><b>No action</b></p>
<b>Emergency services</b>		No specific comments	<p>Noted</p> <p><b>No action</b></p>

DRAFT

## 5. Draft Revised Planning Obligations Supplementary Planning Document – summary of the main issues raised by the representations

5.1. *Table 5.1* summarises the main issues raised by the representations, with officer commentary and proposed actions, and is ordered by the following areas that reflect the document layout:

- General issues
- Chapter 1: Introduction
- Chapter 2: Legislative and policy framework
- Chapter 3: The Council's approach to developer contributions
- Chapter 4: Affordable housing
- Chapter 5: Education
- Chapter 6: Open space/ green infrastructure
- Chapter 7: Transport/ highways
- Chapter 8: Flood alleviation and sustainable urban drainage schemes
- Chapter 9: Community and health facilities
- Chapter 10: Other planning obligations
- Chapter 11: Negotiating planning obligations in Wiltshire
- Chapter 12: Procedure and management
- Appendices

5.2. All individual representations are available to view in full through the Council's online consultation portal at <http://consult.wiltshire.gov.uk/portal>.

**Table 5.1 – Draft Revised Planning Obligations Supplementary Planning Document – summaries of the main issues from the representations, with officer responses and proposed actions**

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
General issues	<p>APT &amp; Persimmon Homes (36) (Pegasus Planning Group)</p> <p>Redrow Homes (39) (Nathaniel Litchfield)</p>	<p>Concerns about the pooling of s106 contributions and how this is being monitored.</p> <p>Specific reference to paragraph 4.4 - the Council should make provision of a register of planning permissions contributing to specific projects for the purposes of monitoring "pooling".</p>	<p>The Council keeps a register of planning permissions for the purposes of monitoring pooling of planning obligations towards specific projects, for example education projects as referred to in paragraph 4.4 of the Draft Revised Planning Obligations SPD.</p> <p><b>Proposed action SPD19</b></p> <p>The Council will consider the most appropriate way of providing information on pooled planning obligations.</p> <p>However, no change to the SPD is required.</p>
	<p>PlanningSphere (57)</p> <p>HPH Ltd (87)</p>	<p>Concern that developers will still have to pay section 106 contributions towards education and public open space, in addition to CIL. This will, in effect, lead to developers paying twice for the same infrastructure; a double 'bite of the cherry'.</p> <p>Wiltshire approach is complicated and difficult to understand. It will lead to uncertainty, delay and additional cost with completing section 106 agreements. This will bring delay to delivering development on the ground and will stall specific projects, which will become unviable through uncertainty. It is different to the approach adopted by neighbouring authorities, where there is greater certainty.</p> <p>The pooling limitations make it very difficult for</p>	<p>The Planning Practice Guidance recognises that developers may be asked to provide contributions for infrastructure in several ways (<i>Reference ID: 23b-001-20150326</i>). For education and public open space, this may be by way of the Community Infrastructure Levy and planning obligations in the form of section 106 agreements.</p> <p>The proposed changes to the Regulation 123 List provide greater clarity over what infrastructure developers will be expected to pay for through which route. They will ensure that there is no actual, or perceived, 'double dipping with developers paying twice for the same item of infrastructure. In simple terms, if a project is on the Regulation 123 List, then the Council cannot seek contributions towards it through section 106 agreements.</p> <p>The pooling restrictions on planning obligations were</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		the Council's development management officers to provide applicants clear advice on the scope of planning obligations.	<p>introduced by Regulation 123 of the CIL Regulations 2010 (as amended). The Council keeps a register of planning permissions contributing to specific projects for the purposes of monitoring pooling of planning obligations.</p> <p><b>Proposed action SPD19</b></p> <p>The Council will consider the most appropriate way of providing information on pooled planning obligations.</p> <p>However, no change to the SPD is required.</p>
<b>Chapter 1: Introduction</b>	Salisbury City Council (19)	Page 5, paragraph 1.2 Discussion of CIL starts from para 2.13 rather than 2.15	<p>Noted.</p> <p><b>Proposed action SPD20</b></p> <p>The Council will change the paragraph reference in paragraph 1.2, bullet point 4, from 2.15 to 2.13.</p>
<b>Chapter 2: Legislative and policy framework</b>	Salisbury City Council (19)	<p>Apparent conflict between two sections of the SPD that relate to the pooling of contributions:</p> <ul style="list-style-type: none"> <li>• Paragraph 4.4: 'The Council can pool up to five separate planning obligations towards a specific project not on the Regulation 123 list', and</li> <li>• Paragraph 2.12: 'there are no pooling limits in relation to affordable housing and for infrastructure that is not capable of being funded by CIL'</li> </ul> <p>A project needs to be on the Regulation 123 List to be funded by CIL (Paragraph 2.15: 'CIL</p>	<p>There is no such conflict. CIL can be used to fund a wide range of infrastructure, including transport, flood defences, schools, hospitals, and other health and social care facilities (for further details, see <a href="#">Section 216(2) of the Planning Act 2008</a>, and <a href="#">Regulation 59</a>, as amended by the <a href="#">2012</a> and <a href="#">2013</a> Regulations).</p> <p>An example of infrastructure/ provision that is not capable of being funded by CIL is affordable housing. For these types of infrastructure there are no pooling limits.</p> <p>For infrastructure that is capable of being funded by CIL, the Council can only pool up to five separate planning obligations for projects that are not on the</p>

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		<p>will be used to help fund infrastructure projects on the Wiltshire Regulation 123 list')  However, suggests a project not on the Regulation List is not capable of being funded by CIL  If both points correct, a project not on the Regulation 123 List is both subject to the pooling restrictions (paragraph 4.4) and not subject to that limit (paragraph 2.12)</p>	<p>Regulation 123 List. If a project is on the Regulation 123 List, it cannot be funded through planning obligations.  <b>No action</b></p>
	Salisbury City Council (19)	Page 6, Para 2.6 Reference to para 2.13 should be 2.12	<p>Noted.  <b>Proposed action SPD21</b>  The Council will change the paragraph reference in paragraph 2.6, from 2.13 to 2.12.</p>
<b>Chapter 3: The Council's approach to developer contributions</b>	Salisbury City Council (19)	Page 9, Section 2 'The Council's approach to developer contributions' is now section 3, the section heading and paragraphs need renumbering	<p>Noted. This is a formatting error in the Draft Revised Planning Obligations SPD.  <b>Proposed action SPD22</b>  The Council will ensure that the section heading and paragraph numbers of the Revised Planning Obligations SPD reflect that 'The Council's approach to developer contributions' is Chapter 3, not Chapter 2.  However, no change to the existing SPD is required.</p>
	Downton Parish Council (51)	Support removal of specific distinction between what can be funded by CIL and by s106, since Regulation 123 List already	<p>Noted  <b>No action</b></p>

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		clarifies this. Approve of deletion of lists at paragraph 2.2, which limited the potential for innovation	
	Ian Mellor (4)	Paragraph 2.2 is deleted. Thus, education is excluded from s106 in the SPD. No reference to replacement school for Preshute.	<p>The deletion of paragraph 2.2 (now paragraph 3.2) does not imply that the Council will no longer seek s106 contributions towards education provision. This is made clear in Chapter 5 of the SPD, which addresses the Council's approach to seeking developer contributions towards education.</p> <p><b>No action</b></p>
	Laverstock and Ford Parish Council (50)	Concern at the widening of the scope of projects to be considered for CIL funding could mean that the LPA is less inclined to secure funding through planning obligations	<p>CIL is only one of the available mechanisms to fund infrastructure. It may be more appropriate to deliver some infrastructure by other means, such as planning conditions, planning obligations, s278 agreements or the neighbourhood proportion of CIL.</p> <p>Through the proposed changes to the Regulation 123 List and accompanying proposed changes to the SPD for clarification and transparency, the Council is simply clarifying which projects it might fund, in whole or in part, through CIL.</p> <p><b>No action</b></p>
<b>Chapter 4: Affordable housing</b>	Salisbury City Council (19)	Page 10-11, Section 4 'Affordable Housing' is now section 4, all paragraph numbers need updating from 3.n to 4.n	<p>Noted. This is a formatting error in the Draft Revised Planning Obligations SPD.</p> <p><b>Proposed action SPD23</b></p> <p>The Council will ensure that the section heading and paragraph numbers of the Revised Planning</p>



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			<p>Obligations SPD reflect that 'Affordable Housing' is Chapter 4, not Chapter 3.</p> <p>However, no change to the existing SPD is required.</p>
	Salisbury City Council (19)	<p>Page 10 Footnote reference to Appendix 2 should now refer to Appendix 1 (as the previous appendix 1 has been deleted and subsequent appendices renumbered).</p>	<p>Noted.</p> <p><b>Proposed action SPD24</b></p> <p>The Council will change the reference in footnote 1 from Appendix 2 to Appendix 1.</p>
	Salisbury City Council (19)	<p>Page 11, Para 3.6 Reference to Appendix 2 should refer to Appendix 1 (as p.10)</p>	<p>Noted. However, this occurs in paragraph 4.6 of the existing SPD. It is erroneously referred to as paragraph 3.6 in the Draft Revised Planning Obligations SPD due to a formatting error.</p> <p><b>Proposed action SPD25</b></p> <p>The Council will change the reference in paragraph 4.6 of the existing SPD from Appendix 2 to Appendix 1.</p>
	SW HARP Planning Consortium (22) (Tetlow King Planning)	<p>Page 10, paragraph 3.3</p> <p>In light of the proposed changes to the definition of affordable housing, either remove the reference to the existing NPPF definition in paragraph 3.3, page 10 or, as set out in other LPAs planning documents, reference be made to the definition in any current version of the NPPF – ensures SPD is responsive to any future changes to national planning policy and law.</p>	<p>Noted. However, this occurs in paragraph 4.3 of the existing SPD. It is erroneously referred to as paragraph 3.3 in the Draft Revised Planning Obligations SPD due to a formatting error.</p> <p><b>Proposed action SPD26</b></p> <p>Amend paragraph 4.3 of the existing SPD as follows:</p> <p>The NPPF <b>(March 2012)</b> definition for affordable housing includes social, affordable and intermediate housing for rent or sale. <b>They are Affordable housing</b></p>

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			<p><b>is</b> provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. <b><u>This SPD will apply to any definition of affordable housing in future versions of the NPPF.</u></b></p>
	<p>SW HARP Planning Consortium (22) (<i>Tetlow King Planning</i>)</p> <p>APT &amp; Persimmon Homes (36) (<i>Pegasus Planning Group</i>)</p> <p>Rentplus (49) (<i>Tetlow King Planning</i>)</p>	<p>Paragraph 3.4 This needs to be qualified by the potential for "starter homes" which may not allow for the provision of those remaining affordable in perpetuity.</p> <p>The SPD may need to be revised once the full regulations and technical guidance concerning starter homes are published, to take into the delivery of affordable housing alongside starter homes and actual delivery of starter homes. Too early to be certain what changes would be required.</p> <p>Recognition of emerging changes to Government policy on affordable housing, e.g. 'starter homes' in the NPPG. Need to take into account policies and legal requirements in Planning &amp; Housing Bill and associated regulation later this year.</p>	<p>Noted. However, because of the uncertainties regarding the detail of starter homes, the SPD may require further review or revision on publication of those details.</p> <p><b>No action</b></p>
	<p>PlanningSphereLtd (57)</p>	<p>Para 3.6: Thresholds and application</p> <p>We draw the Council's attention to the Court of Appeal Decision: SoS CLG v West Berks DC and Reading BC dated 11th May 2016 (Case No. C1/2015/2559) which allowed the appeal. This is likely to result in the re-</p>	<p>Agree that reference should be made to the Ministerial Statement and associated changes to the PPG now the Court of Appeal has issued its judgement and the PPG has been amended.</p> <p>However, this occurs in paragraph 4.6 of the existing SPD. It is erroneously referred to as paragraph 3.6 in</p>

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		<p>introduction into the PPG of the Vacant Building Credit and small site affordable housing threshold of 10 units/ 1,000sqm. As a precaution the text proposed for deletion in paragraph 3.6 should be reinstated.</p>	<p>the Draft Revised Planning Obligations SPD due to a formatting error.</p> <p><b>Proposed action SPD27</b></p> <p>Amend paragraph 4.6 of the existing SPD as follows:</p> <p>Core Policy 43 seeks at least 30% or 40% (net) affordable housing provision on-site depending upon the location of development (<i>see Appendix 2 1</i> for a map of the affordable housing zones). In exceptional circumstances, the Council will accept a commuted sum. <del>However, a Ministerial Statement (28 November 2014) changed the position by requiring that contributions should not be sought from developments of 10 units or less and which have a maximum combined floorspace of no more than 1000sqm (Gross Internal Area). Local authorities can apply a threshold of five units or less in designated rural areas, including national parks and Areas of Outstanding Natural Beauty (AONBs), but must then seek affordable housing and tariff style contributions on development of between six and 10 units in the form of cash payments commuted until after completion of units within the development.</del> Provision may vary on a site by site basis, taking into account local need, mix and development viability. <b><u>In applying the affordable housing policy for developments of 10 units or less, the Council will have regard to the Ministerial Statement of 28 November 2014<sup>1</sup> and the associated changes to the Planning Practice Guidance.</u></b> On rural exception sites<sup>2</sup>, Core Policy 44 allows affordable houses for local need.</p> <p>Insert and retain, respectively, the following footnotes:</p>

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			<p><sup>1</sup> Department for Communities and Local Government, the Minister of State for Housing and Planning (Brandon Lewis). (28 November 2014). House of Commons: Written Statement (HCWS50) <i>Support for small scale developers, custom and self-builders</i>. Available: <a href="http://www.parliament.uk/documents/commons-vote-office/November%202014/28%20Nov%202014/2.%20DCLG-SupportForSmallScaleDevelopersCustomAndSelf-Builders.pdf">http://www.parliament.uk/documents/commons-vote-office/November%202014/28%20Nov%202014/2.%20DCLG-SupportForSmallScaleDevelopersCustomAndSelf-Builders.pdf</a>. Last accessed 24th August 2016.</p> <p>And,</p> <p><sup>2</sup>The restrictions on seeking affordable housing and tariff style planning obligations introduced by the Ministerial Statement (28 November 2014) do not apply to development on Rural Exception Sites, although they should not be sought from residential annexes or extensions.</p>
	Redrow Homes (39) ( <i>Nathaniel Litchfield</i> )	Draft Revised SPD not taken recent Government guidance into account, e.g. Brandon Lewis letter dated 9 November 2015 – LPAs should be flexible in their requirements for affordable housing and ‘constructively, rapidly and positively’ respond to requests for renegotiations on existing and emerging schemes and take a pragmatic and proportionate approach to viability.	<p>Chapter 11, paragraphs 11.13 to 11.15 recognise that there is a need to consider viability when determining the requirement for planning obligations from a proposed development. They set out the Council’s approach, which will be pragmatic, flexible and evidence base-led (i.e. informed by a financial appraisal).</p> <p><b>No action</b></p>
<b>Chapter 5: Education</b>	Salisbury City Council (19)	Page 12-15, Section 5 ‘Education facilities and school places’ is now section 5, all paragraph numbers need updating from 4.n to 5.n	<p>Noted. This is a formatting error in the Draft Revised Planning Obligations SPD.</p> <p><b>Proposed action SPD28</b></p> <p>The Council will ensure that the section heading and paragraph numbers of the Revised Planning</p>

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			<p>Obligations SPD reflect that 'Education' is Chapter 5, not Chapter 4.</p> <p>However, no change to the existing SPD is required.</p>
	Salisbury City Council (19)	<p>Page 14, Table 2 Known site-specific education requirements incomplete in relation to secondary school projects, e.g. no mention of secondary school expansion to serve Salisbury/ Wilton strategic sites, despite references within Core Strategy development templates.</p>	<p>Noted. Upon further consideration, informed by consultation feedback, it is considered that removing Table 5.2 and referring to the development templates in Appendix A to the adopted Wiltshire Core Strategy, which themselves identify known site-specific education requirements resulting from strategically important sites, will remove any confusion. This would appear logical in view of the already proposed removal of the former Appendix 1 to the SPD, upon which Table 5.2 is based.</p> <p>However, this occurs in paragraph 5.9 of the existing SPD. It is erroneously referred to as paragraph 4.9 in the Draft Revised Planning Obligations SPD due to a formatting error.</p> <p><b>Proposed action SPD29</b></p> <p>Amend paragraph 5.9 of the existing SPD as follows:</p> <p><del>"Table 5.2 sets out how the council will use planning obligations and CIL to secure education facilities from development, including k</del>Known site-specific <b>education</b> requirements resulting from strategically important sites <del>allocated in the Wiltshire Core Strategy</del> <b>are set out in the development templates in Appendix A to the adopted Wiltshire Core Strategy, and in subsequent development plan documents, such as the Chippenham Site Allocations Plan and the Wiltshire Housing Site Allocations Plan. They</b></p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p><u>are informed by the Infrastructure Delivery Plan, which will be updated periodically over the plan period. Infrastructure requirements may therefore change. The Council will be flexible and responsive to any changes.</u></p> <p>And remove Table 5.2.</p>
	Salisbury City Council (19)	<p>The rows in Table 5.2 which explained how planning obligations would be used where the need is attributed to five or fewer developments and how CIL would be used to fund other cumulative impacts of development have been removed. Either the title of this table, and the wording in para 4.9, should be changed to reflect the fact that it now covers only site specific education requirement funded by planning obligation and not all the known site-specific education requirements or the CIL funded requirements should also be added to the table</p>	<p>Noted. Upon further consideration, informed by consultation feedback, it is considered that removing Table 5.2 and referring to the development templates in Appendix A to the adopted Wiltshire Core Strategy, which themselves identify known site-specific education requirements resulting from strategically important sites, will remove any confusion. This would appear logical in view of the already proposed removal of the former Appendix 1 to the SPD, upon which Table 5.2 is based.</p> <p>However, this occurs in paragraph 5.9 of the existing SPD. It is erroneously referred to as paragraph 4.9 in the Draft Revised Planning Obligations SPD due to a formatting error.</p> <p><b>Proposed action SPD29</b></p> <p>Amend paragraph 5.9 of the existing SPD as follows:</p> <p><u>“Table 5.2 sets out how the council will use planning obligations and CIL to secure education facilities from development, including known site-specific education requirements resulting from strategically important sites allocated in the Wiltshire Core Strategy are set out in the development templates in Appendix A to the adopted Wiltshire Core Strategy,</u></p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p><u>and in subsequent development plan documents, such as the Chippenham Site Allocations Plan and the Wiltshire Housing Site Allocations Plan. They are informed by the Infrastructure Delivery Plan, which will be updated periodically over the plan period. Infrastructure requirements may therefore change. The Council will be flexible and responsive to any changes.</u></p> <p>And remove Table 5.2.</p>
	<p>APT &amp; Persimmon Homes (36) (Pegasus Planning Group)</p>	<p>Paragraph 4.16 No mention of the use of cost multipliers based on pupil yields to secure financial contributions. These multipliers should be those current at the time of submission of any planning application. Applicants should not be penalised for delays in the determination of any planning application.</p>	<p>Comment noted. The cost multiplier figures on which the final contribution will be calculated are those applicable on the date of signature of a legal agreement.</p> <p><b>Proposed action SPD30</b></p> <p>Add new paragraph 5.17 as follows:</p> <p><u>“The Council uses cost multiplier figures (updated annually) to determine the cost per place for nursery, primary and secondary places. These are applied to the pupil product figures when assessing the amount of financial contributions required from developers towards the provision of school places. Cost multiplier figures on which the final contribution will be calculated are those applicable on the date of signature of a legal agreement.”</u></p>
<p><b>Chapter 6: Open space/ green infrastructure</b></p>	<p>Sports England (6)</p>	<p>Support proposed amendments Would like to see reference to playing pitch strategy when it is adopted later this year in next review of the SPD</p>	<p>Support noted.</p> <p><b>No action</b></p>

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	Devizes Town Council (10)	Request parish councils given mechanism to consider adoption of open spaces on new developments where they may undertake grounds maintenance funded through local retention of CIL	Wiltshire Council encourages this during the planning application process. However, the Council is unable to compel developers to pass the land over. Many developers are choosing the management company option. While the Council attempts to secure both options of parish adoption and management companies through section 106 agreements, the Council would encourage parish councils to contact the developers while plans are at an early stage..  <b>No action</b>
	Environment Agency (11)	Paragraph 8.7 states that 'Major flood alleviation and SuDS projects will be delivered by the water companies, or via CIL and other infrastructure funding. Section 106 agreements will not be used to seek funding for these projects.'  However, no such projects included on draft revised R123 List. Implies they will need to be funded by other methods. Environment Agency recommends that the Council should consider the implications of this position before R123 List is finalised.	No such projects have currently been identified. However, should they be identified in the future then they could be added to the Regulation 123 List at a later date.  <b>No action</b>
	Melksham Without Parish Council (12)	Paragraph 6.9 Wiltshire Council does not insist on high quality provision of open space, for example Hornchurch Road open space (Bowerhill) – poor quality provision.	Noted. However, this is more about maintenance levels and the Council would encourage the parish council to discuss this directly with the management company that operates the play area on behalf of the developers.  <b>No action</b>



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	Salisbury Area Greenspace Partnership (16)	<p>Concerned about the lack of a county-wide Green Infrastructure Strategy. Development continuing without necessary provision.</p> <p>Table 1, paragraph 6.6, page 16-18 – refers to Wiltshire Green Infrastructure Strategy (and Core Policy 52 of the adopted Core Strategy says that green infrastructure will be delivered in accordance with this strategy and that developers will need to provide appropriate contributions.</p> <p>Urgently require a timetable for producing, consulting on and adopting the green infrastructure strategy.</p>	<p>Noted. The Council intends to consult on a draft Green Infrastructure Strategy towards the end of 2016.</p> <p><b>No action</b></p>
	Salisbury Area Greenspace Partnership (16)	<p>Paragraph 6.5 Why are strategic mitigation strategies for River Avon SAC, New Forest SPA etc. not also in the Regulation 123 List?</p>	<p>The Draft Revised CIL Regulation 123 List includes the Stone Curlew and Salisbury Plain Special Protection Area, the Nutrient Management Plan (to address the level of phosphate in the River Avon) and the New Forest Recreation Management Project.</p> <p>CIL is only one of the available mechanisms to fund infrastructure. It may be more appropriate to deliver some open space/ green infrastructure mitigation by other means, such as planning conditions, planning obligations or the neighbourhood proportion of CIL. Grant funding may also be considered.</p> <p>However, it is possible, should further projects be identified in the future, they could be added to the Regulation 123 List at a later date.</p>

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			<b>No action</b>
	Salisbury Area Greenspace Partnership (16)	<p>Paragraph 6.1 and 6.3 Lack of clarity over which infrastructure projects will be funded through CIL and which by s106. Cannot be both, must be one and this must be specified. “CIL may be used to fund open space and green infrastructure projects” (paragraph 6.1) or deleted paragraph 6.3. What funds will be used to pay for green infrastructure if CIL is not available?</p>	<p>The wording reflects that CIL is only one of the available mechanisms to fund infrastructure. It may be more appropriate to deliver some open space/ green infrastructure by other means, for example planning conditions, planning obligations or the neighbourhood proportion of CIL. Grant funding may also be considered.</p> <p>In simple terms, if an open space/ green infrastructure project in on the Regulation 123 List then the Council cannot seek contributions towards it though section 106 agreements.</p> <p><b>No action</b></p>
	Salisbury Area Greenspace Partnership (16)	<p>Page 16, paragraph 6.4 Clarity about which version of the adopted Wiltshire Core Strategy is being referred to with the reference to paragraph 6.70 regarding Habitats Regulations Assessments (HRA). Two versions of the Core Strategy available in PDF to download from the website. More recent version of the Core Strategy, the reference should be paragraph 6.76.</p>	<p>Noted.</p> <p><b>Proposed action SPD31</b></p> <p>Amend paragraph 6.4 as follows:</p> <p>“This would exclude funding of strategic <b>Habitats Regulations Assessment (HRA)</b> mitigation strategies, as identified in the Regulation 123 list, Infrastructure Delivery Plan and/ or paragraph 6.7076 of the Wiltshire Core Strategy.”</p>
	The Canal & River Trust (42)	Reference to Core Policy 53 Wiltshire’s Canals should either mention all the canals in Wiltshire by name, including the omitted Kennet & Avon Canal rather than just mention the two restoration projects, or just use the	Noted. However, Core Policy 53 explicitly refers to the two restoration projects. As paragraph 6.104 of the adopted Wiltshire Core Strategy (January 2015) states, the Kennet and Avon Canal’s landscape and natural environment will be protected and enhanced through

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		<p>terminology 'Wiltshire's Canals'. Kennet &amp; Avon Canal towpath is at risk from degradation as a result of nearby development and has benefitted from developer contributions in the past to mitigate impact of additional usage.</p>	<p>Core Policies 50 (Biodiversity and Geodiversity), 51 (Landscape) and 52 (Green Infrastructure). There are also two saved policies relating to the Kennet and Avon Canal, (Policy WR2 from the West Wiltshire Leisure and Recreation DPD and Policy TR2 from the Kennet Local Plan) which will continue to be saved until such time as they are replaced by a new core policy addressing the strategic needs of the Kennet and Avon Canal. Paragraph 6.105 of the Core Strategy sets out the importance of the views of the Canal and River Trust and the various guidance documents relating to the Kennet and Avon Canal and how they will be taken into account in making decisions on planning applications.</p> <p><b>No action</b></p>
	<p>Laverstock and Ford Parish Council (50)</p> <p>Persimmon Homes Wessex (52)</p>	<p>Draft SPD states that existing open space standards for the former district councils have been replaced by Wiltshire-wide open space standards, within the Wiltshire Open Space Study (2015-2026) Part 1. Confusion over when the Wiltshire Open Space standards will be in place as a key reference document for planning obligations.</p> <p>However, Core Policy 52 of the adopted Wiltshire Core Strategy requires development to make provision for open space in accordance with the adopted Wiltshire open space standards. The emerging standards have not yet been adopted as part of the partial review of the Core Strategy and there is no up to date programme for the completion of this review. Not appropriate for Council to</p>	<p>Noted. Wiltshire Council is currently using the old district plan open space standards until the new standards have been adopted through the Core Strategy Partial Review process.</p> <p><b>Proposed action SPD32</b></p> <p>Amend paragraph 6.7 as follows:</p> <p>"The saved Local Plan policies contain the adopted Wiltshire open space standards. These will be replaced by Wiltshire-wide standards, <del>which will be informed by an</del> <b>within the Wiltshire Open Spaces Study (2015 – 2026) Part 1 to be completed in 2015.</b> The new standards will be formally adopted as part of the partial review of the Wiltshire Core Strategy programmed in the Council's Local Development Scheme."</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>defer to these emerging and untested standards; the saved local plan standards remain as adopted standards under this policy. Important as the emerging standards propose an increase in open space provision in some cases, which might be challenged at examination of the Core Strategy partial review. Request Council clarify the position on the open space standards.</p>	<p>Amend paragraph 6.8 as follows:</p> <p>“Thresholds for planning obligations are set out in the adopted Wiltshire open space standards. Four sets of open space standards are currently in operation across Wiltshire, with different standards applying in each of the former district areas. <del>These will be replaced by Wiltshire-wide standards which will be informed by an Open Spaces Study, to be completed in 2015, with the new standards adopted as part of the partial review of the Wiltshire Core Strategy by the end of 2015.</del> Core Policy 52 requires development to make provision in line with the adopted Wiltshire Open Space standards.”</p> <p>Amend paragraph 6.9 as follows:</p> <p>“ . . . It will be guided by the Open Spaces Study, <del>to be completed in 2015</del>, dependent upon individual site characteristics and, as such, in the interim period decisions will be made on a case by case basis.”</p>
<p><b>Chapter 7: Transport/ highways</b></p>	<p>Salisbury City Council (19)</p>	<p>Page 20, para 7.4 There is no approved or adopted Transport Strategy for Salisbury</p>	<p>Work was undertaken towards a transport strategy for Salisbury during the preparation/ examination of the South Wiltshire Core Strategy. Further work is currently being progressed.</p> <p><b>No action</b></p>
	<p>Salisbury City Council (19)</p>	<p>Page 20, para 7.6 ‘...but is likely reflect those sought...’ – word ‘to’ should be inserted between ‘likely’ and ‘reflect’</p>	<p>Noted</p> <p><b>Proposed action SPD33</b></p> <p>Amend paragraph 7.6 as follows:</p>

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			<p>“The provision of sustainable transport measures may be more challenging in rural areas but is likely <b>to</b> reflect those sought in more urban areas of the county.”</p>
	Downton Parish Council (51)	Approve of deletion of lists at paragraph 7.12, which limited the potential for innovation	<p>Support noted.</p> <p><b>No action</b></p>
	Salisbury City Council (19)	<p>Page 22, para 7.11 (Formerly in para 7.12, but that para number seems to be deleted, although this text remains) – ‘There will be some transport schemes that cannot be funded through planning obligations and these will be delivered through CIL receipts’. It needs to be clear which transport schemes will be in each category. Currently transport projects which are in the 123 list have funding sources as ‘S106/CIL’ in the IDP.</p>	<p>In simple terms, if a sustainable transport project is on the Regulation 123 List then the Council cannot seek contributions towards it though section 106 agreements.</p> <p>The Infrastructure Delivery Plan indicates potential funding sources, such as developer contributions i.e. s106/ CIL. However, it is the purpose of the Regulation 123 List to identify those projects that the Council may fund, in whole or in part, through CIL.</p> <p><b>No action</b></p>
	Bourne Leisure Ltd (33) ( <i>Nathaniel Litchfield</i> )	<p>Page 22, paragraph 7.9 Paragraph 7.9 does not conform to the three legal tests in Regulation 122 of the CIL Regulations 2010 (as amended).</p> <p>Request the following amendment to the text:</p> <p><del>“Where If significant infrastructure is included on-site , it will likely need to be of a size to accommodate internal and any external trips it might facilitate . On-site infrastructure may need to be appropriately upgraded If there is a</del></p>	<p>An unnecessary level of detail. Planning obligations must conform to the three legal tests in Regulation 122 of the CIL Regulations 2010 (as amended). The IDP is an evidence base, not a policy, document and states that contributions will be determined in accordance with adopted Core Policy 3 and the Planning Obligations SPD.</p> <p><b>No action</b></p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>need to upgrade on-site infrastructure in order to accommodate planned connecting infrastructure <u>and this is necessary in order make the development acceptable in planning terms</u>. <u>This this</u> will be required as a pro bona contribution, as part of the abnormal development costs. <u>Any required changes to on-site infrastructure must be directly related to the development and fairly and reasonably related in scale and kind to the development.</u> " ( <u>Suggested changes underlined</u> )</p>	
<p><b>Chapter 8: Flood alleviation and sustainable urban drainage schemes</b></p>	<p>Thames Water (23)</p>	<p>Thames Water request that the following text be added to the SPD:</p> <p><i>“Developers will be required to demonstrate that there is adequate water supply, waste water capacity and surface water drainage both on and off the site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing water and/or waste water infrastructure. Drainage on the site must maintain separation of foul and surface flows.</i></p> <p><i>Where there is an infrastructure capacity constraint the Council will require the developer to set out what appropriate improvements are required and how they will be delivered.”</i></p> <p><i>“It is the responsibility of a developer to make</i></p>	<p>Noted</p> <p><b>Proposed action SPD34</b></p> <p>Amend paragraph 8.10 as follows:</p> <p>“On-site infrastructure may also be provided to alleviate the risk of flooding, and reduce impacts on drainage infrastructure. <b><u>Core Policy 3 states that water and sewerage, flood alleviation and sustainable drainage systems are essential infrastructure. This is to be provided by new development, which must be adequately served by on and off-site foul and surface water drainage systems.</u></b> This will normally form part of the detailed matters submitted and agreed through the planning application process. The delivery can therefore be secured through a planning condition.”</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<i>proper provision for surface water drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, as this is the major contributor to sewer flooding."</i>	
<b>Chapter 9: Community and health facilities</b>	Melksham Without Parish Council (12)	Separate community facilities should be provided and not the shared use of school facilities, which are not available during the day.	Comment noted. The SPD recognises the potential for multi-use facilities. Shared facilities may be appropriate depending upon the particular circumstances.  <b>No action</b>
	Melksham Without Parish Council (12)	Support provision of local health facilities with large residential developments. However, discussions with Wiltshire CCG as part of the neighbourhood plan process, suggests this will be GP led. Melksham GPs intimate that they do not want to expand nor would they welcome a new practice. No new health facilities following recent large development in Melksham (e.g. 800 houses at East of Melksham and application for further 450), only money towards additional car park area at one surgery in recent application.	The Council receives representations from and has discussions with the various health organisations, such as NHS England, Wiltshire CCH and individual GP practices, where appropriate during the planning application process.  <b>No action</b>
	Salisbury City Council (19)	Page 28 Table 9.2 re 'Known site-specific health facility requirements' seems incomplete. The Churchfields and Engine Shed site is included, but the development templates for other sites in the Wiltshire Core Strategy also included the need for a financial contribution towards new or improved doctors and dentists surgeries – e.g. Fugglestone Red, Longhedge and others. Why are they not included in this	Noted. Upon further consideration, informed by consultation feedback, it is considered that removing Table 9.2 and referring to the development templates in Appendix A to the adopted Wiltshire Core Strategy, which themselves identify known site-specific community and health facilities requirements resulting from strategically important sites, will remove any confusion. This would appear logical in view of the already proposed removal of the former Appendix 1 to the SPD, upon which Table 9.2 is based.



Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		table?	<p><b>Proposed action SPD35</b></p> <p>Amend paragraph 9.3 as follows:</p> <p><u>“Table 9.2 sets out Known site-specific community and health facilities requirements for health facilities resulting from new development strategically important sites allocated in the Wiltshire Core Strategy. are set out in the development templates in Appendix A to the adopted Wiltshire Core Strategy, and in subsequent development plan documents, such as the Chippenham Site Allocations Plan and the Wiltshire Housing Site Allocations Plan. They are informed by the Infrastructure Delivery Plan, which will be updated periodically over the plan period. Infrastructure requirements may therefore change. The Council will be flexible and responsive to any changes.”</u></p> <p>And delete Table 9.2.</p>
	APT & Persimmon Homes (36) (Pegasus Planning Group)	9.3 (table 2) should refer to a site for a primary health facility (Trowbridge strategic site), as set out in the development template.	<p>Noted. Upon further consideration, informed by consultation feedback, it is considered that removing Table 9.2 and referring to the development templates in Appendix A to the adopted Wiltshire Core Strategy, which themselves identify known site-specific community and health facilities requirements resulting from strategically important sites, will remove any confusion. This would appear logical in view of the already proposed removal of the former Appendix 1 to the SPD, upon which Table 9.2 is based.</p> <p><b>Proposed action SPD35</b></p>



Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>Amend paragraph 9.3 as follows:</p> <p><u>“Table 9.2 sets out <del>Known</del> site-specific <b>community and health facilities</b> requirements for health facilities resulting from new development <b>strategically important sites</b> allocated in the Wiltshire Core Strategy. <b>are set out in the development templates in Appendix A to the adopted Wiltshire Core Strategy, and in subsequent development plan documents, such as the Chippenham Site Allocations Plan and the Wiltshire Housing Site Allocations Plan. They are informed by the Infrastructure Delivery Plan, which will be updated periodically over the plan period. Infrastructure requirements may therefore change. The Council will be flexible and responsive to any changes.</b>”</u></p> <p>And delete Table 9.2.</p>
	Salisbury City Council (19)	<p>Page 29, para 9.5</p> <p>The critical mass for provision of a GP surgery is quoted as 7,000. In the IDP para 7.6 a figure of 4,000 – 6,000 is used.</p> <p>It needs to be made clear that the combined impact of adjacent developments can trigger the requirement for the provision of new facilities. The last sentence of this paragraph should be changed from ‘New development that results in more....’ to ‘New development, or a cluster of neighbouring developments, that result in more....’</p>	<p>Noted. The critical mass, in terms of population increase, for the provision of a new GP practice can vary by location and, to some extent, is dependent upon local primary care capacity and circumstances. However, a large development and/ or the cumulative impact of a cluster of developments may create sufficient demand for a new facility or extension to existing facilities.</p> <p><b>Proposed action SPD36</b></p> <p>Amend paragraph 9.5 as follows:</p> <p>“Large residential developments or a cluster of neighbouring developments will lead to a local increase in population. This can create a need for</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			specific local health facilities if there is no existing local capacity or likely to be in the near future. <b>The average list size for a whole time equivalent GP is 1,750 patients.</b> New development <b>that results in more than 7,000 new residents (a patient list of four whole time equivalent GPs)</b> may <b>therefore</b> require a new facility <b>or extensions to existing facilities</b> to be provided.”
<b>Chapter 10: Other planning obligations</b>	APT & Persimmon Homes (36) ( <i>Pegasus Planning Group</i> )	10.2 Art & Design for the Public Realm does not meet the CIL Reg 122 test of having to be necessary to grant planning permission. This general amenity provision should be secured through CIL receipts.	There may be circumstances where art and design in the public realm projects might be required as part of a development. Nevertheless, as APT & Persimmon Homes recognise, planning obligations must still meet the three legal tests set out in Regulation 122 of the CIL Regulations 2010 (as amended).  <b>No action</b>
	Historic England (44)	Lack of reference to the historic environment. Reference to the historic environment would also support the delivery of the Core Strategy objective ‘Features and areas of historical and cultural value will have been conserved and where possible enhanced’ and core policies 57, 58 and 59. Request a review and reconsideration.	The potential need for planning obligations to secure ‘site-specific measures to protect and enhance the historic environment’ is recognised in paragraph 10.2 of the Draft Revised Planning Obligations SPD.  <b>No action</b>
<b>Chapter 11: Negotiating planning obligations in Wiltshire</b>	Melksham Without Parish Council (12)	Paragraph 11.16 states that the Council encourages developers to undertake pre-application consultation but, despite raising this several times, this does not happen in practice.	The Council will continue to encourage developers to undertake pre-application consultation and this does happen in many cases.  <b>No action</b>
	SW HARP Planning Consortium (22)	Page 32, paragraph 11.13 to 11.15 Revisions to the SPD should take into account	Chapter 11, paragraphs 11.13 to 11.15 recognise that there is a need to consider viability when determining

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>the Planning Minister Brandon Lewis MP's letter, 9 November 2015, on s106 negotiations, which says LPAs should:                      "take a pragmatic and proportionate approach to viability"                      "avoid action which might result in unnecessary delay"                      "strongly encourages" LPAs "to seek the minimum amount of viability information necessary", and not                      "take a revised planning obligation back to planning committee for approval"</p>	<p>the requirement for planning obligations from a proposed development. They set out the Council's approach, which will be pragmatic, flexible and evidence base-led (i.e. informed by a financial appraisal).</p> <p><b>No action</b></p>
	<p>Bourne Leisure Ltd (33) (<i>Nathaniel Litchfield</i>)</p>	<p>Page 32, Paragraph 11.13                      Welcomes recognition that there are some occasions when the cost of planning obligations may make a proposed development unviable. Support provision for developers to be able to raise financial viability as a concern through submission of a financial appraisal and for the Council to consider this.</p> <p>However, request that any financial appraisal submitted by the developer should be treated and kept as confidential and the text to be amended as follows.</p> <p><i>"On rare occasions the cost of obligations may be greater than the proposed development is able to bear. Where the outcome is judged to have a significant impact on residual land values and financial viability is raised as a concern, a financial appraisal of</i></p>	<p>Agreed, to an extent. Open book financial appraisals are normally regarded as confidential. However, the Council may need to circulate to its own consultants at times. There is also the possibility of Freedom of Information (FOI) requests being made at various stages, at which point the Council would normally take legal advice.</p> <p><b>Proposed action SPD37</b></p> <p>Amend paragraph 11.13 as follows:</p> <p>On rare occasions the cost of obligations may be greater than the proposed development is able to bear. Where the outcome is judged to have a significant impact on residual land values and financial viability is raised as a concern, a financial appraisal of the proposed development by the applicant will be required to substantiate the claim. This <b>appraisal</b> should <b>be submitted alongside</b> <del>form part of</del> the application documentation and <b>where possible will be</b></p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<i>the proposed development by the applicant will be required to substantiate the claim. This appraisal should be submitted alongside form part of the application documentation and will be treated and kept as confidential by the Council. The council Council will scrutinise the financial appraisal before confirming or otherwise viability." (Paragraph 11.13)</i>	<b>treated and kept as confidential by the Council.</b> The Council will scrutinise the financial appraisal before confirming or otherwise viability.
<b>Chapter 12: Procedure and management</b>	Salisbury City Council (19)	Page 34, para 12.2 'The council will publish reports setting out details of planning obligations negotiated etc...'. This sounds a laudable aim, but it is unclear whether it is in fact happening. A link to the relevant webpage containing such reports would be helpful.	The Council keeps a register of planning permissions for the purposes of monitoring pooling of planning obligations towards specific projects, for example education projects as referred to in paragraph 4.4 of the Draft Revised Planning Obligations SPD.  <b>Proposed action SPD19</b>  The Council will consider the most appropriate way of providing information on pooled planning obligations.  However, no change to the SPD is required.
	Downton Parish Council (51)	Paragraph 12.21 Concern that because 25% of CIL will go to areas with a neighbourhood plan developers may want to pool contributions on development across a wider area than that covered by a neighbourhood plan, which may mean that neighbourhood plan areas do not have the appropriate benefit.	Spending decisions relating to the proportion of CIL that is passed to parish councils (15% or 25% in areas where there is a made neighbourhood plan in place) is entirely a matter for the parish council (as long as it is in line with the CIL Regulations, as amended) and not developers nor Wiltshire Council.  <b>No action</b>
<b>Appendices</b>	Westbury Town Council (5)	Re: Affordable Housing Zones Map: Request clarity over which affordable housing	The whole of Westbury Community Area, apart from Westbury town and the parish of Dilton Marsh, are in

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>zones that Dilton Marsh and Westbury come under (30% or 40%) (And CIL Charging Zones) and the document to be corrected to be consistent.</p> <p>Propose the whole of Westbury Community Area should be at the same rate (presumably for both CIL and AH) – response to CIL consultation on Statement of Modifications to the CS (July 2014).</p>	<p>CIL Charging Zone 1. Westbury and Dilton Marsh are in Charging Zone 2.</p> <p>Westbury and Dilton Marsh are in the 30% affordable housing zone, whereas the other parishes in the Westbury Community Area are in the 40% affordable housing zone.</p> <p>The CIL rates can only be changed as part of a review of the CIL charging schedule.</p> <p><b>Proposed action SPD38</b></p> <p>The Council will revise the map of affordable housing zones at Appendix 1 in the interests of clarity and consistency.</p>

## 6. Draft Updated Infrastructure Delivery Plan – summary of the main issues raised by the representations

6.1. *Table 6.1* summarises the main issues raised by the representations, with officer commentary and proposed actions, and is ordered by the following areas that reflect the document layout:

- General issues
- Main document
- Appendix 1 (subdivided by Community Area)

6.2. All individual representations are available to view in full through the Council's online consultation portal at <http://consult.wiltshire.gov.uk/portal>.

**Table 6.1 – Draft Updated Infrastructure Delivery Plan 3 – summaries of the main issues from the representations, with officer responses and proposed actions**

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
<b>General issues</b>	<p>Malcolm Toogood (35)</p> <p>Campaign Against Urban Sprawl in the East (CAUSE 2015) (47) (Cllr Chris Caswill)</p> <p>Fiona Pilbrow (48)</p>	<p>Object to IDP being included in the consultation:</p> <ul style="list-style-type: none"> <li>• Not included in the list of documents</li> <li>• Not included in the title of the consultation</li> </ul> <p>Attempt to sneak it past Wiltshire taxpayers without having to consult on it directly. Request IDP be withdrawn from consultation and consulted upon separately. Will report Wiltshire Council to the DCLG for using this consultation as methodology or to avoid any future proper consultation.</p> <p>Inclusion of IDP within the consultation has caused confusion among local councils consulting on the R123 List.</p> <p>Note that the IDP has been included in the consultation but the consultation title does not reference it. The IDP is only mentioned in the last two sentences of the consultation text. Likely that many potential respondents will not have noticed the IDP (and specifically the Chippenham IDP) is included within the consultation.</p> <p>The Cabinet Member decision on this public consultation, made on 26 February 2016, did not include any decision on the IDP. So unclear about the authorisation of the consultation on the IDP and the status of the document, dated February 2016. Unclear whether the consultation responses on the document, which is presented</p>	<p>The Infrastructure Delivery Plan (IDP) identifies the necessary infrastructure to deliver planned growth set out in the adopted Wiltshire Core Strategy (January 2015).</p> <p>The IDP is an evidence based document that, as set out in paragraph 4.43 of the Wiltshire Core Strategy, “. . . will be updated over the plan period. Infrastructure requirements may therefore change.” It was made available for comment during the consultation on the policy documents, i.e. the Draft Revised CIL Regulation 123 List and the Draft Revised Planning Obligations Supplementary Planning Document.</p> <p>Previous iterations of the IDP have been made available for comment alongside consultations on the pre-submission draft Wiltshire Core Strategy (and updated and added to the examination evidence base) and the CIL Charging Schedule. These are available to download from the Council’s website at <a href="http://www.wiltshire.gov.uk/infrastructuredeliveryplan">www.wiltshire.gov.uk/infrastructuredeliveryplan</a>.</p> <p>Comments on the draft Updated Infrastructure Delivery Plan received during the consultation will be included in the consultation report that will go before the Council’s Cabinet in support of the Revised CIL Regulation 123 List and the Revised Planning Obligations SPD. A final updated Infrastructure Delivery Plan will be published on the Council’s website.</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>as a draft, will be considered by Cabinet and Council. Our concerns are such that it should be discussed at both committees.</p> <p>Object to appearance of policy making by stealth – no published policies committing Council to subsidise infrastructure requirements from development around Chippenham. Council told us and Inspector that the provision of the ELR is not a Wiltshire Council strategic priority but is described in the IDP as ‘essential’. Changes appear in an appendix to a technical document not visible to the vast majority of people who they will affect – not how public policy should be made and these appendices must be withdrawn.</p>	<p>The IDP will be reviewed and updated periodically.</p> <p><b>No action</b></p>
	Persimmon Homes Wessex (52)	<p>Number of projects identified for CIL funding in the draft IDP but not identified in the Revised R123 List. These projects would not, therefore, be eligible for CIL funding as proposed, unless through the neighbourhood proportion of CIL receipts.</p>	<p>The Regulation 123 List draws upon projects in the Infrastructure Delivery Plan (IDP). It is the purpose of the Regulation 123 List, not the IDP, to identify infrastructure projects that the Council may fund, in whole or in part, through CIL. The IDP identifies potential funding sources, such as developer contributions (i.e. s106/ CIL).</p> <p>However, it is possible for projects to be added to the Regulation 123 List at a later date, for example when further information becomes available.</p> <p><b>No action</b></p>
	Persimmon Homes Wessex (52)	<p>Noted that housing trajectories shown for each community area do not include housing still to be planned for in the remaining plan period, though assumed this has been considered in discussions</p>	<p>Noted</p> <p><b>Proposed action IDP1</b></p>



Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		with infrastructure providers. May be useful to make an assumption on when the remaining housing requirement will be delivered to inform the phasing of infrastructure.	The Council will review the housing trajectories for each community area in Appendix 1 to determine whether they need to include housing still to be planned for during the plan period and make any changes prior to finalising the IDP.
<b>Chapter 1: Introduction</b>	Salisbury City Council (19)	Para 1.8 There is a reference to 'subsequent local development plan documents' – it would be useful to have a link to the webpage where these are, or will be, held.	Noted  <b>Proposed action IDP2</b>  The Council will consider providing further information about and/ or a link to emerging local plans, in paragraph 1.8, prior to finalising the IDP.
	Salisbury City Council (19)	Links to other plans and strategies  The incomplete nature of various other plans and strategies referred to is a fundamental weakness of the IDP and means that the evidence base to back up projects is lacking and that key infrastructure requirements may be missing altogether. As examples:  Para 1.12 The link provided for the Wiltshire Community Plan <a href="http://www.wiltshire.gov.uk/communityandliving/communityplan.htm">http://www.wiltshire.gov.uk/communityandliving/communityplan.htm</a> takes one to a page which about a consultation on a June 2010 version of the Community Plan with a closing date of Sept (2010 presumably). Is this the latest and adopted version of the Community Plan?  Para 1.14 The link provided for the Wiltshire Local	The Infrastructure Delivery Plan (IDP) uses the best available sources of information at the time of preparation. The IDP is an iterative evidence base document and will be reviewed and updated periodically.  <b>Proposed action IDP3</b>  The Council will update the links to supporting plans and strategies, in Chapter 1, prior to finalising the IDP.  The latest version of the Wiltshire Community Plan is available at <a href="http://www.wiltshire.gov.uk/council/wiltshirefamilyofpartnershipsworkingtogether/wiltshirecommunityplan.htm">http://www.wiltshire.gov.uk/council/wiltshirefamilyofpartnershipsworkingtogether/wiltshirecommunityplan.htm</a> .  The latest documents prepared as part of the Wiltshire Local Transport Plan are available at <a href="http://www.wiltshire.gov.uk/council/howthecouncil">http://www.wiltshire.gov.uk/council/howthecouncil</a>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>Transport Plan  <a href="http://www.wiltshire.gov.uk/council/howthecouncilworks/plansstrategiespolicies/transportpoliciesandstrategies.htm">http://www.wiltshire.gov.uk/council/howthecouncilworks/plansstrategiespolicies/transportpoliciesandstrategies.htm</a> provides links to numerous historic and some current documents. What is not made clear is that various key documents which have been promised as part of the Third Local Transport plan have not yet been consulted on or adopted – this includes a Walking Strategy and strategies for the principal settlements, including Salisbury.</p> <p>Para 1.14                      The link provided for the Green Infrastructure Strategy  <a href="http://www.wiltshire.gov.uk/communityandliving/countryside/environmentalpartnerships/greenspaces.htm">http://www.wiltshire.gov.uk/communityandliving/countryside/environmentalpartnerships/greenspaces.htm</a> takes one to a page which refers to work to be undertaken on this strategy in 2009/10. There is no adopted Green Infrastructure Strategy, nor is even a draft version available.</p>	<p><a href="http://www.wiltshire.gov.uk/council/howthecouncilworks/plansstrategiespolicies/transportpoliciesandstrategies/localtransportplan3.htm">works/plansstrategiespolicies/transportpoliciesandstrategies/localtransportplan3.htm</a></p> <p>The Council intends to consult on a draft Green Infrastructure Strategy towards the end of 2016.</p>
	Salisbury City Council (19)	<p>Infrastructure Planning Process                      Para 1.47                      This paragraph notes in respect of comments submitted on the IDP that comments submitted during the various consultations on the Core Strategy and Charging Schedule would be taken into account in each review and update of the IDP.                      In February 2014 SCC submitted various comments in respect of the IDP and these were reported on in the Draft Charging Schedule of Consultation Regulation 19(b) Statement dated</p>	<p>Noted</p> <p><b>No action</b></p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>June 2014. In response to comment ID 66 submitted by SCC the response which was given was that 'The Council welcomes comments on the IDP 2 (September 2013) during this consultation because it is part of the supporting evidence base for the CIL Draft Charging Schedule. The IDP will be updated on an annual basis and these comments will be taken into account during the next update (estimated summer/ autumn 2014).'</p>	
	Salisbury City Council (19)	<p>Monitoring and Review Para 1.49 There is mention of the Annual Monitoring Report (AMR). A weblink to these documents would be helpful, but perhaps is not given because these do not seem to be produced currently? The WC webpage which purports to hold these reports <a href="http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/annualmonitoringreport.htm">http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/annualmonitoringreport.htm</a> has Housing Land Supply statements up to 2015, but there is no AMR later than 2010-11. Given that monitoring of the IDP is supposedly contained in the AMR this seems a serious omission.</p>	<p>Noted</p> <p><b>Proposed action IDP4</b></p> <p>The Council will update the links and clarify the monitoring and review process for the IDP, including the status of the Annual Monitoring Report (AMR), in Chapter 1, prior to finalising the IDP.</p>
<b>Chapter 2: Education</b>	Salisbury City Council (19)	<p>Para 2.5 The policy for requesting S106 contributions may need updating to take account of education projects which are to be funded by CIL – see also comments on 123 list in respect of Education.</p>	<p>Noted</p> <p><b>Proposed action IDP5</b></p> <p>The Council will consider whether the Policy for Requesting s106 Contributions for Education, referred to in paragraph 2.5, needs to be updated now that CIL is in operation.</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
<b>Chapter 3: Sustainable transport</b>	Salisbury City Council (19)	<p>Para 3.6 The link to Transport Strategies provides a link to <a href="http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/planningpolicyevidencebase.htm">http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/planningpolicyevidencebase.htm</a></p> <p>There are some links to documents related to transport strategies for Chippenham, Trowbridge and Devizes on this page but nothing related to Salisbury.</p>	<p>Noted. Work was undertaken towards a transport strategy for Salisbury during the preparation/ examination of the South Wiltshire Core Strategy. Further work is currently being progressed.</p> <p><b>Proposed action IDP6</b></p> <p>The Council will update the links in paragraph 3.6 to the existing evidence base work undertaken towards a transport strategy for Salisbury and clarify the position with regard to the current timetable for its completion.</p>
<b>Chapter 4: Open space, green infrastructure and the environment</b>	Salisbury Area Greenspace Partnership (16)	<p>Concern about the lack of an adopted (or even a draft) Green Infrastructure Strategy given the reliance upon it by the IDP:</p> <ul style="list-style-type: none"> <li>• NPPF requires LPAs to plan positively for green infrastructure and biodiversity</li> <li>• Without a GI strategy, strong messages need to be conveyed about the importance of green infrastructure</li> <li>• Likely to miss more opportunities to deliver WCS growth in a sustainable manner</li> <li>• Continuing decline in quality of natural environment, increasing pressures from new development</li> <li>• Importance of GI for pedestrian and cycling links, resilient communities (Community Plan 2011-2026), tackling climate change</li> </ul>	<p>Noted. The Council intends to consult on a draft Green Infrastructure Strategy towards the end of 2016.</p> <p><b>No action</b></p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
	Salisbury Area Greenspace Partnership (16)	Green infrastructure should be 'essential' infrastructure, not 'place-shaping'	<p>As explained in paragraph 4.43 of the adopted Wiltshire Core Strategy, "<i>The broad prioritisation of infrastructure provision has been designed to ensure that development proposals present solutions to address essential requirements first and then place shaping items next. This should not be taken to imply that place shaping infrastructure is of lesser importance, rather that the precise timing of providing it is not critical to the phasing of development. It may also be the case that a particular infrastructure project might deliver multiple benefits. For example, a new landscaped pedestrian footpath or cycleway could deliver sustainable transport, green infrastructure and recreation improvements.</i>"</p> <p><b>No action</b></p>
	Salisbury City Council (19)	<p>Open Space, Green Infrastructure and Environment Para 4.11</p> <p>It is regrettable that pedestrian or cycleway access to development is only considered to be 'place-shaping' green infrastructure and not 'essential' transport infrastructure. This has resulted in developments where walking or cycling access is difficult or impossible – e.g. at Longhedge to the north of Salisbury the outline permission 13/00673/OUT has been granted without mandating the provision of safe walking/ cycling routes into Salisbury or to the adjacent Old Sarum housing site. There are land ownership issues which are used as the rationale for not providing such links, but if walking/ cycling</p>	<p>As Salisbury City Council will be aware, the need to provide a link between the Longhedge site and the Old Sarum site was the subject of much discussion during the planning application process for 13/00673/OUT. The difficulty relates to the link needing to cross a strip of land owned by a third party. Unless the owner of this strip wishes to allow a crossing of their land, it would be impossible for the applicant to secure a continuous surfaced link to be provided over this third party land. The Council agreed with the applicant that, in the circumstances, the most appropriate manner with which to deal with this matter would be through the inclusion of a commuted sum within the Section 106 Agreement for the Council to secure the future provision of such a link to allow free and</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		linkages had been deemed essential these issues would have been overcome before permission was granted.	unfettered access to residents/occupiers of both the future Longhedge site and the Old Sarum site.  <b>No action</b>
	Bourne Leisure Ltd (33) (Nathaniel Litchfield)	<p>Paragraph 4.6 An assessment of current green infrastructure provision will not be necessary or appropriate for every major development. The need for an audit should be considered on a project by project basis. The following amendment to paragraph 4.6 is requested:</p> <p><i>"To determine green infrastructure provision on major developments, <u>where necessary and appropriate</u>, developers will be expected to audit current provision in and around the development site. <u>The need for an audit will be considered on a project-by-project basis.</u> <u>They</u> <u>Where necessary</u> <u>developers</u> will need to prepare a statement demonstrating how this <u>infrastructure</u> will be retained and enhanced as a result of the development process. A standard template will be developed to assist developers in assessing existing and required provision. "</i></p>	Paragraph 4.6 mirrors paragraph 6.96 in the supporting text to Core Policy 52 Green Infrastructure of the adopted Wiltshire Core Strategy.  <b>No action</b>
	Bourne Leisure Ltd (33) (Nathaniel Litchfield)	<p>Paragraph 4.8 This paragraph does not conform to the legal tests in Regulation 122 of the CIL Regulations 2010 (as amended). Request that the paragraph 4.8 be amended as follows:</p> <p><i>"Developer contributions will be sought towards the delivery of open space, green infrastructure</i></p>	An unnecessary level of detail. Planning obligations must conform to the three legal tests in Regulation 122 of the CIL Regulations 2010 (as amended). The IDP is an evidence base, not a policy, document and states that contributions will be determined in accordance with adopted Core Policy 3 and the Planning Obligations SPD.

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<i>and environment projects and initiatives <u>where they are necessary in order to make the development acceptable in planning terms</u> . Contributions will be determined in accordance with Core Policy 3, the IDP, the Open Spaces Study, the Green Infrastructure Strategy and the Planning Obligations SPD. <u>These contributions will be directly related to the development and will be fairly and reasonably related in scale and kind to the development.</u>" (Suggested changes underlined)</i>	<b>No action</b>
<b>Chapter 5: Community and cultural</b>		No specific comments	
<b>Chapter 6: Emergency services</b>		No specific comments	
<b>Chapter 7: Health and social care</b>	Salisbury City Council (19)	Para 7.6 The critical mass for provision of a GP surgery is quoted as 4,000 – 6,000. In SPD para 9.5 a figure of 7,000 is used.	The cumulative impact of development may lead to the need for a new GP surgery or the relocation/ expansion of existing GP surgeries. However, it is difficult to be precise as the individual circumstances will vary on a case-by-case basis.  <b>Proposed action IDP7</b>  The Council will review paragraph 7.6 to recognise the impact of cumulative development upon the provision of healthcare facilities but remove reference to a specific number.
<b>Chapter 8: Utilities</b>		No specific comments	



Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
<p><b>Appendix 1: General comments</b></p>	<p>Salisbury City Council (19)</p>	<p>The IDP appendices do not confirm whether s106 or CIL is to be used for specific infrastructure projects. No clarity over the funding sources for these projects. The R123 List states that both cannot be used to fund the same project. Thus, the funding sources information needs to be updated so that CIL is given for those projects on the R123 List and s106 for those which are not. "s106/CIL" will just cause confusion if funding from both sources cannot be used for the same project with the risk that developers will exploit any confusion or ambiguity to minimise their contributions.</p> <p>In the IDP3 table of identified projects the 'funding sources' in most cases includes 'S106/CIL'. The guidelines, as outlined in the SPD, indicate that infrastructure cannot be funded by both S106 and CIL (e.g. SPD para 2.11 'Planning obligations cannot be used to deliver projects which will be provided for by CIL'). This suggests that 'S106/CIL is to be interpreted as 'S106' or 'CIL' rather than 'S106' and CIL. As mentioned in the comments re the 123 list, there needs to be clarification regarding whether projects are in fact proposed to be funded by CIL or S106.</p>	<p>The use of s106/ CIL is intended to mean that the infrastructure project in question may be funded through developer contributions (i.e. s106 or CIL), sometimes in combination with other funding sources. The IDP identifies the necessary infrastructure requirements, including potential sources of funding, to support planned growth in the adopted Wiltshire Core Strategy. It is the purpose of the Regulation 123 List, not the IDP, to identify projects that Wiltshire Council may fund, in whole or part, through CIL.</p> <p><b>Proposed action IDP8</b></p> <p>The Council will review the references to 's106/ CIL', in Appendix 1, to provide clarification that the relevant infrastructure projects may be funded by developer contributions generally, i.e. s106 <u>or</u> CIL but not both.</p>
	<p>Salisbury City Council (19)</p>	<p>This document has no page numbers and no section or paragraph numbers. One or the other, or both, would be helpful.</p>	<p>Noted</p> <p><b>Proposed action IDP9</b></p> <p>The Council will review the formatting of the document (i.e. paragraph, section and page numbers) prior to finalising the IDP.</p>



Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
	Wiltshire Scullers School (56)	Object to removal of Wiltshire Scullers School projects (in previous IDP) from IDP. Projects too large to be considered at parish level. Objective is to provide 6 indoor rowing machines to every secondary school in Wiltshire, three centres across Wiltshire and a development officer. Costing was provided for a cycle path between Bradford and Holt to open up the west Wilts club and benefit the area from surge of traffic from Moulton development.	The purpose of the IDP is to identify necessary infrastructure to support development in the adopted Wiltshire Core Strategy (January 2015). Following the implementation of CIL and with the revisions to the Regulation 123 List, the IDP has been updated to focus on the strategic infrastructure necessary for delivery of the Core Strategy. While the Wiltshire Scullers School projects may be worthwhile in their own right, they are not considered necessary to deliver planned growth. It is suggested that attention is focused on working with parish councils in relation to the spending of the proportion of CIL reserved for local community projects, as well as other funding sources, such as grant funding.  <b>No action</b>
<b>Appendix 1: Amesbury</b>		No specific comments	
<b>Appendix 1: Bradford on Avon</b>		No specific comments	
<b>Appendix 1: Calne</b>	Calne Community Neighbourhood Plan Steering Group (21)	Whilst the Calne Community Neighbourhood Plan Steering Group welcome improvements to this section of the sustrans route, there are other stretches of the 403 in our designated area which would also benefit from an upgrade, for example; between Castlefield's Park and Black Dog Halt and from Black Dog Halt to its junction with Studley Hill.	Noted  <b>Proposed action IDP10</b>  The suggestion from the Calne Community Neighbourhood Plan Steering Group about looking at upgrades to other areas of Sustrans Route 403 will be passed to the Council's sustainable transport team for further consideration. For example, between

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			Castlefield's Park and Black Dog Halt and from Black Dog Halt to its junction with Studley Hill. It is possible for further identified schemes to be added to the IDP at a later review.
<b>Appendix 1: Chippenham</b>	Isabel McCord (24) Lisa Powrie (30) John Powrie (31) Robert Hitchins (37) <i>(Pegasus Planning Group)</i> Gleeson Developments Ltd (46) <i>(Terence O'Rourke)</i> CAUSE 2015 (47) <i>(Cllr Chris Caswill)</i> Peter Andre (58) Lynda Andre (59) Celia Lainchbury (60) Allan Pratt (61) Diana Moore (62) Robert Pratt (63) Beryl Pratt (64)	<p>The infrastructure requirements identified for the strategic sites at Rawlings Green and East Chippenham in the pre-submission draft Chippenham Sites Allocations Plan are premature, given that the CSAP has not been found sound by the Planning Inspector. They should not be agreed:</p> <p>Presumptuous: The IDP assumes (i) that the Eastern Link Road is the most effective way of addressing Chippenham's traffic problems, and (ii) that development will go ahead to the East of Chippenham and at Rawlings Green. The existing evidence has not been sufficient for the Planning Inspector to agree and further evidence to be provided by the Council at the end of April 2016 has yet to be subject to scrutiny by the public and Planning Inspector. Until this happens, these requirements should not be included.</p> <p>Financial risk: The cost of the ELR, including the river and railway bridges, has not been subject to scrutiny. Costs to be borne by Wiltshire Council will detract from funding to support the vulnerable in the community. If the costs turn out to be higher, then the impact on the vulnerable will be higher too.</p> <p>Appendix 1 for Chippenham assesses the infrastructure requirements of the strategic sites that were included in the pre-submission draft of</p>	<p>The IDP, an evidence base document, uses the most up-to-date published information at the time of publication (i.e. the pre-submission draft Chippenham Site Allocations Plan) to identify the necessary infrastructure to support planned growth in the adopted Wiltshire Core Strategy and other DPDs. It will be updated to take account of proposed amendments to the pre-submission draft presented to Council in May 2016. The IDP will be reviewed and updated periodically.</p> <p><b>No action</b></p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
	Stewart Mitchell (65) Clive Mainstone (66) Jamie Treweke (67) Rebecca White (68) Keith Thomas (69) Yvonne Thomas (70) Sandra Provis (71) Darren May (72) Sally May (73) Peter Dignum (74) Beryl Dignum (75) Dave Baker (76) Joy Baker (77) Chris Tollervey (78) Suzanne Tollervey (79) Josephine Stickland (80) David Brown (81)	<p>the Chippenham Site Allocations Plan without any assessment of the requirements of other potential strategic sites – prejudicial to the full consideration of all potential sites through the plan led process. Request this section of Appendix 1 for Chippenham be withdrawn.</p> <p>Object to inclusion of an Eastern Link Road and the associated river and railway crossings (CHIEAS003, CHIRAW002 and CHIRAW003) as essential, while there is no reference to a southern link road.</p>	

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
	Peter Bull (82) Alison Bull (83) George Nicoll (84) Gareth Hardwell (85)		
	Chippenham Chamber of Commerce (27)	Re: CHI035 This project should address the quality of road surfacing and the overall appearance of the high street in Chippenham, which is poor. To make the high street more appealing for visitors. Consider principles set out in the "Town Centre Public Realm Study – Place Making & Street Design Principles for Chippenham's Western Arches Area" by Ben Hamilton Bailey (October 2009).	Noted. This would fall under the category of public realm improvements and, therefore, should be included in the scope of this project. <b>No action</b>
	Clive Rathband (28) Joan Rathband (29)	Object to Wiltshire Council funding railway bridge as part of the Rawlings Green application, either through CIL or taxpayers money (general objection to this development)	Noted. <b>No action</b>
	Malcolm Toogood (35)	Inclusion of infrastructure necessary within community project funding initiatives, such as the IDP and CIL Regulation 123 List, for strategic developments that should fund their own infrastructure requirements (and are still the subject of an ongoing planning inspection) is a blatantly cynical attempt to circumvent the planning process. Potential infrastructure costs of just three proposed developments in the IDP for	The focus of the Infrastructure Delivery Plan (IDP) and the Community Infrastructure Levy (CIL) is on strategic infrastructure requirements rather than community projects. The Infrastructure Delivery Plan (IDP) identifies the necessary infrastructure to deliver planned growth set out in the adopted Wiltshire Core Strategy (January 2015), which is the high level strategic planning document for the County. These projects may be delivered by a range of

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		<p>Chippenham is more than 10 times the potential CIL from these developments and, if approved to be funded through CIL, would leave no CIL funding for any of the Chippenham items on the R123 List.</p> <p>Total amount of CIL raised from all development in the County (£62.75m – CIL Inspector’s Report) would be swallowed up by the cost of just one road and two schools listed for Chippenham alone.</p>	<p>funding mechanisms, including CIL, section 106 agreements or grant funding.</p> <p>CIL is intended to fund strategic infrastructure projects across the County. It is the purpose of the Regulation 123 List, not the IDP, to identify infrastructure projects that may be funded by CIL. As mentioned above, CIL is only one of the mechanisms used to fund infrastructure. It may be more appropriate to fund projects through section 106 agreements if they are directly related to a particular development.</p> <p>The CIL Examiner recognised in his report (paragraph 73) the need to be flexible with regard to funding sources for proposed developments in Chippenham.</p> <p>However, a proportion of CIL is ring-fenced for local community projects. This is passed to parish councils for them to spend as they see fit, as long as it is in line with the CIL Regulations 2010 (as amended).</p> <p><b>Proposed action IDP11</b></p> <p>The Council will clarify in the IDP that it is the purpose of the Regulation 123 List, <b>not the IDP</b>, to identify which infrastructure projects may be funded by CIL.</p>
	Cllr Chris Caswill (43)	<p>Add to IDP – and R123 List, see R123 section for comments</p> <ul style="list-style-type: none"> <li>○ Chippenham Bath Road and Bridge Centre</li> </ul>	<p>Library provision is already on the Regulation 123 List. A cinema would be a development-led project and not appropriate for CIL funding. The other facilities mentioned could be considered for</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>site</p> <ul style="list-style-type: none"> <li>○ To potentially include: <ul style="list-style-type: none"> <li>▪ Cinema</li> <li>▪ Library, including community resource and meeting centre</li> <li>▪ Community campus facilities, such as arts, clubs, crèche etc.</li> <li>▪ Cycle parking facilities, safe, undercover with pedestrian/ cycle access to the town centre</li> <li>▪ Public conveniences and baby changing facilities</li> </ul> </li> </ul> <p>To be funded by CIL, suggested cost of £5m (exact figure to be determined after appropriate assessment)</p>	<p>delivery as part of the regeneration scheme for the Chippenham Bath Road and Bridge Centre site. This redevelopment of this site is supported by Core Policy 9 <i>Chippenham Central Areas of Opportunity</i> of the adopted Wiltshire Core Strategy.</p> <p><b>No action</b></p>
	Cllr Chris Caswill (43)	<p>Add to IDP – and R123 List, see R123 section for comments Olympiad</p> <ul style="list-style-type: none"> <li>• Add extra projects to the Olympiad (already on R123 List but limited projects in the IDP)</li> <li>• Possibly to include:</li> <li>• New swimming pool</li> <li>• Better provision for gymnastics</li> <li>• More halls, courts, studios and sports gym facilities</li> <li>• Improved leisure and relaxation facilities (e.g. sauna, stream room etc.</li> <li>• Social facilities (e.g. a sports club type</li> </ul>	<p>Upgrades to sport and recreation facilities within the Olympiad, Chippenham are already included on the Regulation 123 List.</p> <p>If further specific projects are identified for this facility then they could be added to the Infrastructure Delivery Plan in subsequent updates.</p> <p><b>No action</b></p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>café or bar)</p> <ul style="list-style-type: none"> <li>Complete refurbishment and redecoration of existing halls, studios and courts</li> </ul> <p>To be funded by CIL, suggested cost of £6m to £10m (exact figure to be determined after appropriate assessment)</p>	
	Cllr Chris Caswill (43)	<p>Re: Chippenham Railway Station and surrounding area</p> <p>Does this include a third lift on the north side of the footbridge, which would allow the disabled, those with trolleys, prams and bikes to cross over the railway and access the Olympiad, the College and town centre?</p> <p>The redevelopment should allow for better access and drop off to the north of the station, to mitigate congestion on Station Hill/ Cocklebury Road and the roads currently leading to the station entrance to the south.</p>	<p>A third lift is being considered as part of the Langley Park development, with S106 developer contributions specifically sought towards this proposal.</p> <p><b>No action</b></p>
	CAUSE 2015 (47) (Cllr Chris Caswill)	<p>Basic errors in the text for CHIEAS004, which attributes the road from the A350 to Cocklebury Lane to the Rawlings Green developer (and, once again, to the Council) and then goes on to erroneously describe that as the Cocklebury Link Road. Little confidence in the Chippenham IDP if it contains errors of this magnitude. When reviewed, needs to be more carefully checked than this one.</p>	<p>Noted. However, in view of the recent amendments to the draft Chippenham Site Allocations Plan presented to Full Council on 17 May 2016, the proposed East Chippenham strategic site is no longer part of the draft Plan.</p> <p><b>Proposed action IDP12</b></p> <p>The Council will review and correct any errors in the IDP, including those relating to the description of infrastructure requirements for strategic sites in</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			Chippenham, prior to finalising the document.
	CAUSE 2015 (47) (Cllr Chris Caswill)	The Draft Revised SPD makes in clear in chapter 7, paragraph 7.1, that planning obligations should be the first call for resolving highways needs. No justification then for why infrastructure requirements for the Chippenham sites cannot be met by planning obligations and, thus, this should be listed as the preferred option in the IDP when it is reviewed. The use of CIL funds to subsidise these developments is unacceptable, not least because they would absorb all or almost all of the CIL funds and leave little for the needs of local communities. Particularly if costs of an ELR and railway and river crossing bridges turn out to be higher than the figures in CHIEAS003 and CHIRAW003 – additional costs would fall upon CIL and taxpayers.	The IDP identifies the necessary infrastructure requirements, including potential sources of funding (e.g. developer contributions), to support planned growth in the adopted Wiltshire Core Strategy. It is the purpose of the Regulation 123 List, <b>not the IDP</b> , to then identify the projects that Wiltshire Council may fund, in whole or part, through CIL.  <b>Proposed action IDP11</b>  The Council will clarify in the IDP that it is the purpose of the Regulation 123 List, <b>not the IDP</b> , to identify which infrastructure projects may be funded by CIL.
<b>Appendix 1: Corsham</b>		No specific comments	
<b>Appendix 1: Devizes</b>	Devizes Town Council (10)	Re DEV017: Concern that the provision of the urgent care centre is identified as 'essential' (priority) but risk is coded at 'amber', indicating a potential threat to delivery – reconsider grading?	Noted  <b>Proposed action IDP13</b>  The Council will consider the priority and level of risk attached to project DEV017 and make any necessary amendments prior to finalising the IDP.
<b>Appendix 1: Malmesbury</b>	Malmesbury Civic Trust (9)	Appendix 1 for Malmesbury CA does not include the expansion of Malmesbury cemetery.	Cemeteries included in the IDP and on the Regulation 123 List are those for which the Council has responsibility and has identified as a priority. If further cemeteries are identified as a



Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>priority for extension then they could be added in a future review of these documents.</p> <p><b>No action</b></p>
<p><b>Appendix 1: Marlborough</b></p>	<p>Ian Mellor (4)</p>	<p>MAR001 (Relocation of Preshute Primary School) - no need for replacement school based on pupil numbers (existing and expected) and, thus no Government funding. Wrong/ misleading to suggest that school would be funded through CIL and, particularly, s106: (i) school not on R123 List and (ii) education excluded from s106 in the Planning Obligations SPD. (iii) Based on latest HLS (September 2015) and subsequent permissions, not enough s106 to fund school plus cost of land. (iv) AONB location means exceptional circumstances needed to justify further development. (v) Contributions towards new school building and land not meet s106 tests – unrealistic/ unlawful seek primary school places when spare capacity within system (see pupil numbers) (vi) would be unviable along with other requirements. Request that project is deleted.</p> <p>Other points:</p> <ol style="list-style-type: none"> <li>1. Priority – not essential. Demand is falling (falling pupil numbers) and no Government funding available.</li> <li>2. Identified funding – funds will not come from CIL (not on R123 List) nor s106 (insufficient development for this to be funded through s106 contributions; not pass legal test when spare capacity exists)</li> <li>3. Phasing – unlikely to be 2016-2021. Inaccurate. No site, no planning permission, no funding and no realistic prospect of</li> </ol>	<p>Noted. While there are currently some surplus places in existing schools which should meet the demand from approved housing, any further housing could not be accommodated in the existing schools, as they cannot be expanded. The Council is seeking a new site for Preshute Primary School to enable to the school to be relocated and enlarged if necessary.</p> <p><b>Proposed action IDP14</b></p> <p>The Council will clarify the requirement for primary school places in Marlborough in the final IDP.</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>funding, no design, no public consultation.</p> <ol style="list-style-type: none"> <li>4. Risk – medium. No prospect of delivery by 2021. Risk greater than ‘high’. Should be removed from schedule</li> <li>5. Lack of community support from parents or local community. No community consultation. No proposals about future of existing site – most likely use is residential, or care home. Wrong to include scheme in IDP as an agreed scheme.</li> <li>6. Case for retaining existing use of site. Pupils number will fall, so opportunity to remove some buildings and increase play space and other facilities. Half number of pupils, fewer from long distance = reduction in car journeys/ traffic.</li> <li>7. Village school – Become village school again. Local and character that new schools in housing estates do not have. If Preshute relocated, why would parents send children there instead of new St Mary’s School, also in a housing estate but with more facilities and open to children of all abilities? Village school character part of attractiveness of school.</li> <li>8. Removal of rural facilities from village of Manton would harm the character of the village</li> <li>9. No mention of replacement school until (i) support from community, (ii) site identified, (iii) funding in place, (iv) planning permission granted, (v) certainty and community support for future use of existing site</li> </ol>	
<b>Appendix 1: Melksham</b>	Melksham Without	Add proposed eastern by pass to the IDP	Noted. The A350 Melksham Bypass project was

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	Parish Council (12)	because (i) parish council strategy for development in parish/ neighbourhood plan area to be in north east, (ii) will facilitates continuation of eastern by-pass to connect Beanacre to newly constructed Eastern Way	submitted by the Swindon and Wiltshire LEP to the DfT's Local Transport Majors Fund with the aim of securing funding to develop an outline business case for the scheme.  It is possible for such a scheme to be added to the IDP during a future review, when further information is available.  <b>No action</b>
<b>Appendix 1: Mere</b>		No specific comments	
<b>Appendix 1: Pewsey</b>		No specific comments	
<b>Appendix 1: Royal Wootton Bassett &amp; Cricklade</b>		No specific comments	
<b>Appendix 1: Salisbury</b>	Salisbury City Council (19)	The housing trajectory for Salisbury includes strategic sites which are located in adjoining community areas. This needs to be made clear, since the map only shows the boundary of the community area and not the strategic sites which are outside that boundary.	Noted. This reflects the adopted Wiltshire Core Strategy, which includes these strategic sites that delivery the housing requirement for the city in the Salisbury Community Area.  <b>Proposed action IDP15</b>  The Council will review Appendix 1 for Salisbury to consider how best to reflect that strategic sites delivering housing requirement for Salisbury that may be located outside of the community area boundary prior to finalising the IDP.
	Salisbury City Council (19)	It also needs to be made clear whether infrastructure projects which serve the strategic	Infrastructure projects that serve the strategic sites included within Salisbury housing allocation

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>housing sites which are included within Salisbury's allocation but which lie outside the current city boundary are to appear in this appendix of the IDP or in the appendix for the community area in which the infrastructure is located. The information supplied in the IDP and the SDP in relation to Education does not seem to match up – see comments on SAL001 below – so the situation is unclear.</p>	<p>will be included within the appendix for Salisbury.</p> <p><b>Proposed action IDP16</b></p> <p>The Council will review Appendix 1 for Salisbury to consider how best to reflect that infrastructure projects that serve the strategic sites included within Salisbury housing allocation will be included within the appendix for Salisbury, e.g. SAL001, prior to finalising the IDP.</p>
	Salisbury City Council (19)	<p>SAL004/WC011 NB WC011 'Capacity increases to the A36' has been removed in this version of the IDP, but comment still applies in respect of SAL004. There is no indication where these capacity increases have been justified – the Salisbury Transport Strategy documents make some reference to capacity issues at roundabouts but not to any general need for road widening. The Highways Agency statistics for the A36 show a general levelling off and even reduction of traffic on the A36 since 2000 so evidence for general capacity increases appears to be lacking.</p>	<p>Noted</p> <p><b>Proposed action IDP17</b></p> <p>The Council will review and clarify the requirement for SAL004, i.e. capacity increases to the A36, prior to finalising the IDP.</p>
	Salisbury City Council (19)	<p>SAL016-SAL019 Air Quality monitoring and modelling. Given the legal requirement for Wiltshire Council to meet air quality objectives in order to comply with EU legislation the provision of modelling and monitoring should be deemed 'essential' rather than 'place-shaping'.</p>	<p>Noted. Air quality is not listed under Core Policy 3.</p> <p><b>Proposed action IDP18</b></p> <p>The Council will review whether air quality mitigation should fall under 'essential' or 'place-shaping' infrastructure prior to finalising the IDP.</p>

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	Salisbury City Council (19)	SAL020 £10,000 allocated over 15 years in order to develop and implement an Air Quality Action plan for Salisbury seems very low, bearing in mind that implementation will involve taking actions which are as yet undefined, Also, in view of the importance of meeting Air Quality Objectives within the City (see SAL016-SAL019 above) this should be deemed 'essential' rather than 'place-shaping'.	Noted. The IDP is an iterative document that is reviewed and updated periodically. It uses the best available evidence at the time of publication. If further specific implementation projects are identified then they could be considered for inclusion at a later date. Air quality is not listed under Core Policy 3.  <b>Proposed action IDP18</b>  The Council will review whether air quality mitigation should fall under 'essential' or 'place-shaping' infrastructure prior to finalising the IDP.
	Salisbury City Council (19)	SAL005-SAL012 (Was WC004-WC009 in previous IDP)  The items related to the Salisbury Transport Strategy are based on work undertaken by Atkins in 2009/2010. As yet there has been no opportunity for stakeholders including the City Council to comment on the options which are being put forward. An Area Transport Strategy for Salisbury is supposed to form part of the Wiltshire Local Transport Plan 2011-2026. However no local area strategy has yet been consulted on or adopted as part of this Local Transport Plan process, and the Salisbury Transport Strategy referred to in the IDP would appear to have no formal status.  Work on the Salisbury Transport Strategy to date has failed to take account of local aspirations and various aspects of Salisbury's development (including the Vision projects) which a stage of	The IDP is an iterative document that is reviewed and updated periodically. It uses the best available evidence at the time of publication. If further specific implementation projects are identified then they could be considered for inclusion at a later date.  Work was undertaken towards a transport strategy for Salisbury during the preparation/ examination of the South Wiltshire Core Strategy. Further work is currently being progressed.  <b>Proposed action IDP19</b>  The Council will update the links to the existing evidence base for the Salisbury Transport Strategy and clarify the position with regard to current work on the strategy prior to finalising the IDP.

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>local consultation would have supplied. Examples of matters which are not dealt with in the Atkins work, and which will affect the estimated costs being used, include:</p> <ul style="list-style-type: none"> <li>• Public transport interchange facilities including improved rail/bus interchange and planning for the increase in bus services which will result from development (e.g. Community Campus bus service, bus service to new developments).</li> <li>• Coach infrastructure (The existing Coach Park is scheduled to be removed as part of the Maltings redevelopment which will jeopardise Salisbury's current 'coach friendly' status and could result in a large reduction in visitor numbers)</li> <li>• Re-opening of the railway station northern entrance</li> <li>• Opportunities for public transport infrastructure within the strategic sites around Salisbury, e.g. a bus gate to link the Longhedge site to Old Sarum housing to give the possibility a circular bus route</li> <li>• Opportunities for cycle routes to serve the new developments proposed around Salisbury. e.g. the potential off-road link to Bishopdown 2 shown on Wiltshire Council's Salisbury Cycle network map</li> <li>• Extension of 20 mph limits and zones throughout Salisbury</li> <li>• Opportunities to enhance the city centre environment to improve accessibility</li> </ul>	

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>More recent proposals such as opportunities for cycle and walking improvements as identified in June 2013 "Cycle and Pedestrian access study" for Wiltshire produced by Sustrans as part of the LSTF bid.</p> <p>It is suggested that further work is needed to develop a comprehensive Transport Strategy for Salisbury and the IDP will need to be reviewed when a Transport Strategy has been finalised.</p>	
	Salisbury City Council (19)	<p>Additional comments on Salisbury IDP projects SAL001 – Primary School Education</p> <p>SAL001 makes reference to three new primary schools and extensions to existing schools. Table 5.2 in the SPD refers to 5 new primary schools in the housing allocations for Salisbury (at Churchfields, Fugglestone Red, Hampton Park, Longhedge and Wilton UKLF). The IDPs for Wilton and for Southern Wiltshire do not make reference to new primary schools within their community area, so it is unclear which of the 5 primary schools referred to in Table 5.2 are included in Salisbury's IDP.</p>	<p>Noted.</p> <p><b>Proposed action IDP20</b></p> <p>The Council will clarify the position with regard to the requirement for primary school places in Salisbury, Wilton and Southern Wilton Community Areas prior to finalising the IDP.</p>
	Salisbury City Council (19)	<p>SAL004 – Southampton Road</p> <p>The reference to the Highways Agency should now refer to Highways England.</p> <p>Given that the A36 is a trunk road and that maintenance and enhancements to the Strategic Road Network would normally be the responsibility of the Highways England is it appropriate to allocate S106 or CIL funding to such a project?</p>	<p>Noted. The Council can pass CIL to a third party, such as Highways England, if the infrastructure to be delivered will benefit development in its area.</p> <p><b>Proposed action IDP21</b></p> <p>The Council will correct the reference to the Highways Agency/ England prior to finalising the IDP.</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
	Salisbury City Council (19)	Additional Infrastructure projects: Transport The proposal to create a 'shared space' environment at Minster Street/Castle Street/Blue Boar Row is something which the Sustainable Transport department have been working on in recent months and this should be added as an infrastructure project with an indication of timeframe and funding sources etc.	Noted  <b>Proposed action IDP22</b>  This suggestion from Salisbury City Council about a 'shared space' environment at Minster Street/ Castle Street/ Blue Boar Row will be passed to Council's sustainable transport team for further consideration. It is possible for further identified schemes to be added to the IDP at a later review.
	Salisbury City Council (19)	Additional Infrastructure projects: Open Space, Green Infrastructure and the Environment The only projects on the IDP in this category relate to Air Quality. There are other open space projects e.g. the Country Park associated with Riverdown Park , open space at Lime Kiln Way which should be included in this list. It is suggested the Salisbury Area Greenspace Partnership (SAGP), a community-led organisation which has been working in partnership with Wiltshire Council, Salisbury City Council and others since 2012, could help to develop this list further. SAGP have been working on a greenspace mapping project building on WC's digital mapping base and their work is helping to identify requirements relating to green infrastructure improvements and green linkages in Salisbury and the surrounding areas where new development linked to Salisbury is occurring.	Noted. The IDP is an iterative document that is reviewed and updated periodically. It uses the best available evidence at the time of publication. If further specific implementation projects are identified through working with the Salisbury Area Greenspace Partnership on, for example, the Green Infrastructure Strategy then they could be considered for inclusion at a later date.  <b>No action</b>
	Salisbury Area Greenspace Partnership (16)	Re: Planning application Ref: 13/00673/OUT for 650 houses at Longhedge Why no links to Old Sarum for pedestrians &	The need to provide a link between the Longhedge site and the Old Sarum site was the subject of much discussion during the planning



Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		cyclists or links to the local park and ride facility or safer routes into Salisbury	<p>application process for 13/00673/OUT. The difficulty relates to the link needing to cross a strip of land owned by a third party. Unless the owner of this strip wishes to allow a crossing of their land, it would be impossible for the applicant to secure a continuous surfaced link to be provided over this third party land. The Council agreed with the applicant that, in the circumstances, the most appropriate manner with which to deal with this matter would be through the inclusion of a commuted sum within the Section 106 Agreement for the Council to secure the future provision of such a link to allow free and unfettered access to residents/occupiers of both the future Longhedge site and the Old Sarum site.</p> <p><b>No action</b></p>
<b>Appendix 1: Southern Wiltshire</b>		No specific comments.	
<b>Appendix 1: Tidworth</b>		No specific comments.	
<b>Appendix 1: Tisbury</b>		No specific comments.	
<b>Appendix 1: Trowbridge</b>	APT & Persimmon Homes (36) (Pegasus Planning Group)	The IDP anticipates the Ashton Park strategic allocation to come forward in the period 2016 - 2026. However, it should be noted that the outline planning application was submitted in May 2015, but continues to be delayed by additional information required for the Habitat Regulations Assessment and Environment Agency. The delays will clearly have implications to the	<p>Noted. The IDP is an iterative document that is reviewed and updated periodically. It uses the best available evidence at the time of publication. If the timetable changes then this can be reflected in a subsequent update to the IDP.</p> <p><b>No action</b></p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		trajectory for delivery of the strategic allocation.	
	APT & Persimmon Homes (36) (Pegasus Planning Group)	TRO ASH 012 Policy CP41 relates to sustainable construction and is not appropriate for inclusion in the infrastructure list.	Noted.  <b>Proposed action IDP23</b>  The Council will review project TROASH012, the provision of a sustainable energy strategy, (and similar projects that may be listed for other strategic sites) and consider whether its inclusion is still appropriate prior to finalising the IDP.
	APT & Persimmon Homes (36) (Pegasus Planning Group)	TROASH 013, 014,015,016,019 The cost of delivery has yet to be explained or negotiated in detailed discussions on the s 106 or agreed with the developer.	Noted. The IDP is an iterative document that is reviewed and updated periodically. It uses the best available evidence at the time of publication, which in this case are indicative costs from sustainable transport/ rights of way services. If the costs change then this can be reflected in a subsequent update to the IDP.  <b>No action</b>
<b>Appendix 1: Warminster</b>	Redrow Homes (39) (Nathaniel Litchfield)	R123 List much clearer at identifying which projects are on the R123 List than the IDP.  Some schemes subject to s106 are included in the SPD  However, unable to understand why some schemes are on the R123 List, whereas others have been excluded. For example, for Warminster, the IDP identifies four education projects, including new primary school and secondary school on strategic site (as allocated	The Infrastructure Delivery Plan (IDP) identifies infrastructure projects, including potential sources of funding, necessary to deliver planned growth in the adopted Wiltshire Core Strategy. Not all of these projects are intended to be funded through CIL. It is the purpose of the Regulation 123 List, not the IDP, to identify projects that Wiltshire Council may fund, in whole or part, through CIL.  CIL is a mechanism that Wiltshire Council can use to fund strategic infrastructure across the County. Unlike with s106 agreements, CIL does

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>in the Core Strategy). None of these schemes are on the R123 List or in the SPD. The IDP simply states that they will be funded by s106/ CIL/ Wiltshire Council.</p> <p>What does this mean for projects other than those on the R123 List and in the SPD? Creates uncertainty for developers and jeopardise the delivery of housing on strategic and other sites due to viability concerns.</p>	<p>not have to be spent in the area where the development takes place. It may be more appropriate for the Council to deliver some infrastructure by other means, such as through section 106 agreements. This can apply to directly related infrastructure that is necessary to make a development acceptable in planning terms.</p> <p><b>No action</b></p>
	<p>Redrow Homes (39) (<i>Nathaniel Litchfield</i>)</p>	<p>Risk of double dipping, using example of Redrow's planning application on Land at St Andrew's Road, Warminster:</p> <p>Wiltshire Council is requesting through s106:</p> <ul style="list-style-type: none"> <li>• Affordable housing at 30%</li> <li>• Primary and secondary education c.£1.58m</li> <li>• NHS contribution for GP provision c.£100K</li> <li>• Public art c£61K</li> <li>• On-site public open space</li> <li>• Public right of way improvements up to £150K</li> <li>• Sustainable transport contributions (TBC)</li> </ul> <p>CIL</p> <ul style="list-style-type: none"> <li>• CIL liability estimated at £670K, which the Council advised to include:</li> <li>• Outdoor sports provision = £45K</li> <li>• Cemetery provision = £4K</li> <li>• Stone Curlew project = £23K</li> <li>• Community facilities = £168K</li> </ul>	<p>Land at St Andrew's Road, Warminster, is a planning application for c.203 houses, part of a larger strategic site allocated in the Wiltshire Core Strategy.</p> <p><b>Estimating CIL Liability</b></p> <p>Using the same assumptions in the CIL Viability Study (i.e. CIL rate = £30 per sqm; Affordable Housing 30%; average floor space = 95 sqm), we can estimate the CIL liability as follows:</p> <p>Number of houses = 203          Number of market houses = 142 (minus 30%)          Total floor space = 13,499.5 sqm (142 x 95)          Total CIL = £404,985          Neighbourhood Proportion (passed to parish councils) = £60,747.75 (15%)          Wiltshire Council CIL = <b>£344,237.25</b></p> <p>CIL is a mechanism that Wiltshire Council can use to fund strategic infrastructure across the County. Unlike with s106 agreements, CIL does not have to be spent in the area where the</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>Advised allocation of CIL funds totals £240K. Taking away c£150K social housing relief, how will the remaining £280K be spent? How will the Council ensure that Redrow do not pay for the same infrastructure twice?</p> <p>While on-site requirements, such as public open space, public art and affordable housing, must be captured through s106, how are off-site requirements such as education and NHS contributions any different to community facilities or outdoor sport? For some to be under CIL and some to be under s106 seems illogical and unjustified.</p>	<p>development takes place. It may be more appropriate for the Council to deliver some infrastructure by other means, such as through section 106 agreements. This can apply to directly related infrastructure that is necessary to make a development acceptable in planning terms.</p> <p>In simple terms, if an infrastructure project is on the Regulation 123 List then contributions cannot be sought towards it through section 106 agreements.</p> <p><b>No action</b></p>
	<p>Redrow Homes (39) (<i>Nathaniel Litchfield</i>)</p>	<p>CIL Regulation 122 requires planning obligations to be 'necessary', 'directly related' and 'fairly related in scale and kind'.</p> <p>Cannot assume a direct impact on Princecroft Primary School from Redrow's proposed development in Warminster. While the Council might assume that children from the development will go there, this is not a prerequisite as parents can apply for their children to go to any primary school.</p> <p>School places strategy (2015-2020) demonstrates that there are 12 primary schools (within 3 miles of the Redrow site). In 2016/17, the number of surplus places is expected to be c.262 across these schools. These figures take into account the proposed West Warminster Urban Extension. Significant reach to show that the impact of Redrow's scheme will fall upon one</p>	<p>Noted. In terms of the relationship between CIL and section 106, if an infrastructure project is on the Regulation 123 List then contributions cannot be sought towards it through section 106 agreements. Any contributions sought through section 106 agreements must meet the legal tests set out in Regulation 122 of the CIL Regulations 2010 (as amended) and the pooling restrictions set out in Regulation 123.</p> <p><b>No action</b></p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
		<p>school in particular, thus warranting a s106 contribution.</p> <p>This need to be clarified – the Council's application of CIL/ s106 does not meet the stringent tests in the Regulations. Potential to leave schemes unviable.</p>	
<b>Appendix 1: Westbury</b>		No specific comments	
<b>Appendix 1: Wilton</b>	Salisbury City Council (19)	There is a subheading in this document which reads 'Delivery of housing 2006 – 2026 for the Mere community area.' and this should refer to Wilton community area.	<p>Noted</p> <p><b>Proposed action IDP24</b></p> <p>The Council will correct the error in Appendix 1 for Wilton, in which a sub-heading incorrectly refers to 'Delivery of housing 2006 – 2026 for the Mere Community Area' when this should refer to Wilton, prior to finalising the IDP.</p>
<b>Appendix 1: Strategic, regional and general</b>	Malcolm Toogood (35)	<p>Object to inclusion of WCC008, WCC009 and WCC010 in a consultation on community projects, i.e. the 'nice-to-haves' as opposed to the essentials. These are statutory requirements and should not be funded through non-Core funding.</p> <p>The suggestion of paying for this from development levies shows the Council has scant regard for the safety of its citizens and more concerned with keeping as much of the taxpayers' money it receives towards overinflated staffing levels, especially within the planning service.</p>	<p>The focus of the Infrastructure Delivery Plan (IDP) and the Community Infrastructure Levy (CIL) is on strategic infrastructure requirements rather than community projects.</p> <p>The Infrastructure Delivery Plan (IDP) identifies the necessary infrastructure to deliver planned growth set out in the adopted Wiltshire Core Strategy (January 2015), which is the high level strategic planning document for the County. These projects may be delivered by a range of funding mechanisms, including CIL, section 106 agreements or grant funding.</p> <p>CIL is intended to fund strategic infrastructure</p>

Topic	Consultee (Comment ID)	Comments	Officer responses/ proposed actions
			<p>projects across the County. It is the purpose of the Regulation 123 List, not the IDP, to identify infrastructure projects that may be funded by CIL. As mentioned above, CIL is only one of the mechanisms used to fund infrastructure. It may be more appropriate to fund projects through section 106 agreements if they are directly related to a particular development.</p> <p>The CIL Examiner recognised in his report (paragraph 73) the need to be flexible with regard to funding sources for proposed developments in Chippenham.</p> <p>However, a proportion of CIL is ring-fenced for local community projects. This is passed to parish councils for them to spend as they see fit, as long as it is in line with the CIL Regulations 2010 (as amended).</p> <p><b>Proposed action IDP11</b></p> <p>The Council will clarify in the IDP that it is the purpose of the Regulation 123 List, <b>not the IDP</b>, to identify which infrastructure projects may be funded by CIL.</p>

## 7. Proposed actions and next steps

### Draft Revised CIL Regulation 123 List

- 7.1. *Table 7.1* below contains a list of proposed changes (**R123 1 to R123 3**) to the Draft Revised CIL Regulation 123 List resulting from consultation feedback.

Table 7.1 – Proposed changes to the Draft Revised CIL Regulation 123 List resulting from consultation feedback

Table 7.1 – Proposed changes to the Draft Revised CIL Regulation 123 List resulting from consultation feedback	
Ref.	Description
<b>R123 1</b>	Remove “A350 Chippenham Bypass Improvements (Bumpers Farm)” from the Regulation 123 List.
<b>R123 2</b>	Remove “A429 Malmesbury Access Improvements (junction improvements at B4014 Tetbury Road/ Tetbury Hill and B4014 Filands/ A429 Crudwell Road)” from the Regulation 123 List
<b>R123 3</b>	Remove “A36 Southampton Road upgrades (inc. road widening, increasing roundabout capacity and bus priority lanes)” from the Regulation 123 List

### Draft Revised Planning Obligations SPD

- 7.2. *Table 7.2a* below contains a list of proposed changes (**SPD1 to SPD18**) to the existing Planning Obligations SPD included within the consultation draft and supported through consultation feedback.

Table 7.2a – Proposed changes to the existing Planning Obligations SPD included within the consultation draft and supported through consultation feedback

Table 7.2a – Proposed changes to the existing Planning Obligations SPD included within the consultation draft and supported through consultation feedback	
Ref.	Description
<b>SPD1</b>	Amend paragraph 1.4 as follows:  This <b>Revised</b> Planning Obligations Supplementary Planning Document (SPD) supports policies within the adopted Wiltshire Core Strategy (January 2015), particularly Core Policy 3 Infrastructure Requirements. It should be read in conjunction with the Wiltshire CIL Charging Schedule and the Wiltshire Regulation 123 List (see paragraph 2.12). <b>The Council will periodically review and update the Regulation 123 List.</b>
<b>SPD2</b>	Amend paragraph 3.2 as follows:



**Table 7.2a – Proposed changes to the existing Planning Obligations SPD included within the consultation draft and supported through consultation feedback**

Ref.	Description
	<p>“Since the adoption of Wiltshire’s CIL Charging Schedule, the scope of planning obligations is reduced. However, planning obligations will still be sought towards affordable housing. The Council may also seek planning obligations, where it is not appropriate to use planning conditions, towards site-specific infrastructure projects not on the Wiltshire Regulation 123 List. <del>Such site-specific infrastructure projects may fall under the following categories:</del></p> <ul style="list-style-type: none"> <li>• Education</li> <li>• Open space/ green infrastructure</li> <li>• Transport/ highways</li> <li>• Flood alleviation and sustainable urban drainage schemes</li> <li>• Community and health facilities</li> <li>• Air quality, contaminated land and noise monitoring and mitigation measures</li> <li>• Fire hydrants</li> <li>• Local employment, skills training and enterprise benefits</li> <li>• Waste and recycling containers</li> <li>• Art and design in the public realm</li> <li>• Site-specific measures to protect and enhance the historic environment”</li> </ul>
SPD3	<p>Amend paragraph 5.4 as follows:</p> <p>“A specific local education need may be identified that is linked to development. <del>CIL is unlikely to cover the full cost of land or the provision of a new school, or extension to existing schools.</del> Therefore, this may be secured through planning obligations. The Council can pool up to five separate planning obligations towards a specific project not on the Regulation 123 List. In some cases, the scale of a development may be sufficient by itself to justify a new school. The developer will then be expected to provide the site free of charge and pay the full construction costs, including all design fees and charges.”</p>
SPD4	<p>Amend paragraph 6.1 as follows:</p> <p>“The Council will generally mitigate the site specific impact of development on Wiltshire’s open space and green infrastructure through planning obligations. <u>CIL may be used to fund open space and green infrastructure projects.</u>”</p>
SPD5	<p>Delete paragraph 6.3 as follows:</p> <p><del>The provision of new and improvements to existing public open space and green infrastructure will generally be funded through CIL, except where the requirement can be attributed to five or fewer developments, when they may be sought through planning obligations, subject to meeting the three statutory tests in Regulation 122 of the CIL Regulations 2010 (as amended).</del></p>
SPD6	<p>Amend paragraph 6.4 as follows:</p> <p>“Mitigation of ecological impacts will generally continue to be managed through planning conditions and obligations as these matters are typically site specific. However, in exceptional circumstances off-site compensation, such as habitat creation or enhancement, may be required to offset the effects of development where onsite mitigation is not possible. For example, a financial contribution may be required to fund capital works and ongoing management by the Council or relevant third parties. This would exclude funding of strategic <u>Habitats Regulations Assessment (HRA)</u> mitigation strategies, as identified in the Regulation 123 list, Infrastructure Delivery Plan and / or paragraph 6.70 of the Wiltshire</p>



**Table 7.2a – Proposed changes to the existing Planning Obligations SPD included within the consultation draft and supported through consultation feedback**

Ref.	Description
	Core Strategy.”
SPD7	<p>Amend paragraph 6.5 as follows:</p> <p>“The <b>Habitats Regulations Assessment</b> of the Wiltshire Core Strategy identified that the cumulative effects of planned development has the potential to effect a number of European designations including the Salisbury Plain and the New Forest Special Protection Areas and the River Avon Special Area of Conservation; strategic mitigation strategies for these areas will be funded through CIL receipts. To meet the strict requirements of the Habitat Directive to ensure that these strategies are delivered, funds will be ring-fenced annually from CIL receipts prior to spending on any other infrastructure item.”</p>
SPD8	<p>Amend paragraph 7.12 as follows:</p> <p>There will be some transport schemes that cannot be funded through planning obligations and these will be delivered through CIL receipts. <b>This will generally be targeted towards ‘softer’ transport measures, as identified in the Regulation 123 List, such as:</b></p> <ul style="list-style-type: none"> <li>• <b>Personalised travel planning</b></li> <li>• <b>Town way-finding schemes</b></li> <li>• <b>Footpath and cycle route enhancements</b></li> <li>• <b>Wider urban bus service support</b></li> <li>• <b>Mobility schemes</b></li> <li>• <b>Cycle stand provision</b></li> <li>• <b>On-highway public realm improvements</b></li> </ul>
SPD9	<p>Amend paragraph 10.2 as follows:</p> <p>“Examples of section 106 obligations may include but will not be limited to:</p> <ul style="list-style-type: none"> <li>• Site-specific air quality, contaminated land and noise monitoring and mitigation measures</li> <li>• Fire hydrants <b>(see paragraph 10.3)</b></li> <li>• Local employment, skills training and enterprise benefits</li> <li>• Waste and recycling containers</li> <li>• Art and design in the public realm</li> <li>• Site-specific measures to protect and enhance the historic environment”</li> </ul>
SPD10	<p>Add paragraph 10.3 as follows:</p> <p><b><u>“Development may require the provision of fire hydrants and water supplied for firefighting. Where a direct need arising from the development is identified by the Fire Authority, the Council will seek this through a planning condition or, if this is not possible, a planning obligation. The developer is responsible for the cost of the hydrants and water supplies for firefighting. Consultation should be undertaken with the Fire Authority to ensure that the site is provided with adequate water supplies for use by the fire and rescue service in the event of a fire. Arrangements may include a water supply infrastructure, suitable siting of hydrants and/ or access to an appropriate water supply. Consideration should also be given to ensure access to the site, for the purpose of firefighting, is adequate for the size and nature of the development. CIL may be used to fund other emergency services infrastructure projects.”</u></b></p>
SPD11	<p>Amend paragraph 11.17 as follows:</p>

**Table 7.2a – Proposed changes to the existing Planning Obligations SPD included within the consultation draft and supported through consultation feedback**

Ref.	Description
	“Parish and town councils are well placed to articulate the needs of the local community. They may identify necessary mitigation measures required from development proposals. In addition, neighbourhood plans may also play a key role in identifying and prioritising local infrastructure that could be delivered via planning obligations or <b>the neighbourhood proportion of</b> CIL receipts.”
SPD12	Amend paragraph 12.10 as follows:  “CIL Regulation 123 states that the pooling of contributions from more than five separate planning obligations towards a specific type of infrastructure or infrastructure project will not be permitted ( <del>for example, pooling contributions to pay for improvements to Wiltshire’s parks</del> ).”
SPD13	Delete paragraph 12.11 as follows:  <del>Only in very exceptional circumstances where no more than five separate developments are proposed in close proximity to each other and the cumulative effect will result in the need for a specific mitigating measure which hasn’t been pooled since 2010, the council may pool contributions for each of these developments in order to fund the necessary measures.</del>
SPD14	Delete Appendix 1 (and make appropriate changes to Table of Contents)
SPD15	Amend the title of Appendix 2 as follows: (and make appropriate changes to Table of Contents)  Appendix <b>2 1</b> – Wiltshire Affordable Housing Zones Map ( <b>Core Policy</b> 43)
SPD16	Replace the Wiltshire Affordable Housing Zones Map with a higher quality version
SPD17	Amend the title of Appendix 3 as follows: (and make appropriate changes to Table of Contents)  Appendix <b>3 2</b> – Useful links
SPD18	Amend the footer on all pages as follows:  <b>Revised</b> Wiltshire Planning Obligations Supplementary Planning Document

7.3. Table 7.2b below contains a list of further proposed actions or changes (**SPD19 to SPD38**) to the existing Planning Obligations SPD resulting from consultation feedback.

**Table 7.2b – Further proposed changes to the existing Planning Obligations SPD resulting from consultation feedback**

<b>Table 7.2b – Further proposed changes to the existing Planning Obligations SPD resulting from consultation feedback</b>	
Ref.	Description

Table 7.2b – Further proposed changes to the existing Planning Obligations SPD resulting from consultation feedback	
Ref.	Description
SPD19	The Council will consider the most appropriate way of providing information on pooled planning obligations.  However, no change to the existing SPD is required.
SPD20	The Council will change the paragraph reference in paragraph 1.2, bullet point 4, from 2.15 to 2.13.
SPD21	The Council will change the paragraph reference in paragraph 2.6, from 2.13 to 2.12.
SPD22	The Council will ensure that the section heading and paragraph numbers of the Revised Planning Obligations SPD reflect that 'The Council's approach to developer contributions' is Chapter 3, not Chapter 2.  However, no change to the existing SPD is required.
SPD23	The Council will ensure that the section heading and paragraph numbers of the Revised Planning Obligations SPD reflect that 'Affordable Housing' is Chapter 4, not Chapter 3.  However, no change to the existing SPD is required.
SPD24	The Council will change the reference in footnote 1 from Appendix 2 to Appendix 1.
SPD25	The Council will change the reference in paragraph 4.6 of the existing SPD from Appendix 2 to Appendix 1.
SPD26	Amend paragraph 4.3 of the existing SPD as follows:  The NPPF ( <a href="#">March 2012</a> ) definition for affordable housing includes social, affordable and intermediate housing for rent or sale. <del>They are Affordable housing is</del> provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. <b><u>This SPD will apply to any definition of affordable housing in future versions of the NPPF.</u></b>
SPD27	Amend paragraph 4.6 of the existing SPD as follows:  Core Policy 43 seeks at least 30% or 40% (net) affordable housing provision on-site depending upon the location of development (see <a href="#">Appendix 2 1</a> for a map of the affordable housing zones). In exceptional circumstances, the Council will accept a commuted sum. <del>However, a Ministerial Statement (28 November 2014) changed the position by requiring that contributions should not be sought from developments of 10 units or less and which have a maximum combined floorspace of no more than 1000sqm (Gross Internal Area). Local authorities can apply a threshold of five units or less in designated rural areas, including national parks and Areas of Outstanding Natural Beauty (AONBs), but must then seek affordable housing and tariff style contributions on development of between six and 10 units in the form of cash payments commuted until after completion of units within the development.</del> Provision may vary on a site by site basis, taking into account local need, mix and development viability. <b><u>In applying the affordable housing policy for developments of 10 units or less, the Council will have regard to the Ministerial Statement of 28 November 2014<sup>1</sup> and the associated changes to the Planning Practice Guidance.</u></b> On rural exception sites <sup>2</sup> , Core Policy 44 allows affordable houses for local need.  Insert and retain, respectively, the following footnotes:

**Table 7.2b – Further proposed changes to the existing Planning Obligations SPD resulting from consultation feedback**

Ref.	Description
	<p><sup>1</sup> Department for Communities and Local Government, the Minister of State for Housing and Planning (Brandon Lewis). (28 November 2014). House of Commons: Written Statement (HCWS50) <i>Support for small scale developers, custom and self-builders</i>. Available: <a href="http://www.parliament.uk/documents/commons-vote-office/November%202014/28%20Nov%202014/2.%20DCLG-SupportForSmallScaleDevelopersCustomAndSelf-Builders.pdf">http://www.parliament.uk/documents/commons-vote-office/November%202014/28%20Nov%202014/2.%20DCLG-SupportForSmallScaleDevelopersCustomAndSelf-Builders.pdf</a>. Last accessed 24th August 2016.</p> <p>And,</p> <p><sup>2</sup>The restrictions on seeking affordable housing and tariff style planning obligations introduced by the Ministerial Statement (28 November 2014) do not apply to development on Rural Exception Sites, although they should not be sought from residential annexes or extensions.</p>
SPD28	<p>The Council will ensure that the section heading and paragraph numbers of the Revised Planning Obligations SPD reflect that 'Education' is Chapter 5, not Chapter 4.</p> <p>However, no change to the existing SPD is required.</p>
SPD29	<p><b>Proposed action SPD29</b></p> <p>Amend paragraph 5.9 of the existing SPD as follows:</p> <p><del>“Table 5.2 sets out how the council will use planning obligations and CIL to secure education facilities from development, including known site-specific requirements resulting from strategically important sites allocated in the Wiltshire Core Strategy are set out in the development templates in Appendix A to the adopted Wiltshire Core Strategy, and in subsequent development plan documents, such as the Chippenham Site Allocations Plan and the Wiltshire Housing Site Allocations Plan. They are informed by the Infrastructure Delivery Plan, which will be updated periodically over the plan period. Infrastructure requirements may therefore change. The Council will be flexible and responsive to any changes.”</del></p> <p>And remove Table 5.2.</p>
SPD30	<p>Add new paragraph 5.17 as follows:</p> <p><del>“The Council uses cost multiplier figures (updated annually) to determine the cost per place for nursery, primary and secondary places. These are applied to the pupil product figures when assessing the amount of financial contributions required from developers towards the provision of school places. Cost multiplier figures on which the final contribution will be calculated are those applicable on the date of signature of a legal agreement.”</del></p>
SPD31	<p>Amend paragraph 6.4 as follows:</p> <p><del>“This would exclude funding of strategic <b>Habitats Regulations Assessment (HRA)</b> mitigation strategies, as identified in the Regulation 123 list, Infrastructure Delivery Plan and/or paragraph 6.7076 of the Wiltshire Core Strategy.”</del></p>
SPD32	<p>Amend paragraph 6.7 as follows:</p> <p><del>“The saved Local Plan policies contain the adopted Wiltshire open space standards. These will be replaced by Wiltshire-wide standards, which will be informed by an <b>within the Wiltshire Open Spaces Study (2015 – 2026) Part 1 to be completed in 2015</b>. The new standards will be formally adopted as part of the partial review of the Wiltshire Core Strategy programmed in the Council’s Local Development Scheme.”</del></p>

**Table 7.2b – Further proposed changes to the existing Planning Obligations SPD resulting from consultation feedback**

Ref.	Description
	<p>Amend paragraph 6.8 as follows:</p> <p>“Thresholds for planning obligations are set out in the adopted Wiltshire open space standards. Four sets of open space standards are currently in operation across Wiltshire, with different standards applying in each of the former district areas. <del>These will be replaced by Wiltshire-wide standards which will be informed by an Open Spaces Study, to be completed in 2015, with the new standards adopted as part of the partial review of the Wiltshire Core Strategy by the end of 2015.</del> Core Policy 52 requires development to make provision in line with the adopted Wiltshire Open Space standards.”</p> <p>Amend paragraph 6.9 as follows:</p> <p>“. . . It will be guided by the Open Spaces Study, <del>to be completed in 2015,</del> dependent upon individual site characteristics and, as such, in the interim period decisions will be made on a case by case basis.”</p>
SPD33	<p>Amend paragraph 7.6 as follows:</p> <p>“The provision of sustainable transport measures may be more challenging in rural areas but is likely <u>to</u> reflect those sought in more urban areas of the county.”</p>
SPD34	<p>Amend paragraph 8.10 as follows:</p> <p>“On-site infrastructure may also be provided to alleviate the risk of flooding, and reduce impacts on drainage infrastructure. <u>Core Policy 3 states that water and sewerage, flood alleviation and sustainable drainage systems are essential infrastructure. This is to be provided by new development, which must be adequately served by on and off-site foul and surface water drainage systems.</u> This will normally form part of the detailed matters submitted and agreed through the planning application process. The delivery can therefore be secured through a planning condition.”</p>
SPD35	<p>Amend paragraph 9.3 as follows:</p> <p>“<del>Table 9.2 sets out</del><u>Known</u> site-specific <u>community and health facilities</u> requirements for <del>health facilities</del> resulting from <del>new development</del> <u>strategically important sites</u> allocated in the <del>Wiltshire Core Strategy.</del> <u>are set out in the development templates in Appendix A to the adopted Wiltshire Core Strategy, and in subsequent development plan documents, such as the Chippenham Site Allocations Plan and the Wiltshire Housing Site Allocations Plan. They are informed by the Infrastructure Delivery Plan, which will be updated periodically over the plan period. Infrastructure requirements may therefore change. The Council will be flexible and responsive to any changes.</u>”</p> <p>And delete Table 9.2.</p>
SPD36	<p>Amend paragraph 9.5 as follows:</p> <p>“Large residential developments or a cluster of neighbouring developments will lead to a local increase in population. This can create a need for specific local health facilities if there is no existing local capacity or likely to be in the near future. <del>The average list size for a whole time equivalent GP is 1,750 patients.</del> New development <del>that results in more than 7,000 new residents (a patient list of four whole time equivalent GPs)</del> may <u>therefore</u> require a new facility <u>or extensions to existing facilities</u> to be provided.”</p>
SPD37	<p>Amend paragraph 11.13 as follows:</p>

**Table 7.2b – Further proposed changes to the existing Planning Obligations SPD resulting from consultation feedback**

Ref.	Description
	On rare occasions the cost of obligations may be greater than the proposed development is able to bear. Where the outcome is judged to have a significant impact on residual land values and financial viability is raised as a concern, a financial appraisal of the proposed development by the applicant will be required to substantiate the claim. This <b>appraisal should <u>be submitted alongside form part of</u> the application documentation and <u>where possible will be treated and kept as confidential by the Council</u></b> . The <b>eCouncil</b> will scrutinise the financial appraisal before confirming or otherwise viability.
<b>SPD38</b>	The Council will revise the map of affordable housing zones at Appendix 1 in the interests of clarity and consistency.

- 7.4. *Table 7.2c below contains a list of additional proposed changes (**SPD39 to SPD41**) to the existing Planning Obligations SPD following post-consultation internal review. These changes are being made in the interests of clarity and accuracy and, in the case of SPD39, to reflect current practice in planning for new school buildings. Proposed change SPD39 is not considered to affect the basis upon which education contributions are sought from development.*

**Table 7.2c – Additional proposed changes to the existing Planning Obligations SPD following post-consultation internal review**

**Table 7.2c – Additional proposed changes to the existing Planning Obligations SPD following post-consultation internal review**

Ref.	Description
<b>SPD39</b>	Amend paragraph 5.6 as follows:  The council will seek to open new (4-11) schools for primary phase pupils. For secondary phase pupils, the Council will seek to open new (11-16) or (11-18) schools, <b><u>however all-through (4-16 or 4-18) schools will also be considered where appropriate for school organisation arrangements. For new primary schools the expectation is that a school will be</u></b> rather than <del>any other school organisation arrangements. For primary schools there is a strong preference for schools which take in</del> between one (210 places) and three forms of entry (630 places). Smaller new schools will only be considered if it is not possible to expand existing schools and the <b><u>cumulative</u></b> additional demand <b><u>from development</u></b> does not require seven classes.
<b>SPD40</b>	Amend multiple references to sustainable drainage systems (SuDS) in the SPD, particularly in Chapter , from “sustainable urban drainage schemes/ systems” to “sustainable drainage systems” or “SuDS” as appropriate.
<b>SPD41</b>	Amend footnote 6 as follows:  Wiltshire Council (2014), Waste Storage and Collection Guidance for New Developments. <b><u>This document is currently under review. See Appendix 4.</u></b>



## Draft Updated Infrastructure Delivery Plan

7.5. Table 7.3 contains a list of proposed actions or changes (**IDP1 to IDP24**) to the Draft Updated Infrastructure Delivery Plan resulting from consultation feedback.

Table 7.3 – Proposed actions or changes to the Draft Updated Infrastructure Delivery Plan resulting from consultation feedback

Table 7.3 – Proposed actions or changes to the Draft Updated Infrastructure Delivery Plan resulting from consultation feedback	
Ref.	Description
<b>IDP1</b>	The Council will review the housing trajectories for each community area in Appendix 1 to determine whether they need to include housing still to be planned for during the plan period and make any changes prior to finalising the IDP.
<b>IDP2</b>	The Council will consider providing further information about and/ or a link to emerging local plans, in paragraph 1.8, prior to finalising the IDP.
<b>IDP3</b>	The Council will update the links to supporting plans and strategies, in Chapter 1, prior to finalising the IDP.
<b>IDP4</b>	The Council will update the links and clarify the monitoring and review process for the IDP, including the status of the Annual Monitoring Report (AMR), in Chapter 1, prior to finalising the IDP.
<b>IDP5</b>	The Council will consider whether the Policy for Requesting s106 Contributions for Education, referred to in paragraph 2.5, needs to be updated now that CIL is in operation.
<b>IDP6</b>	The Council will update the links in paragraph 3.6 to the existing evidence base work undertaken towards a transport strategy for Salisbury and clarify the position with regard to the current timetable for its completion.
<b>IDP7</b>	The Council will review paragraph 7.6 to recognise the impact of cumulative development upon the provision of healthcare facilities but remove reference to a specific number.
<b>IDP8</b>	The Council will review the references to 's106/ CIL', in Appendix 1, to provide clarification that the relevant infrastructure projects may be funded by developer contributions generally, i.e. s106 <u>or</u> CIL but not both.
<b>IDP9</b>	The Council will review the formatting of the document (i.e. paragraph, section and page numbers) prior to finalising the IDP.
<b>IDP10</b>	The suggestion from the Calne Community Neighbourhood Plan Steering Group about looking at upgrades to other areas of Sustrans Route 403 will be passed to the Council's sustainable transport team for further consideration. For example, between Castlefield's Park and Black Dog Halt and from Black Dog Halt to its junction with Studley Hill. It is possible for further identified schemes to be added to the IDP at a later review.
<b>IDP11</b>	The Council will clarify in the IDP that it is the purpose of the Regulation 123 List, <b>not the IDP</b> , to identify which infrastructure projects may be funded by CIL.
<b>IDP12</b>	The Council will review and correct any errors in the IDP, including those relating to the description of infrastructure requirements for strategic sites in Chippenham, prior to finalising the document.

**Table 7.3 – Proposed actions or changes to the Draft Updated Infrastructure Delivery Plan resulting from consultation feedback**

Ref.	Description
<b>IDP13</b>	The Council will consider the priority and level of risk attached to project DEV017 and make any necessary amendments prior to finalising the IDP.
<b>IDP14</b>	The Council will clarify the position with regard to the requirement for primary school places in Marlborough prior to finalising the IDP.
<b>IDP15</b>	The Council will review Appendix 1 for Salisbury to consider how best to reflect that strategic sites delivering housing requirement for Salisbury that may be located outside of the community area boundary prior to finalising the IDP.
<b>IDP16</b>	The Council will review Appendix 1 for Salisbury to consider how best to reflect that infrastructure projects that serve the strategic sites included within Salisbury housing allocation will be included within the appendix for Salisbury, e.g. SAL001, prior to finalising the IDP.
<b>IDP17</b>	The Council will review and clarify the requirement for SAL004, i.e. capacity increases to the A36, prior to finalising the IDP.
<b>IDP18</b>	The Council will review whether air quality mitigation should fall under 'essential' or 'place-shaping' infrastructure prior to finalising the IDP.
<b>IDP19</b>	The Council will update the links to the existing evidence base for the Salisbury Transport Strategy and clarify the position with regard to current work on the strategy prior to finalising the IDP.
<b>IDP20</b>	The Council will clarify the position with regard to the requirement for primary school places in Salisbury, Wilton and Southern Wilton Community Areas prior to finalising the IDP.
<b>IDP21</b>	The Council will correct the reference to the Highways Agency/ England prior to finalising the IDP.
<b>IDP22</b>	This suggestion from Salisbury City Council about a 'shared space' environment at Minster Street/ Castle Street/ Blue Boar Row will be passed to Council's sustainable transport team for further consideration. It is possible for further identified schemes to be added to the IDP at a later review.
<b>IDP23</b>	The Council will review project TROASH012, the provision of a sustainable energy strategy, (and similar projects that may be listed for other strategic sites) and consider whether its inclusion is still appropriate prior to finalising the IDP.
<b>IDP24</b>	The Council will correct the error in Appendix 1 for Wilton, in which a sub-heading incorrectly refers to 'Delivery of housing 2006 – 2026 for the Mere Community Area' when this should refer to Wilton, prior to finalising the IDP.

### Next steps

- 7.6. This consultation report presents a summary of the responses received during the consultation, along with officer comments and proposed actions or changes resulting from these comments.



- 7.7. Final versions of the Revised Regulation 123 List and Revised Planning Obligations SPD will be submitted for approval by Cabinet, with the SPD being considered for recommendation to Full Council for adoption. The draft Updated IDP will be finalised and published on the Council's website.
- 7.8. The Revised Regulation 123 List and Revised Planning Obligations SPD will then be published on the Council's website at [www.wiltshire.gov.uk/communityinfrastructurelevy](http://www.wiltshire.gov.uk/communityinfrastructurelevy). The final Updated Infrastructure Delivery Plan (IDP) will be published at [www.wiltshire.gov.uk/infrastructuredeliveryplan](http://www.wiltshire.gov.uk/infrastructuredeliveryplan).

### Timetable

- 7.9. The next stages in the preparation of the Revised CIL Regulation 123 List, Revised Planning Obligations SPD and Updated IDP 3 are set out in *Table 7.4* below.

**Table 7.4 – timetable for Revised CIL Regulation 123 List, Revised Planning Obligations SPD and Updated IDP 3**

Stage	Date
Cabinet	13 September 2016
Full Council (for adoption of SPD)	18 October 2016

## Appendix A List of respondents

### Index

The table below contains the full list of individuals and organisations that responded to the consultation. All individual representations are available to view in full through the Council's online consultation portal at <http://consult.wiltshire.gov.uk/portal>.

Comment ID	Respondents
1	Mr John Moran <b>Health and Safety Executive</b> Consultee ID: 899838
2	Ms Amy Tawton <b>Vale of White Horse District Council</b> Consultee ID: 987730
3	<b>CLH Pipeline System Ltd</b> (formerly GPSS) Consultee ID: 987736  c/o Ms Elizabeth Leedham Fisher German Agent ID: 987735
4	<b>Mr Ian Mellor</b> Consultee ID: 898225
5	Ms Amanda McCann <b>Westbury Town Council</b> Consultee ID: 840677
6	Mr Bob Sharples <b>Sport England</b> Consultee ID: 987760
7	Ms Ann Chard <b>Chippenham Town Council</b> Consultee ID: 630000
8	Mr Stephen Gray <b>Melksham Town Council</b> Consultee ID: 549123
9	Mr Charles Vernon <b>Malmesbury Civic Trust</b> Consultee ID: 547719
10	Mr Simon Fisher <b>Devizes Town Council</b> Consultee ID: 838183
11	Ms Katherine Burt <b>Environment Agency</b> Consultee ID: 395940

Comment ID	Respondents
12	Mrs Teresa Strange <b>Melksham Without Parish Council</b> Consultee ID: 857749
13	Ms Charlotte Mayall <b>Southern Water</b> Consultee ID: 987933
14	Ms Emma Slyvester <b>Bradford on Avon Town Council</b> Consultee ID: 903313
15	Mr Roger Coleman <b>Southwick Parish Council</b> Consultee ID: 712546
16	Mrs Nicola Lipscombe <b>Salisbury Area Greenspace Partnership</b> Consultee ID: 905964
17	Ms Marion Barton <b>Shrewton Parish Council</b> Consultee ID: 558192
18	Miss Sonja Kotevska <b>St Michael's Pre-School</b> Consultee ID: 987890
19	Cllr John Lindley <b>Salisbury City Council</b> Consultee ID: 905138
20	<b>Cllr Trevor Carbin</b> Consultee ID: 458208
21	Ms Clare Harris <b>Calne Community Neighbourhood Plan Steering Group</b> Consultee ID: 988153
22	<b>SW HARP Planning Consortium</b> Consultee ID: 710073  c/o Mr Sean Lewis Tetlow King Planning Agent ID: 903267
23	Ms Camelle Bell <b>Thames Water</b> Consultee ID: 401427  c/o Mr David Wilson Savills Agent ID: 785231
24	<b>Ms Isabel McCord</b> Consultee ID: 381841

Comment ID	Respondents
25	<b>Mrs Ros Huggins</b> Consultee ID: 988151
26	<b>Ms Lucie OLeary</b> Consultee ID: 988167
27	Mr Edward Heard <b>Chippenham Chamber of Commerce</b> Consultee ID: 988490
28	<b>Mr Clive Rathband</b> Consultee ID: 550098
29	<b>Ms Joan Rathband</b> Consultee ID: 903450
30	<b>Mrs Lisa Powrie</b> Consultee ID: 903318
31	<b>Mr John Powrie</b> Consultee ID: 903398
32	Mr Neville Nelder <b>Cotswolds Canal Trust</b> Consultee ID: 463097
33	<b>Bourne Leisure Ltd</b> Consultee ID: 397796  c/o Ms Helen Ashby-Ridgway Nathaniel Litchfield Agent ID: 988472
34	Ms Rachel Sandy <b>Highways England</b> Consultee ID: 903251
35	<b>Mr Malcolm Toogood</b> Consultee ID: 900830
36	Mr Nick Dowdeswell <b>APT &amp; Persimmon Homes</b> Consultee ID: 398006  c/o Mr Glenn Godwin Pegasus Planning Group Agent ID: 825048
37	<b>Robert Hitchins</b> Consultee ID: 841197  c/o Mr Neil Tiley Pegasus Planning Group Agent ID: 988521

Comment ID	Respondents
38	Mrs Claire Commons <b>Shaftesbury Town Council</b> Consultee ID: 988262
39	<b>Redrow Homes</b> Consultee ID: 903369  c/o Miss Jenny Mitter Nathaniel Litchfield Agent ID: 903370
40	<b>Wainhomes (South West) Holdings Ltd</b> Consultee ID: 389564
41	Mr John Gordon <b>Natural England</b> Consultee ID: 988581
42	Ms Jane Hennell <b>Canal &amp; River Trust</b> Consultee ID: 376324
43	<b>Cllr Chris Caswill</b> Consultee ID: 466775
44	Mr Rohan Torkildsen <b>Historic England</b> Consultee ID: 403792
45	<b>Home Builders Federation</b> Consultee ID: 710752  c/o Mr Nick Matthews Savills Agent ID: 389644
46	<b>Gleeson Developments Ltd</b> Consultee ID: 817896  c/o Mr Martin Miller Terence O'Rourke Agent ID: 817881
47	Cllr Chris Caswill <b>Campaign Against Urban Sprawl in the East (CAUSE 2015)</b> Consultee ID: 904094
48	<b>Ms Fiona Pillbrow</b> Consultee ID: 988678
49	<b>Rentplus</b> Consultee ID: 988686  c/o Ms Meghan Rossiter Tetlow King Planning Agent ID: 988697

<b>Comment ID</b>	<b>Respondents</b>
50	Mr David Burton <b>Laverstock and Ford Parish Council</b> Consultee ID: 988691
51	Ms Bev Cornish <b>Downton Parish Council</b> Consultee ID: 467669
52	Mr James Proyer <b>Persimmon Homes Wessex</b> Consultee ID: 983136
53	<b>Ms Cara King</b> Consultee ID: 988694
54	Ms Wendy Brown <b>Amesbury Town Council</b> Consultee ID: 390227
55	Ms Shelley Parker <b>Marlborough Town Council</b> Consultee ID: 820230
56	Mr Donal Casey <b>Wiltshire Scullers School</b> Consultee ID: 469672
57	Mr Chris Beaver <b>PlanningSphere Ltd</b> Consultee ID: 752571
58	<b>Mr Peter Andre</b> Consultee ID: 903434
59	<b>Mrs Lynda Andre</b> Consultee ID: 549369
60	<b>Mrs Celia Lainchbury</b> Consultee ID: 555776
61	<b>Mr Allan Pratt</b> Consultee ID: 395021
62	<b>Mrs Diana Moore</b> Consultee ID: 902739
63	<b>Mr Robert Pratt</b> Consultee ID: 903364
64	<b>Mrs Beryl Pratt</b> Consultee ID: 550882
65	<b>Mr Stewart Mitchell</b> Consultee ID: 903135

<b>Comment ID</b>	<b>Respondents</b>
66	<b>Mr Clive Mainstone</b> Consultee ID: 993694
67	<b>Mr Jamie Treweke</b> Consultee ID: 993697
68	<b>Ms Rebecca White</b> Consultee ID: 902873
69	<b>Mr Keith Thomas</b> Consultee ID: 993700
70	<b>Mrs Yvonne Thomas</b> Consultee ID: 993702
71	<b>Ms Sandra Provis</b> Consultee ID: 993706
72	<b>Mr Darren May</b> Consultee ID: 902532
73	<b>Mrs Sally May</b> Consultee ID: 706079
74	<b>Mr Peter Dignum</b> Consultee ID: 902989
75	<b>Mrs Beryl Dignum</b> Consultee ID: 902990
76	<b>Mr Dave Baker</b> Consultee ID: 902783
77	<b>Mrs Joy Baker</b> Consultee ID: 902779
78	<b>Mr Chris Tollervey</b> Consultee ID: 902721
79	<b>Mrs Suzanne Tollervey</b> Consultee ID: 993715
80	<b>Mrs Josephine Stickland</b> Consultee ID: 903144
81	<b>Mr David Brown</b> Consultee ID: 902298
82	<b>Mr Peter Bull</b> Consultee ID: 993726
83	<b>Mrs Alison Bull</b> Consultee ID: 993729

Comment ID	Respondents
84	<b>Mr George Nicoll</b> Consultee ID: 902814
85	<b>Mr Gareth Hardwell</b> Consultee ID: 903676
86	<b>Cllr Ernie Clark</b> Consultee ID: 840630
87	Chris Wordsworth <b>HPH Ltd</b> Consultee ID: 637637

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## Appendix B Consultation materials

### 1) Newspaper advert (published week commencing 7 April 2016)

**Wiltshire Council Local Development Framework  
Notice of consultation on Draft Revised Community Infrastructure Levy (CIL)  
Regulation 123 List and Draft Revised Planning Obligations Supplementary  
Planning Document**

**Town and Country Planning (Local Planning) (England) Regulations 2012  
(Part 5 Regulations 11 to 16) Planning and Compulsory Purchase Act 2004  
Community Infrastructure Levy (CIL) Regulations 2010 (as amended)**

Wiltshire Council is consulting on a Draft Revised Community Infrastructure Levy (CIL) Regulation 123 List and a Draft Revised Planning Obligations Supplementary Planning Document (SPD). When finalised these will replace the original documents, which were adopted in May 2015. Together, they support the Wiltshire CIL Charging Schedule and clarify how the Council will seek infrastructure contributions from development.

Maintaining an up to date Regulation 123 List will support the effective implementation of CIL in Wiltshire. It has been reviewed to provide clarity over those infrastructure projects that may be funded through CIL. The Regulation 123 List takes projects from the Wiltshire Infrastructure Delivery Plan (IDP), which is developed in consultation with service providers and updated periodically. During the consultation, a Draft Updated IDP will also be made available for comment. Some changes are also proposed to the Planning Obligations SPD in the interests of clarity and accuracy.

#### **Availability of documents**

The Draft Revised CIL Regulation 123 List and Draft Revised Planning Obligations SPD and information on how to make comments will be published on **14 March 2016**. The documents will be available on the Wiltshire Council website at: [www.wiltshire.gov.uk/communityinfrastructurelevy](http://www.wiltshire.gov.uk/communityinfrastructurelevy)

Hard copies of these documents will also be made available during normal office hours at: all Council libraries; and the main Council offices in Chippenham (Monkton Park), Salisbury (Bourne Hill) and Trowbridge (County Hall). The Draft Updated IDP will be made available online only via the above web address.

#### **How to comment**

Comments are invited on these documents **from 14 March until 5pm, 25 April 2016**. Comments can be made:

- Online via the Council's consultation portal: <http://consult.wiltshire.gov.uk/portal>
- By email using the form available at [www.wiltshire.gov.uk/communityinfrastructurelevy](http://www.wiltshire.gov.uk/communityinfrastructurelevy) and returned to [cil@wiltshire.gov.uk](mailto:cil@wiltshire.gov.uk)
- By post in writing to: Spatial Planning, Economic Development & Planning, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN.

If responding by post, comment forms are available from libraries and main Council offices.

#### **Next steps**

All comments received during the consultation period will be taken into account. Final versions of the Revised Regulation 123 List and Revised Planning Obligations SPD will be submitted for approval by Cabinet, with the SPD being considered for recommendation to Full Council for adoption.

Any queries should be made to Spatial Planning, Economic Development and Planning, Wiltshire Council on (01225) 713223 or [CIL@wiltshire.gov.uk](mailto:CIL@wiltshire.gov.uk)

Alistair Cunningham  
Associate Director  
Economic Development and Planning  
Wiltshire Council

## 2) Consultation letter/ email (sent out week commencing 7 April 2016)

Dear Sir/ Madam,

Wiltshire Council is consulting on a Draft Revised Community Infrastructure Levy (CIL) Regulation 123 List and Draft Revised Planning Obligations Supplementary Planning Document (SPD) **from 14 March until 5pm, 25 April, 2016**. When finalised, these will replace the original documents, which were adopted in May 2015.

The purpose of the Regulation 123 List is to support the Wiltshire CIL Charging Schedule. The Regulation 123 List sets out the strategic infrastructure types or projects that Wiltshire Council may fund, in whole or in part, through CIL. It does not apply to the ring fenced proportion of CIL passed to town and parish councils for them to allocate to community infrastructure projects.

It has become apparent, as development proposals have come forward, that the Regulation 123 List would benefit from reviewing to provide clarity over those infrastructure projects that may be funded through CIL. Alongside the changes to the Regulation 123 List, some changes are also proposed to the Planning Obligations SPD in the interests of clarity and accuracy, and to recognise that the Regulation 123 List will be reviewed and updated periodically.

It has always been the intention that CIL would be one of the mechanisms used to fund the infrastructure required to support Wiltshire's growth. Core Policy 3 of the Wiltshire Core Strategy (adopted January 2015) and the Planning Obligations SPD support this approach. These set out how CIL would work alongside, rather than replace, Section 106 legal agreements. Section 106 agreements provide the mechanism to ensure infrastructure can be delivered where it is directly related and specific to a development. They are important to ensure that sustainable development can be achieved, with infrastructure delivered at the right time alongside development.

The Government's Planning Practice Guidance recognises that Regulation 123 Lists may need to be updated over the lifetime of the CIL Charging Schedule. The Council does not consider that the proposed amendments would have a very significant impact on the viability evidence that supported examination of the Charging Schedule and is therefore compliant with the online Planning Policy Guidance (PPG) at paragraph 098 (reference ID: 25-098-20140612). Therefore, a review of the Charging Schedule is not required. The Council may amend the Regulation 123 List without also revising its Charging Schedule, ensuring that any changes are clearly explained and subject to appropriate local consultation.

The Draft Revised Regulation List has been informed by the Wiltshire Infrastructure Delivery Plan (IDP). The Regulation 123 List takes projects from the IDP, which is developed in consultation with service providers and updated periodically. During the consultation, a Draft Updated IDP will also be made available for comment.

### Availability of documents

The Draft Revised CIL Regulation 123 List and Draft Revised Planning Obligations SPD and information on how to make comments will be published on **14 March 2016**. The documents will be made available on the Wiltshire Council website, at:  
[www.wiltshire.gov.uk/communityinfrastructurelevy](http://www.wiltshire.gov.uk/communityinfrastructurelevy).

Hard copies of these documents will also be made available during normal office hours at all Council libraries and the main Council offices in Chippenham (Monkton Park), Salisbury (Bourne Hill) and Trowbridge (County Hall). The Draft Updated IDP will be made available online only via the above web address.

### How to comment

Comments are invited on these documents **from 14 March until 5pm, 25 April 2016**. Comments can be made:

- Online via the Council's consultation portal: <http://consult.wiltshire.gov.uk/portal>
- By email using the form available at [www.wiltshire.gov.uk/communityinfrastructurelevy](http://www.wiltshire.gov.uk/communityinfrastructurelevy) and returned to [cil@wiltshire.gov.uk](mailto:cil@wiltshire.gov.uk)
- By post in writing to: Spatial Planning, Economic Development & Planning, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN
- If responding by post, comment forms are available from libraries, and main Council offices.

### Next steps

All comments received during the consultation period will be taken into account. Final versions of the Revised Regulation 123 List and Revised Planning Obligations SPD will be submitted for approval by Cabinet, with the SPD being considered for recommendation to Full Council for adoption.

Any queries should be made to Spatial Planning, Economic Development and Planning, Wiltshire Council on (01225) 713223 or [CIL@wiltshire.gov.uk](mailto:CIL@wiltshire.gov.uk).

Yours faithfully



Alistair Cunningham  
Associate Director  
Economic Development and Planning  
Wiltshire Council



3) **Town and parish newsletter (published week commencing 7 March 2016)**

## Consultation in relation to Community Infrastructure Levy

Wiltshire Council is consulting on proposed revisions to two documents that support the Wiltshire Community Infrastructure Levy (CIL) Charging Schedule and clarify how the council will seek infrastructure contributions from development.



From 14 March to 25 April 2016 comments are invited on the draft revised Community Infrastructure Levy Regulation 123 List, which has been reviewed to provide clarity over those strategic infrastructure projects that may be funded through CIL by Wiltshire Council.

Alongside this document, comments are also invited on the Draft Revised Planning Obligations Supplementary Planning Document (SPD), which are proposed in the interest of clarity and accuracy and to recognise that the Regulation 123 List will be reviewed and updated periodically. When finalised, these will replace the original documents, which were adopted in May 2015 alongside the CIL Charging Schedule.

Maintaining an up to date Regulation 123 List will support the effective implementation of CIL in Wiltshire. The Regulation 123 List takes projects from the Wiltshire Infrastructure Delivery Plan (IDP), which is developed in consultation with service providers and updated periodically. During the consultation, a draft updated IDP will also be made available for comment. Some changes are also proposed to the Planning Obligations SPD in the interests of clarity and accuracy.

The Regulation 123 List does not apply to the ring fenced proportion of CIL that is passed to town and parish councils. It will be for the town and parish councils to decide which community infrastructure projects they wish to direct their funding towards.

To support the consultation and provide information on the wider implementation of CIL and what it means for parish and town councils as well as an update on emerging changes to national planning policy, the following workshops have been arranged for town and parish councils:

- County Hall, Trowbridge, Tuesday 5 April, 6pm to 8pm
- Monkton Park, Chippenham, Thursday 7 April, 6pm to 8pm
- City Hall, Salisbury, Monday 11 April, 6.15pm to 8.15pm



If a representative from your town/parish council is interested in attending one of these sessions please email [Lianna.bradshaw@wiltshire.gov.uk](mailto:Lianna.bradshaw@wiltshire.gov.uk).

The Draft Revised CIL Regulation 123 List and Draft Revised Planning Obligations SPD and information on how to make comments will be published on 14 March 2016. The documents will be available on the [Wiltshire Council website](#).

Hard copies of these documents will also be made available during normal office hours at all council libraries and the main council offices in Chippenham (Monkton Park), Salisbury (Bourne Hill) and Trowbridge (County Hall). The Draft Updated IDP will be made available online only via the above web address.

Comments are invited on these documents from 14 March until 5pm on 25 April 2016.

Comments can be made:

- Online via the council's [consultation portal](#)
- By email using this [form](#). Return completed forms to [cil@wiltshire.gov.uk](mailto:cil@wiltshire.gov.uk)
- By post in writing to: Spatial Planning, Economic Development & Planning, Wiltshire Council, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN

If responding by post, comment forms are available from libraries and main council offices.

All comments received during the consultation period will be taken into account. Final versions of the Revised Regulation 123 List and Revised Planning Obligations SPD will be submitted for approval by cabinet, with the SPD being considered for recommendation to full council for adoption.

Any queries should be made to Spatial Planning, Economic Development and Planning, Wiltshire Council on (01225) 713223 or [CIL@wiltshire.gov.uk](mailto:CIL@wiltshire.gov.uk).

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**Wiltshire Revised Community Infrastructure Levy Regulation 123 List**  
**September 2016**

<b>Infrastructure that may be funded, in whole or in part, by the Community Infrastructure Levy</b>	
<b>Category</b>	<b>Projects</b>
<b>Education</b>	<p><b>Expansion of the following schools to provide additional secondary school places:</b></p> <ul style="list-style-type: none"> <li>• St Lawrence Secondary School, in Bradford on Avon</li> <li>• John Bentley Secondary School, in Calne</li> <li>• Abbeyfield School, in Chippenham</li> <li>• Devizes School and Lavington School, in Devizes and Market Lavington</li> <li>• Gillingham Secondary School, in Dorset (<i>to accommodate pupils from Mere</i>)</li> <li>• Pewsey Vale School, in Pewsey</li> <li>• Trafalgar Secondary School, in Downton</li> <li>• Shaftesbury Secondary School, in Dorset (<i>to accommodate pupils from Tisbury</i>)</li> </ul>
<b>Sustainable transport</b>	<p><b>The following Chippenham Transport Strategy projects:</b></p> <ul style="list-style-type: none"> <li>• <a href="#">[Redacted]</a></li> <li>• A350 Chippenham Bypass Dualling – Badger to Chequers</li> <li>• M4 Junction 17 Part-Signalisation Improvements</li> <li>• Malmesbury Road Roundabout Additional Capacity Improvements</li> <li>• Bridge Centre Gyratory Capacity Improvements</li> <li>• B4528 Hungerdown Lane / Sheldon Rd Junction Upgrade</li> <li>• Timber Street Safety Scheme</li> <li>• A420 Marshfield Rd / Dallas Road Safety Scheme</li> <li>• Alternative provision for long stay car parking outside town centre</li> <li>• Chippenham Railway Station car parking capacity enhancements</li> </ul>

Comment [FL1]: R123 1

	<p>and parking controls</p> <ul style="list-style-type: none"><li>• Improvements to Chippenham Station: interchange, accessibility, security</li><li>• Chippenham Station Redevelopment</li><li>• Frogwell to Town Centre pedestrian/cycle scheme</li><li>• Bumpers Farm to Town Centre pedestrian/cycle scheme</li><li>• Cepen Park North to Town Centre pedestrian/cycle scheme</li><li>• Cycle and pedestrian access to Lackham Campus from Chippenham (i.e. River Avon footbridge)</li><li>• Improved transport links between Wiltshire College's campuses</li></ul> <p><b>The following Trowbridge Transport Strategy projects:</b></p> <ul style="list-style-type: none"><li>• A361 Holy Trinity gyratory capacity improvement</li><li>• B3105 Staverton Bridge capacity improvement</li><li>• Broad Street Gyratory reversal</li><li>• Walking and cycling routes from Trowbridge town centre to Wiltshire College</li><li>• Improvements to town centre pedestrian way finding and legibility</li></ul> <p><b>Other transport projects:</b></p> <ul style="list-style-type: none"><li>• [Redacted]</li><li>• [Redacted]</li><li>• Trans Wilts train service and improvements (Westbury - Swindon) – annual service support</li><li>• Improvements to Melksham railway station</li><li>• Installation of intermediate signals on the single track rail line through Melksham</li><li>• New railway station at Royal Wootton Bassett Railway, including associated required infrastructure (includes passing loop construction and junction resignalling)</li><li>• Westbury Railway Station Additional Platform</li><li>• New railway station in Wilton (inc. associated required infrastructure)</li><li>• Improved access for pedestrians, cyclists and buses to Pewsey Railway Station</li><li>• Cycle and pedestrian route between Royal Wootton Bassett and Windmill Hill Business Park, Swindon</li></ul>
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Comment [FL2]: R123 2

Comment [FL3]: R123 3



	<ul style="list-style-type: none"> <li>• New railway station (inc. associated required infrastructure) in Corsham</li> </ul>
<b>Open space, green infrastructure and the environment</b>	<ul style="list-style-type: none"> <li>• Stone Curlew and Salisbury Plain Special Protection Area</li> <li>• Nutrient Management Plan – to address the level of phosphate in the River Avon</li> <li>• Chippenham Hydro Plant</li> <li>• Cranborne Chase and West Wiltshire Downs AONB Green countryside training and visitor centre</li> <li>• Expansion of Bradford on Avon cemetery</li> <li>• Expansion of Holt cemetery in Bradford on Avon Community Area</li> <li>• Expansion of existing cemetery in Melksham</li> <li>• New cemetery in Trowbridge</li> <li>• Expansion of Warminster cemetery</li> <li>• New Forest Recreation Management Project (<i>Measures to reduce and manage recreational disturbance pressures upon sensitive Annex II birds in the New Forest Special Protection Area (SPA) as a result of planned housing delivery</i>)</li> <li>• Provision of air quality monitoring infrastructure</li> </ul>
<b>Community and cultural</b>	<ul style="list-style-type: none"> <li>• Upgrades to sport and recreation facilities within the following buildings: <ul style="list-style-type: none"> <li>○ The Olympiad, Chippenham</li> <li>○ Devizes Leisure Centre</li> <li>○ Marlborough Leisure Centre</li> <li>○ Five Rivers Health and Wellbeing Centre</li> <li>○ Bradford on Avon Swimming Pool</li> <li>○ Calne Leisure Centre</li> <li>○ Trowbridge Sports Centre</li> <li>○ Amesbury Sports Centre</li> <li>○ Pewsey Health and Wellbeing Centre</li> <li>○ Leighton Sports Centre, Westbury</li> </ul> </li> <li>• Wiltshire Heritage Museum – archaeological storage</li> <li>• Swindon &amp; Cricklade Railway – expansion of leisure/ recreation route from Mouldon Hill to Moreton Bridge</li> <li>• Library provision</li> </ul>
<b>Health and social care</b>	<ul style="list-style-type: none"> <li>• Shared Primary Care Centre at Chippenham Hospital</li> </ul>
<b>Emergency services</b>	Improvements to (including relocation/ replacement of) the following fire stations:

	<ul style="list-style-type: none"><li>• Chippenham</li><li>• Tidworth/ Ludgershall</li><li>• Trowbridge</li><li>• Warminster</li></ul>
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**Table 1 - infrastructure that may be funded, in whole or in part, through CIL**

*Table 1* above sets out the infrastructure that the council intends may be funded, in whole or in part, by CIL. Inclusion on the list does not signify a commitment from the council to fund (either in whole or part). The order of the list does not imply any preference or priority.

Wiltshire Council may not seek planning obligations through section 106 agreements for any of the infrastructure projects on the Regulation 123 List.

The Council will periodically review and update the Regulation 123 List.

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Comment [FL1]: SPD40

Comment [FL2]: SPD14

Comment [FL3]: SPD15

Comment [FL4]: SPD17

Appendix 1 – Affordable housing zones map (Core Policy 43)

Appendix 2 – Useful links

## 1. Introduction

- 1.1. The adopted Wiltshire Core Strategy (2015) provides for at least 42,000 homes and approximately 178 ha of employment land in Wiltshire from 2006 to 2026.
- 1.2. Ensuring that the necessary infrastructure is put in place to support this new development requires developer contributions, using the following mechanisms (as discussed in Section 2 below):
  - Planning conditions (*see paragraph 2.2*)
  - Section 278 agreements to deliver highways works (*see paragraph 2.5*)
  - Planning obligations (*see paragraph 2.7*)
  - Community Infrastructure Levy (CIL) (*see paragraph 2.13*)
- 1.3. Supplementary planning documents should be prepared only where necessary and in line with paragraph 153 of the National Planning Policy Framework (NPPF). They should build upon and provide more detailed advice or guidance on the policies in the Local Plan. They should not add unnecessarily to the financial burdens on development.
- 1.4. This Revised Planning Obligations Supplementary Planning Document (SPD) supports policies within the adopted Wiltshire Core Strategy (January 2015), particularly Core Policy 3 Infrastructure Requirements. It should be read in conjunction with the Wiltshire CIL Charging Schedule and the Wiltshire Regulation 123 List (*see paragraph 2.12*). The Council will periodically review and update the Regulation 123 List.
- 1.5. This SPD will identify the planning obligations that will be sought by the council for development that generates a need for new infrastructure.
- 1.6. While it is not part of the statutory development plan, this SPD will be a material consideration in determining planning applications.
- 1.7. Chapter Two of this SPD sets out the legislative and policy framework that shapes the Council's approach to planning obligations and CIL. Chapters three through to 10 clarify which types of infrastructure will be funded by each mechanism. Chapters 11 and 12 describe the processes for negotiating, implementing and monitoring planning obligations.

Comment [FL5]: SPD20

Comment [FL6]: SPD1

## 2. Legislative and policy framework

2.1 The legislative and policy framework for planning obligations includes the following:

- Town and Country Planning Act 1990 (as amended)
- Planning Act 2008 (as amended)
- The Community Infrastructure Levy Regulations 2010 (as amended)
- The National Planning Policy Framework (NPPF) (2012)
- The Planning Practice Guidance (PPG) (2014)
- The Wiltshire Core Strategy (2015)

### Planning conditions

2.2 Planning conditions (under the Town and Country Planning Act 1990) require actions needed in order to make a development acceptable in planning terms. They relate directly to the actual physical development and its construction on-site but cannot be used to request financial contributions.

2.3 Paragraph 206 of the NPPF requires conditions to be necessary, relevant to planning and the development, enforceable, precise, and reasonable in all other respects.

2.4 In Wiltshire, planning conditions are likely to cover, amongst other things, the requirement to:

- 2.4.1 undertake archaeological investigations prior to commencement
- 2.4.2 remediate contaminated land
- 2.4.3 implement necessary local site-related transport improvements
- 2.4.4 undertake appropriate flood risk solutions
- 2.4.5 submit details of materials to be used in the development, and
- 2.4.6 control opening hours of environmentally unfriendly but necessary uses.

### Section 278 agreements

2.5 Section 278 agreements (under the Highways Act 1980) are made between a highway authority and a person who agrees to pay all or part of the cost of highways works.

2.6 Regulation 123 of the CIL Regulations 2010 (as amended) prevents section 278 agreements being used to fund items on the Regulation 123 List. The exception is where the section 278 agreement relates to roads that are the responsibility of Highways England. There are no pooling restrictions on section 278 agreements. Pooling is discussed in more detail in paragraph 2.12.

Comment [FL7]: SPD21

### Planning obligations

2.7 A planning obligation may be required by the council to:

- Control the impact of development, for example, a proportion of the housing must be affordable;
- Compensate for the loss or damage caused by the development, for example, loss of a footpath;
- Mitigate a development's impact, for example, increase public transport provision.

2.8 To mitigate the impacts of development, planning obligations can be:

- Financial obligations requiring monetary contributions to the local authority to fund works or services, and
- In-kind obligations requiring specific actions to be performed by specific parties

2.9 The Council can secure planning obligations through a legal agreement (under section 106 of the Town and Country Planning Act 1990) with an applicant. Or it will expect the applicant to enter into a unilateral undertaking, which is a type of planning obligation where only the applicant need be bound by the obligation. A planning obligation is attached to the land, which means that it will remain enforceable even when the land is sold.

2.10 Regulation 122 of the CIL Regulations 2010 (as amended) sets out three statutory tests for planning obligations, namely that:

*"A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:*

*(a) Necessary to make the development acceptable in planning terms;*

*(b) Directly related to the development; and*

*(c) Fairly and reasonably related in scale and kind to the development."*

If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission. The local planning authority needs to be convinced that, without the obligation, permission should be refused.

2.11 Planning obligations cannot be used to deliver projects which will be provided for by CIL. The Wiltshire Regulation 123 List sets out the infrastructure projects that the Council may fund, in whole or in part, through CIL and so cannot be the subject of an obligation.

2.12 Regulation 123 of the CIL Regulations 2010 (as amended) limits the pooling of planning obligations towards infrastructure not on the Regulation 123 List. The pooling limit includes all planning obligations entered into since 6 April 2010. No more than five separate planning obligations may be pooled towards an infrastructure type or project if it is capable of being funded by CIL. This includes planning obligations attached to applications under section 73 of the Town and Country Planning Act 1990, which vary a planning condition. Phased payments as part of a planning obligation collectively count as a single obligation. There are no pooling limits in relation to affordable housing and for infrastructure that is not capable of being funded by CIL.

## Community infrastructure levy

- 2.13 CIL is a fixed, non-negotiable charge on new development. The amount is based upon the size of a development and is charged in pounds per square metre. It varies according to the type of development (e.g. residential, retail or employment uses) and in which area of Wiltshire the development takes place. The Wiltshire CIL Charging Schedule sets out the CIL rates that apply to different types of development in different parts of the county.
- 2.14 CIL applies to development that creates net additional floorspace (measured as Gross Internal Area) of at least 100 square metres. Development of less than 100 square metres is also liable for CIL if it involves the creation of at least one new dwelling. CIL is calculated at the same time as an applicant seeks planning permission. It is payable upon commencement of development in line with the charging authority's proposed instalments policy. There are several types of development that do not pay CIL, by virtue of the rates being £0, and these are listed in the Wiltshire CIL Charging Schedule.
- 2.15 CIL will be used to help fund infrastructure projects on the Wiltshire Regulation 123 List. These projects are taken from the Wiltshire Infrastructure Delivery Plan, which identifies infrastructure necessary to deliver housing and employment development in the Wiltshire Core Strategy. The intention behind CIL is that it will contribute towards the funding of infrastructure to support the cumulative impact of development across the county. Planning obligations will be used to mitigate the site-specific impact of development and deliver affordable housing.
- 2.16 A broad definition of 'infrastructure' for the purposes of CIL funding is set out in section 216(2) of the Planning Act 2008 and includes:
- Roads and other transport facilities
  - Flood defences
  - Schools and other education facilities
  - Medical facilities
  - Sporting and recreational facilities
  - Open spaces

### 3. The Council's approach to developer contributions

3.1 Core Policy 3 Infrastructure Requirements of the Wiltshire Core Strategy outlines the council's approach to planning obligations, which will be sought to:

- Mitigate the direct impact(s) of a development
- Secure its implementation
- Control phasing where necessary, and
- Secure and contribute to the delivery of infrastructure made necessary by development.

3.2 Since the adoption of Wiltshire's CIL Charging Schedule, the scope of planning obligations is reduced. However, planning obligations will still be sought towards affordable housing. The council may also seek planning obligations, where it is not appropriate to use planning conditions, towards site-specific infrastructure projects not on the Wiltshire Regulation 123 List.

- 

Comment [FL8]: SPD2

3.3 Larger developments, especially residential, typically have greater impacts and may require site-specific infrastructure, such as schools, community facilities and transport/ highways improvements. These can still be secured through planning obligations, even under the tighter restrictions introduced by the CIL Regulations 2010 (as amended).

3.4 For large developments, master plans and other planning policy guidance may provide further details. In securing planning obligations on large developments, the council will apply the statutory tests and avoid duplication with CIL. Where necessary, development viability will be taken into account on a site-by-site basis in assessing planning obligations, in accordance with paragraph 205 of the NPPF.

3.5 The following chapters address in more detail the various types of planning obligations that may be necessary for a development to mitigate against its impact on the local area.



## 4. Affordable housing

### General approach

- 4.1 The Council will continue to secure affordable housing through planning obligations. Full details of thresholds, application and requirements will be contained within the forthcoming Affordable Housing SPD. This should be read in conjunction with this SPD.
- 4.2 One of the key issues facing Wiltshire is the provision of new housing to help meet the needs of its communities. Securing the provision of new affordable housing in all developments will be given a high priority in terms of planning obligations.
- 4.3 The NPPF (March 2012) definition for affordable housing includes social, affordable and intermediate housing for rent or sale. Affordable housing is provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. This SPD will apply to any definition of affordable housing in future versions of the NPPF.
- 4.4 Planning obligations used to secure affordable housing should include provisions for the housing to remain affordable for future eligible households.

### Policy context and framework

- 4.5 Any requirements for affordable housing will be justified in accordance with the NPPF and the Wiltshire Core Strategy (Core Policies and the development templates), as amended by the provisions of the PPG at the time of writing (see *Table 4.1*).

Policy	Requirement
<b>NPPF</b>	
Paragraph 50	To deliver a wide choice of high quality homes and where local authorities have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified
<b>Wiltshire Core Strategy</b>	
Core Policy 3 <i>Infrastructure requirements</i>	Planning obligations sought to mitigate the direct impact of development, contribute towards delivery of infrastructure made necessary by the development, and provision of local facilities and services.
Core Policy 43 <i>Providing affordable homes</i>	<p>Sites of five or more dwellings:</p> <p>At least 30% (net) affordable housing within the '30% affordable housing zone' on Policies Map<sup>1</sup>.</p> <p>At least 40% (net) affordable housing within the '40% affordable housing zone' on Policies Map.</p> <p>In exceptional circumstances, the council will accept a commuted sum.</p>

Comment [FL9]: SPD24

<sup>1</sup> See Appendix 1.

Policy	Requirement
Core Policy 44 <i>Rural exceptions sites</i>	Only affordable houses for local need. Must follow criteria in CP44.  Does not apply to principal settlements or market towns. Only local service centres, large and small villages and other settlements (CP1).  The council will work in a positive way with parish councils and others.
Core Policy 45 <i>Meeting Wiltshire's housing needs</i>	Affordable homes provided should meet identified local needs including the appropriate tenure, size and type of home.
Core Policy 46 <i>Meeting the needs of Wiltshire's vulnerable and older people</i>	New homes should take account of the needs of older and vulnerable people. Affordable housing policies in CP43 will apply to extra care housing/very sheltered housing and any other accommodation for vulnerable people.

Table 4.1 – Summary of affordable housing policies

### Thresholds and application

- 4.6 Core Policy 43 seeks at least 30% or 40% (net) affordable housing provision on-site depending upon the location of development (see [Appendix 1](#) for a map of the affordable housing zones). In exceptional circumstances, the Council will accept a commuted sum. Provision may vary on a site by site basis, taking into account local need, mix and development viability. In applying the affordable housing policy for developments of 10 units or less, the Council will have regard to the Ministerial Statement of 28 November 2014<sup>2</sup> and the associated changes to the Planning Practice Guidance. On rural exception sites<sup>3</sup>, Core Policy 44 allows affordable houses for local need.
- 4.7 Affordable housing requirements apply to houses that fall under Use Class C3 of the Use Classes Order 1987 (as amended). It includes market housing, self-contained student housing, homes for the active elderly, sheltered housing and extra care or very sheltered housing. Affordable housing requirements do not apply to nursing homes, residential care homes, hotels and student accommodation (non self-contained).

Comment [FL10]: SPD25

Comment [FL11]: SPD27

<sup>2</sup> Department for Communities and Local Government, the Minister of State for Housing and Planning (Brandon Lewis). (28 November 2014). House of Commons: Written Statement (HCWS50) *Support for small scale developers, custom and self-builders*. Available: <http://www.parliament.uk/documents/commons-vote-office/November%202014/28%20Nov%202014/2.%20DCLG-SupportForSmallScaleDevelopersCustomAndSelf-Builders.pdf>. Last accessed 24th August 2016.

<sup>3</sup> The restrictions on seeking affordable housing and tariff style planning obligations introduced by the Ministerial Statement (28 November 2014) do not apply to development on Rural Exception Sites, although they should not be sought from residential annexes or extensions.

## 5. Education facilities and school places

### General approach

- 5.1 Education impacts of development will be addressed through the use of planning conditions, planning obligations and through the application of CIL receipts.
- 5.2 Wiltshire's school population is predicted to increase over the period to 2026 both in the primary and secondary sectors. This is as a result of population growth, economic factors and housing development. There will be a need for a significant increase in school places and in some areas new schools in both sectors. There may also be the need to increase the provision of special school places across the wider catchment area. New development in Wiltshire may also place demands on infrastructure in neighbouring authorities. For example, pupils in Mere and Tisbury attend secondary schools in Gillingham and Shaftesbury respectively. The Department of Education will provide only formula funding where there is a demographic increase in actual numbers. This will not cover the full cost of assembling land and building a school.
- 5.3 Some development schemes in isolation will result in a significant net increase in the number of residents and a cluster of neighbouring developments will often lead to a significant local increase in population. These factors can and will create the need for new schools on sites in the development locality or extensions to existing schools. This will be necessary unless there is local capacity available in schools or capacity is likely to become available at the right time.
- 5.4 A specific local education need may be identified that is linked to development. Therefore, this may be secured through planning obligations. The Council can pool up to five separate planning obligations towards a specific project not on the Regulation 123 List. In some cases, the scale of a development may be sufficient by itself to justify a new school. The developer will then be expected to provide the site free of charge and pay the full construction costs, including all design fees and charges.
- 5.5 Provision of education facilities either on-site or in the vicinity of significant development(s) may be required where justified. To justify any such requirement, the council will demonstrate that sufficient school age children will be generated to necessitate a new school or an extension to an existing school. The council will also demonstrate that the additional children could not be provided for within existing schools in the catchment area.
- 5.6 The council will seek to open new (4-11) schools for primary phase pupils. For secondary phase pupils, the Council will seek to open new (11-16) or (11-18) schools, however all-through (4-16 or 4-18) schools will also be considered where appropriate for school organisation arrangements. For new primary schools the expectation is that a school will be between one (210 places) and three forms of entry (630 places). Smaller new schools will only be considered if it is not possible to expand existing schools and the cumulative additional demand from development does not require seven classes.
- 5.7 Under the Childcare Act 2006, the council must provide up to 15 hours free early years funding for all three and four year olds. Since September 2014, the council must provide

Comment [FL12]: SPD3

Comment [FL13]: SPD39

free early years funding for 40% of all two year olds. The council may seek provision of early years facilities through development.

**Policy context and framework**

5.8 Any education requirements will be justified in accordance with the NPPF, the Wiltshire Core Strategy (Core Policies and the development templates) and saved policies (see Table 5.1).

Policy	Requirement
<b>NPPF</b>	
Paragraphs 38 and 72	Locate key facilities, such as primary schools, within walking distance of most properties, where practical, and provide a sufficient choice of school places
<b>Wiltshire Core Strategy</b>	
Core Policy 3 <i>Infrastructure requirements</i>	Planning obligations sought to mitigate the direct impact of development, contribute towards delivery of infrastructure made necessary by the development, and provision of local facilities and services.
<b>Saved policies</b>	
Kennet District Local Plan  HC37 <i>Demand for Education</i>	Seeks contributions towards schools from new development
West Wiltshire District Plan  S1 <i>Education</i>	Seeks contributions towards schools from new development
West Wiltshire District Plan  S2 <i>Primary schools</i>	Allocates land for new or extensions to existing primary schools
Salisbury District Local Plan  PS4 <i>New school sites at Landford and Shrewton</i>	Safeguards sites for new schools from other forms of development
Salisbury District Local Plan  PS5 <i>New education facilities</i>	Seeks contributions from developers for new education facilities
Salisbury District Local Plan  PS6 <i>Playgroups, childminding facilities and day nurseries</i>	Supports provision of playgroups, childminding facilities and day nurseries

Table 5.1 – Summary of education policies

5.9 Known site-specific education requirements resulting from strategically important sites are set out in the development templates in Appendix A to the adopted Wiltshire Core Strategy

and in subsequent development plan documents, such as the Chippenham Site Allocations Plan and the Wiltshire Housing Site Allocations Plan. They are informed by the Infrastructure Delivery Plan, which will be updated periodically over the plan period. Infrastructure requirements may therefore change. The Council will be flexible and responsive to any changes.


Comment [FL14]: SPD29

**Thresholds and application**

- 5.10 The council will calculate the number of nursery, primary and secondary aged children likely to come from a new housing development. Several factors are taken into account, including the most current data available on pupil numbers and forecasts, schools' capacities and details of other know housing applied for/ approved within the relevant school catchment area(s).
- 5.11 The likely number of pupils arising from a development will be calculated using pupil product figures, which have been derived from the number of children arriving in early years settings and schools over a 10 year period. These figures are:
  - 0.04 per dwelling for 0-2 year olds (4 per 100 dwellings)
  - 0.09 per dwelling for 3-4 year olds (9 per 100 dwellings)
  - 0.31 per dwelling for primary aged pupils (31 per 100 dwellings)
  - 0.22 per dwelling for secondary aged pupils (22 per 100 dwellings).
- 5.12 All one bed properties are considered unlikely to generate school age children and so are discounted entirely. A 30% discount is given on the social housing element of applications. This reflects pupils moving within the relevant designated areas (most relevant at secondary level) and so not needing to change their school place.
- 5.13 It will then be assessed whether the likely number of pupils can be accommodated within the existing capacity of the relevant catchment area school, taking into account other known granted or planning applications in their catchment area. The estimated pupil product calculated for a new housing development, plus the forecast numbers on roll at the appropriate school(s) are compared with their permanent capacities to identify the extent of any deficit that will need to be addressed. The determination of whether or not there is

sufficient Early Years provision in the area of the development will be done via reference to the current [Wiltshire Childcare Sufficiency Report](#) and an assessment of the impact of the development on existing capacity.

- 5.14 Where the proposed housing development would lead to a forecast school and early years population in excess of the permanent capacity, the council would seek either land and/ or provision of education facilities to meet the shortfall in places.
- 5.15 Development proposals for around 400 to 500 houses may require a significant expansion of existing primary and secondary schools (combined or individually). Proposals for more than around 700 houses may require new nursery and primary schools to serve children generated by the development. In both instances, this will depend upon the extent of any surplus capacity within reasonable (defined) walking distance of the development. Proposals of this size may also require significant expansion of existing secondary schools, taking into account any surplus capacity within the catchment area.
- 5.16 A new secondary school is only likely to be required to serve a major urban expansion scheme. The council will consider the establishment of a new secondary school where long term demand is likely to lead to a school with 900 11-16 school places. Special schools have a relatively wide catchment area and large development proposals may require the expansion of special school provision serving a wider area.
- 5.17 The Council uses cost multiplier figures (updated annually) to determine the cost per place for nursery, primary and secondary places. These are applied to the pupil product figures when assessing the amount of financial contributions required from developers towards the provision of school places. Cost multiplier figures on which the final contribution will be calculated are those applicable on the date of signature of a legal agreement.

Comment [FL15]: SPD30

## 6. Open space/ green infrastructure

### General approach

- 6.1 The council will generally mitigate the site specific impact of development on Wiltshire's open space and green infrastructure through planning obligations. CIL may be used to fund open space and green infrastructure projects.
- 6.2 Population increase from new developments creates increased pressure on the use of open space and green infrastructure. Open space and green infrastructure can include allotments, cemeteries, parks, children's and youth play space, public rights of way, green areas, outdoor fitness and outdoor sports playing fields. It can also include areas of nature conservation, habitat creation and habitat protection, and ecological impacts.
- 6.3
- 6.4 Mitigation of ecological impacts will generally continue to be managed through planning conditions and obligations as these matters are typically site specific. However, in exceptional circumstances off-site compensation, such as habitat creation or enhancement, may be required to offset the effects of development where onsite mitigation is not possible. For example, a financial contribution may be required to fund capital works and ongoing management by the council or relevant third parties. This would exclude funding of strategic Habitats Regulations Assessment (HRA) mitigation strategies, as identified in the Regulation 123 list, Infrastructure Delivery Plan and / or paragraph 6.76 of the Wiltshire Core Strategy.
- 6.5 The HRA of the Wiltshire Core Strategy identified that the cumulative effects of planned development has the potential to effect a number of European designations including the Salisbury Plain and the New Forest Special Protection Areas and the River Avon Special Area of Conservation; strategic mitigation strategies for these areas will be funded through CIL receipts. To meet the strict requirements of the Habitat Directive to ensure that these strategies are delivered, funds will be ring-fenced annually from CIL receipts prior to spending on any other infrastructure item.

Comment [FL16]: SPD4

Comment [FL17]: SPD5

Comment [FL18]: SPD6

Comment [FL19]: SPD31

Comment [FL20]: SPD7

### Policy context and framework

- 6.6 Any open space/ green infrastructure requirements will be justified in accordance with the NPPF, the Wiltshire Core Strategy (Core Policies and the development templates) and saved policies (see *Table 6.1*).

Policy	Requirement
<b>NPPF</b>	
Paragraphs 16, 17, 73, 74, 99 and 114	Supports positive planning; encourages access to high quality open spaces and opportunities for sport and recreation; protects existing open space, sports and recreational buildings and land; takes into account climate change, and plans for a strategic approach to biodiversity and green infrastructure.
<b>Wiltshire Core Strategy</b>	

<b>Policy</b>	<b>Requirement</b>
Core Policy 50 <i>Biodiversity and geodiversity</i>	Requires development to mitigate its ecological impact, enhance biodiversity and, where appropriate, contribute towards management of local sites
Core Policy 51 <i>Landscape</i>	Requires development to mitigate any negative impacts upon landscape character through sensitive design and landscape measures, and to conserve and, where possible, enhance landscape character
Core Policy 52 <i>Green infrastructure</i>	Requires development to retain and enhance existing on-site green infrastructure, make provision for accessible open spaces according to the adopted Wiltshire Open Space Standards, ensure long-term management of directly related green infrastructure, contribute towards the Wiltshire Green Infrastructure Strategy and improve links between the natural and historic landscapes
Core Policy 53 <i>Wiltshire's Canals</i>	Supports in principle the restoration and reconstruction of the Wilts & Berks and Thames and Severn canals as navigable waterways. Safeguards their alignments from new development. Permits proposals that develop the recreational and nature conservation potential.
Core Policy 57 <i>Ensuring high quality design and place-shaping</i>	Requires development to adhere to a high standard of design relating to the natural environment, such as the retention and enhancement of landscaping and natural features, for example trees, hedges, banks and watercourses, in order to take opportunities to enhance biodiversity and create wildlife and recreational corridors.
Core Policies 60, 61 and 62	See <i>Chapter 7 Transport/ highways, Table 7.1</i> for policies applying to rights of way, which may also be classified as open space/ green infrastructure
Core Policy 67	See <i>Chapter 8 Flood risk alleviation and sustainable urban drainage systems, Table 8.1.</i> for policies applying to such schemes that may also be classified as open space/ green infrastructure
Core Policy 68 <i>Water resources</i>	Requires development to contribute towards the delivery of the relevant River Basin or catchment management plan and, for non-residential development, incorporate water efficiency measures
Core Policy 69 <i>Protection of the River Avon SAC</i>	Requires development to mitigate its impact on the River Avon Special Area of Conservation (SAC)
<b>Saved policies</b>	
Kennet District Local Plan  HC34 <i>Recreation provision on large housing sites</i>	Contains the adopted open space standards for east Wiltshire



Policy	Requirement
Kennet District Local Plan  HC35 <i>Recreation provision on small housing sites</i>	Contains the adopted open space standards for east Wiltshire
North Wiltshire Local Plan  CF3 <i>Provisions of open space</i>	Contains the adopted open space standards for north Wiltshire
West Wiltshire Leisure and Recreation Development Plan Document  LP4 <i>Providing recreation facilities in new developments</i>	Contains the adopted open space standards for west Wiltshire
Salisbury District Local Plan  R2 <i>Open space provision</i>	Contains the adopted open space standards for south Wiltshire
Salisbury District Local Plan  R3 <i>Open space provision</i>	Contains the adopted open space standards for south Wiltshire

Table 6.1 - Summary of open space/ green infrastructure policies

- 6.7 The saved Local Plan policies contain the adopted Wiltshire open space standards. These will be replaced by Wiltshire-wide standards, within the Open Spaces Study (2015 – 2026) Part 1. The new standards will be formally adopted as part of the partial review of the Wiltshire Core Strategy programmed in the Council’s Local Development Scheme.

Comment [FL21]: SPD32

**Thresholds and application**

- 6.8 Thresholds for planning obligations are set out in the adopted Wiltshire open space standards. Four sets of open space standards are currently in operation across Wiltshire, with different standards applying in each of the former district areas. Core Policy 52 requires development to make provision in line with the adopted Wiltshire Open Space standards.
- 6.9 Onsite provision of open space and landscaping schemes may be offered to the council or its nominee (usually a town or parish council) by a developer for adoption to be managed in perpetuity by a management company on behalf of the council or town/ parish council. Where new publically accessible open space is proposed as part of a development, the council will require these facilities to be useable and of high quality. There are currently no specific standards against which the Council will undertake this assessment. It will be guided by the Open Spaces Study, dependent upon individual site characteristics and, as such, in the interim period decisions will be made on a case by case basis. Open space must initially be maintained by the developer to the satisfaction of the council for at least 12 months after being provided on-site (this may be lengthened or shortened at the council's discretion). All new public open space must be secured and maintained in perpetuity for the benefit of the public. A commuted maintenance payment to cover a period of 20 years will also be required. The payment will be calculated using either the annual maintenance unit rates in place at the time of completion of the section 106 agreement, index linked to take into account inflations that may occur prior to receipt of payment, or the annual maintenance unit rates in place at the time the open space site is transferred to the council. These are calculated using rates from the current Spons external works and landscape price book.
- 6.10 Off-site provision of open space will be sought through planning obligations where it is not possible for the provision to be made on-site and the off-site open space is directly related to the proposed development. The off-site contribution will be calculated in line with the adopted Wiltshire Open Space standards and based on rates from the current Spons external works and landscape price book.

Comment [FL22]: SPD32

Comment [FL23]: SPD32

## 7. Transport/ highways

### General approach

- 7.1 Transport impacts of development will be addressed through the use of planning conditions, planning obligations and through the application of CIL receipts. Generally and in accordance with national guidance, the council will first try to address transport and highways issues through planning conditions. This might be for on-site highways infrastructure or off-street parking to ensure the efficacy of the proposed network.
- 7.2 Inevitably, developments generating or attracting significant trips will have an off-site impact. Appropriate mitigation will need to be identified in the supporting transport assessment. It might be possible to directly mitigate the off-site impact of development on the wider transport network. In these situations, mitigation will normally be secured through negatively framed planning conditions, with works carried out under a section 278 (highways) agreement. This agreement can be drafted alongside the section 106 agreement.
- 7.3 However, section 278 agreements cannot be used to mitigate the cumulative impact of developments. Instead, planning obligations (subject to pooling restrictions) would normally be sought towards, for example, highways infrastructure or revenue support for local bus services. Obligations will also be used for traffic regulation orders directly required by development, typically for controlling traffic parking by directional movement or by weight.
- 7.4 The principle settlements in Wiltshire (i.e. Chippenham, Salisbury and Trowbridge) are supported by transport strategies. These identify measures to mitigate the cumulative impacts of development. Consideration of these is a key determinant of the highways authority recommendation on a planning application. Specific proposals could be delivered by planning obligations (subject to pooling restrictions). Such measures include:
- Road improvement schemes
  - Junction capacity improvements
  - Measures to facilitate the shift from car use to more sustainable means of transport, primary bus, cycle or walking schemes but also improvements to rail infrastructure
- 7.5 The accessibility and connectivity of development will be taken into consideration, including local destinations reasonably required by future residents, or vice-versa in the case of non-residential development. For example, measures might include new or upgraded pedestrian and cycle facilities. These may be identified in transport assessments, cycle and footpath route audits and travel plans, or through the local knowledge of officers.
- 7.6 The provision of sustainable transport measures may be more challenging in rural areas but is likely to reflect those sought in more urban areas of the county.

Comment [FL24]: SPD33



### Policy context and framework

7.7 Any transport/ highways requirements will be justified in accordance with the NPPF, the Wiltshire Core Strategy (Core Policies and the development templates) and saved policies (see Table 7.1).

<b>Policy</b>	<b>Requirement</b>
<b>NPPF</b>	
Paragraphs 29 to 41	Promote sustainable transport measures
<b>Wiltshire Core Strategy</b>	
Core Policy 3 <i>Infrastructure requirements</i>	Planning obligations sought to mitigate the direct impact of development, contribute towards delivery of infrastructure made necessary by the development, and provision of local facilities and services.
Core Policy 60 <i>Sustainable transport</i>	Reduce the need to travel and deliver sustainable transport. Planning obligations sought to mitigate the impact of development on transport users, local communities and the environment.
Core Policy 61 <i>Transport and development</i>	Planning obligations sought towards sustainable transport improvements identified in transport assessments.
Core Policy 62 <i>Development impacts on the transport network</i>	Appropriate mitigation measures from development sought to offset any adverse impacts on the transport network at both the construction and operational stages.
Core Policy 63 <i>Transport strategies</i>	Planning obligations sought towards implementing the transport strategies for the principal areas of development in Wiltshire (i.e. Chippenham, Salisbury and Trowbridge) to address the need for integrated transport solutions in these settlements.
Core Policy 64 <i>Demand management</i>	Demand management mitigation measures sought to reduce reliance on the car and encourage the use of sustainable transport alternatives.
Core Policy 66 <i>Strategic transport network</i>	Identifies improvements to the A350 national primary route at Yarnbrook/ West Ashton. Mitigation measures sought to ensure important commuting routes for Annex II species are protected.
<b>Saved policies</b>	
West Wiltshire Leisure and Recreation DPD  CR1 <i>Footpaths and rights of way</i>	Protects public rights of way network from development and, where appropriate, seeks improvements as part of development proposals
<b>Other</b>	
Planning Practice Guidance	Provides further guidance, which will be referred to by the council in seeking transport/ highways contributions, especially around the use of conditions, transport assessments and travel planning.
DfT publications	Further design-related national guidance, e.g. Design Manual for Roads and the Manual for Streets

Table 7.1 – Summary of transport/ highways policies

## Thresholds and application

- 7.8 Planning obligations may be sought regardless of the size of the development proposed, depending upon the site related circumstances. However, developments not requiring a transport assessment<sup>4</sup> are unlikely to need to provide for any off-site works. Those that do can be anticipated to be required to mitigate their impact. Smaller developments will help reduce their limited impacts through the use of CIL receipts.
- 7.9 Where significant infrastructure is included on-site, it will likely need to be of a size to accommodate internal and any external trips it might facilitate. On-site infrastructure may need to be appropriately upgraded to accommodate planned connecting infrastructure. This will be required as a pro bono contribution, as part of the abnormal development costs.
- 7.10 In the principal settlements, planning obligations will have regard to the relevant transport strategy. Off-site measures will primarily be restricted to residential development because they generate trips. Contributions (subject to pooling restrictions) are normally sought on a per dwelling basis but this approach is subject to review.
- 7.11 Employment development attracts trips and is to be encouraged to support the increase in forecast population. It will normally be required only to address immediate and local transport impacts, where they have a deleterious effect on the transport network. Major employment and retail developments may be required to mitigate their impacts away from the immediate area, e.g. congestive impacts at identified junctions.
- 7.12 There will be some transport schemes that cannot be funded through planning obligations and these will be delivered through CIL receipts. 
- 
- 7.13 Any requirements for transport/ highways planning obligations will meet the three statutory tests in CIL Regulation 122 in the following way:
- **Necessary** – acceptability of the transport impacts of the development in the absence of mitigation, which is consider on a site-by-site or cumulative basis.
  - **Directly related** – impact of the development on the local transport network resulting from the trips directly associated with the development
  - **Scale** – measures that do not exceed only what is necessary to mitigate the development's own impact on the local network. However, negotiated mitigation measures might result in, for example, local improvements to capacity at one junction at the expense of another. At least a five year life would be expected from any works on the highway.

Comment [FL25]: SPD8

<sup>4</sup> Guidance on Transport Assessments, March 2007, GCLG/ DfT.



**8. Flood alleviation and sustainable drainage systems**

Comment [FL26]: SPD40

**General approach**

8.1 The council will continue to secure site-specific flood alleviation and sustainable drainage systems (SuDS) mainly through planning conditions but, occasionally, through planning obligations

Comment [FL27]: SPD40

8.2 The council is committed to implementing sustainable approaches to surface water drainage, expecting developments to incorporate SuDS. Additionally, several areas in Wiltshire are within Flood Zones 2 and 3. Developments proposed that fall into those zones will require additional evidence that no lower risk alternative sites were available.

8.3 All new development will need to include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable drainage), unless site or environmental conditions make these measures unsuitable.

Comment [FL28]: SPD40

8.4 Development will be expected to incorporate SUDs, such as rainwater harvesting, green roofs, permeable paving, ponds, wetlands and swales, wherever possible.

8.5 The provision of green infrastructure, including woodland, should also be considered as a measure to reduce surface water run-off. Any opportunities to reinstate or create additional, natural functional floodplain through the development process will be encouraged.

**Policy context and framework**

8.6 Any requirements for flood alleviation and SuDS infrastructure will be justified in accordance with the NPPF, the Wiltshire Core Strategy (Core Policies and the development templates) and saved policies (see Table 8.1).

Policy	Requirement
<b>NPPF</b>	
Paragraphs 99 – 104	Meeting the challenge of climate, change, flooding and coastal change
<b>Wiltshire Core Strategy</b>	
Core Policy 3 <i>Infrastructure requirements</i>	Planning obligations sought to mitigate the direct impact of development, contribute towards delivery of infrastructure made necessary by the development, and provision of local facilities and services.
Core Policy 67 <i>Flood risk</i>	Requires all new development to include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable drainage) unless site or environmental conditions make these measures unsuitable
<b>Saved policies</b>	
West Wiltshire District Plan  U1a <i>Foul water disposal</i>	Requires development to have adequate foul drainage and connect to mains drainage
<b>Other</b>	

Comment [FL29]: SPD40

Policy	Requirement
Environment Agency	<i>Sustainable Drainage Systems: An Introduction</i> , which sets out the 'surface water management train' approach recommended by the Environment Agency that developers will be expected to follow
Wiltshire Council	<i>A Developer's Guide to SuDS in Wiltshire</i>

Table 8.1 – Summary of flood alleviation and sustainable drainage systems (SuDS) policies

Comment [FL30]: SPD40

### Thresholds and application

- 8.7 Major flood alleviation and SuDS projects will be delivered by the water companies, or via CIL and other infrastructure funding. Section 106 agreements will not be used to seek funding for these projects.
- 8.8 However, developers may be expected to mitigate the direct impacts of their development on local drainage and flood risk management through planning obligations. Planning obligations may be sought where the development requires:
- Off site management of surface water to ameliorate the impact of the development on the capacity of Sewage Treatment Works
  - Off site management of surface water to ameliorate the impact of the development on the risk of flooding to properties nearby
  - Off site works to manage the impact of the development on the risk of flooding from fluvial sources to properties nearby
- 8.9 The section 106 agreement will require the nature of the works to be undertaken to be agreed by the Council. Appropriate contracts will need to be in place to secure the delivery of off-site work before the development can commence. This will involve securing the agreement of the relevant landowner(s) as well as appropriate agreements from the local drainage company and/ or relevant regulatory bodies.
- 8.10 On-site infrastructure may also be provided to alleviate the risk of flooding, and reduce impacts on drainage infrastructure. **Core Policy 3 states that water and sewerage, flood alleviation and sustainable drainage systems are essential infrastructure. This is to be provided by new development, which must be adequately served by on and off-site foul and surface water drainage systems.** This will normally form part of the detailed matters submitted and agreed through the planning application process. The delivery can therefore be secured through a planning condition.
- 8.11 However, the ongoing maintenance of on-site infrastructure may need to be subject to a section 106 agreement. Off-site infrastructure will need to be maintained in order to ensure it continues to operate effectively. Additionally, some developments will incorporate on-site flood risk management and drainage infrastructure which will require maintenance beyond the normal timeframe of development.

Comment [FL31]: SPD34



- 8.12 The developer may be able to get this infrastructure adopted by the local drainage company if it meets their specifications. Where this cannot be achieved, the developer must put in place mechanisms to ensure the ongoing maintenance and effective operation of the infrastructure in perpetuity.
- 8.13 The council will include clauses within section 106 agreements to secure the ongoing maintenance of flood alleviation and SuDS. This could apply to both off-site and on-site provision. Normally the section 106 agreement will require either:
- the developer to enter into an agreement with the local drainage company to adopt the flood alleviation and SuDS prior to initial occupation/ use, or
  - the developer to prepare a management plan for the flood alleviation and SuDS, agreed by the council, and put in place mechanisms to deliver ongoing management of the infrastructure prior to initial occupation/ use.
- 8.14 Due to the unpredictable nature of flood risk and drainage issues, later implementation of maintenance is unacceptable.
- 8.15 It is necessary to ensure delivery of flood alleviation and SuDS alongside development. Therefore, any financial planning obligations must be paid upon commencement of development to allow sufficient time to deliver the required infrastructure. If the developer is undertaking the physical work themselves then it must be completed prior to initial occupation or use. The section 106 agreement will set out the phasing requirements for planning obligations related to flood alleviation and SuDS.

## 9. Community and health facilities

### General approach

- 9.1 Where there is a direct link to development, the council will fund community and health facilities through planning obligations. CIL may be used to fund other health facilities and community facilities such as multi-use community facilities, leisure centres and libraries and cultural facilities.

### Policy context and framework

- 9.2 Any requirements for community and health facilities will be justified in accordance with the NPPF, the Wiltshire Core Strategy (Core Policies and the development templates) and saved policies (see Table 9.1).

Policy	Requirement
<b>NPPF</b>	
Paragraphs 28 and 70	Support economic growth in rural areas, and the delivery of social, recreational and cultural facilities and services
Paragraphs 156, 162 and 171	Supports strategic policies to deliver health, security, community and cultural infrastructure and other local facilities, working with providers to assess the capacity of and the need for strategic infrastructure, and work with health providers to understand and take into account the health needs of the local population
<b>Wiltshire Core Strategy</b>	
Core Policy 3 <i>Infrastructure requirements</i>	Planning obligations sought to mitigate the direct impact of development, contribute towards delivery of infrastructure made necessary by the development, and provision of local facilities and services.
Core Policy 48 <i>Supporting rural life</i>	Supports improving access to services and infrastructure, community ownership and new shops in rural areas
Core Policy 49 <i>Protection of services and community facilities)</i>	Protects existing services and community facilities
<b>Saved policies</b>	
North Wiltshire Local Plan  CF2 <i>Leisure facilities and open space</i>	Supports proposals for leisure facilities (and open space) within settlement boundaries
Salisbury District Local Plan  PS1 <i>Community facilities</i>	Supports provision of health facilities.

Policy	Requirement
Salisbury District Local Plan  R4 <i>Indoor community and leisure provision</i>	Seeks provision of new indoor community and leisure facilities, or contributions towards existing facilities, from development
West Wiltshire Leisure and Recreation DPD  Policies LP1, LP2, LP3, LP4 and LP5	Protect and enhance existing open space or leisure and recreation provision. Seek provision of recreation facilities in new development.
West Wiltshire Leisure and Recreation DPD  Policies OS1 and OS2	Seek provision of new artificial turf and grass pitch provision from new development
West Wiltshire Leisure and Recreation DPD  Policies YP2	Seeks provision of youth facilities from new development

Table 9.1 – Summary of community and health facilities policies

9.3 Known site-specific community and health facilities requirements resulting from strategically important sites are set out in the development templates in Appendix A to the adopted Wiltshire Core Strategy and in subsequent development plan documents, such as the Chippenham Site Allocations Plan and the Wiltshire Housing Site Allocations Plan. They are informed by the Infrastructure Delivery Plan, which will be updated periodically over the plan period. Infrastructure requirements may therefore change. The Council will be flexible and responsive to any changes.


Comment [FL32]: SPD35

### Thresholds and application

9.4 Depending on the size of the residential development it may be possible that community facilities such as a village hall or changing rooms for a sports pitch for example are delivered through planning obligations directly linked to the development and are used in the development.

- 9.5 Large residential developments or a cluster of neighbouring developments will lead to a local increase in population. This can create a need for specific local health facilities if there is no existing local capacity or likely to be in the near future. New development may therefore require a new facility or extensions to existing facilities to be provided.

**Comment [FL33]: SPD36**

## 10. Other planning obligations

10.1 The council reserves the right to seek additional section 106 planning obligations to those listed above; where justified by local circumstance and where such planning obligations can meet the statutory tests set out in CIL Regulation 122.

10.2 Examples of section 106 obligations may include but will not be limited to:

- Site-specific air quality, contaminated land and noise monitoring and mitigation measures
- Fire hydrants (*see paragraph 10.3*)
- Local employment, skills training and enterprise benefits
- Waste and recycling containers<sup>5</sup>
- Art and design in the public realm<sup>6</sup>
- Site-specific measures to protect and enhance the historic environment

Comment [FL34]: SPD9

Comment [FL35]: SPD41

10.3 Development may require the provision of fire hydrants and water supplied for firefighting. Where a direct need arising from the development is identified by the Fire Authority, the Council will seek this through a planning condition or, if this is not possible, a planning obligation. The developer is responsible for the cost of the hydrants and water supplies for firefighting. Consultation should be undertaken with the Fire Authority to ensure that the site is provided with adequate water supplies for use by the fire and rescue service in the event of a fire. Arrangements may include a water supply infrastructure, suitable siting of hydrants and/ or access to an appropriate water supply. Consideration should also be given to ensure access to the site, for the purpose of firefighting, is adequate for the size and nature of the development. CIL may be used to fund other emergency services infrastructure projects.

Comment [FL36]: SPD10

10.4 Planning obligations may be secured to ensure that provision is made directly on-site or, as appropriate, off-site.

<sup>5</sup> Wiltshire Council (2014), *Waste Storage and Collection Guidance for New Developments*. This document is currently under review.

<sup>6</sup> Wiltshire Council (2011), *Guidance Note for Art and Design in the Public Realm*.

## **11. Negotiating planning obligations in Wiltshire**

- 11.1 The process for negotiating planning obligations is set within the framework of national legislation and guidance, and local policy and guidance, and other material considerations relevant in each particular case. The council must meet the statutory tests in the CIL Regulations 2010 (as amended) and consider the policy guidance in the NPPF and PPG.

### **Role of the case officer**

- 11.2 The case officer assigned to assess planning proposals will act as one point of contact for the negotiation of planning obligations.

### **Pre-application stage**

- 11.3 The council provides a pre-application advice service to anyone wanting help with a development proposal before the submission of a planning application. The aim is to provide responsive, consistent and timely advice. This de-risks the application process and reduces the time taken to deal with applications at the formal decision making stage. The charge for pre-application advice is set out on the 'Planning' pages of the council website.
- 11.4 Pre-application advice will identify policies of the development plan which generate a need for planning obligations. Where possible, it will specify expected heads of terms for any legal agreement or unilateral undertaking. The advice will provide details and/ or calculations of expected contributions, where relevant and possible. Potentially, this will assist applicants with the drafting of agreements or undertakings to enable them to be submitted before the submission of formal planning applications. Applicants will be encouraged to prepare agreements and undertakings in cooperation with the council's solicitors, and, wherever possible, use the council's template legal documents.
- 11.5 Applicants should use this SPD, alongside an analysis of their proposed works, to identify planning obligations necessary to mitigate the impacts of development.

### **Application stage**

- 11.6 The applicant or their agent must ensure that the formal process of applying for planning permission is followed. Guidance is set out on the 'Planning' pages of the council website.
- 11.7 Applicants are encouraged to submit forms and related documentation electronically (via the council website or Planning Portal). Paper submissions are also acceptable. Standard application forms are available in packs either on-line or on request.
- 11.8 Planning applications are validated on receipt using 'local validation checklists', available to view on-line or on request. The council can refuse to register a planning application unless it receives all of the information set out in the checklists. Where applications generate the need for planning obligations the local validation checklists require, as a minimum, the heads of terms of the inevitable legal agreement or unilateral undertaking to be set out in the application documentation. The pre-application enquiry process will inform this process.

11.9 In rare situations where an applicant is unwilling to meet any, or all, of the expected planning obligations they should set out their reasons in a separate statement. If necessary, this should be accompanied by a viability appraisal (see *paragraph 11.12*).

11.10 The council is not required to enter into protracted negotiations on the nature and extent of expected planning obligations during the formal application process. For this reason, the council reserves the right to refuse inadequately justified applications without further explanation. To avoid this scenario, pre-application discussions are encouraged.

#### Thresholds

11.11 Some infrastructure types contain individual minimum thresholds, e.g. affordable housing, below which an obligation of that type will not be sought. In general, whether an obligation is sought will depend upon the nature, type, location and crucially impact of the proposal.

#### Size of development

11.12 Larger developments tend to create a specific need for infrastructure provision and improvements. They may require site specific infrastructure, such as schools, open spaces, community facilities and highway improvements or enabling works, to be secured through planning obligations. This could apply to smaller developments with site specific impacts.

#### Viability

11.13 On rare occasions the cost of obligations may be greater than the proposed development is able to bear. Where the outcome is judged to have a significant impact on residual land values and financial viability is raised as a concern, a financial appraisal of the proposed development by the applicant will be required to substantiate the claim. This appraisal should be submitted alongside the application documentation and where possible will be treated and kept as confidential by the Council. The council will scrutinise the financial appraisal before confirming or otherwise viability.

Comment [FL37]: SPD37

11.14 A scenario may arise whereby the financial appraisal shows that little or no infrastructure could be provided. The potential for a planning refusal in these circumstances must be balanced against the benefit of bringing a site forward for development.

11.15 Paragraph 205 of the NPPF addresses concerns about delivery of development and development viability, stating that '*where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.*'

#### Input from local communities

11.16 The council would encourage developers to undertake pre-application consultation with local communities prior to submitting development proposals. This will enable them to gain a greater understanding of local concerns and issues, including the relative priority of any

identified planning obligations at the local level, and should inform the detail of their planning application.

- 11.17 Parish and town councils are well placed to articulate the needs of the local community. They may identify necessary mitigation measures required from development proposals. In addition, neighbourhood plans may also play a key role in identifying and prioritising local infrastructure that could be delivered via planning obligations or the neighbourhood proportion of CIL receipts.

Comment [FL38]: SPD11



## **12. Procedure and management**

### **Post-decision monitoring and implementation**

- 12.1 To ensure proper and effective management of planning obligations copies of every agreement and undertaking will be placed on the planning register with the planning decision notice. Thereafter the council will monitor development sites to ensure obligations are met as and when 'triggers' set out in the agreements and undertakings are reached. On the rare occasions when obligations are not fulfilled the council will take appropriate enforcement action.
- 12.2 The council will publish reports setting out details of planning obligations negotiated, details of extant planning obligations where development has not yet commenced, details of works undertaken and/or expenditure from planning obligations where development has commenced, and details of expenditure planned in the future.

### **Phasing of infrastructure and timing of payments**

- 12.3 The phasing of infrastructure provision or the timing of the payment of financial contributions required within a planning obligation will be negotiated separately as part of the agreement or undertaking. The rate of delivery of infrastructure will be in line with the needs of the development.

### **Indexing and interest payments**

- 12.4 The council will require indexing clauses within agreements and undertakings for all obligations which require financial contributions to be made. These will apply where delays in payment are either built-in to the agreement/ undertaking (for example, phased payment conditions) and/ or driven by external influences (for example, delayed commencement of the development). Contributions will be indexed from the date of the agreement/ undertaking to the date of receipt. The form of indexing will be appropriate to the nature of the obligation.
- 12.5 Interest sums will apply where payments are made later than the date due as set out in the agreement/ undertaking.

### **Legal costs**

- 12.6 The council's legal costs for the drafting or checking of legal agreements must be met by the applicant.

### **Complying with in-kind contributions**

- 12.7 Where an in-kind obligation is required through an s106 agreement the developer should provide evidence of compliance with the obligation to the council, as outlined in the terms of the specific clauses. This evidence should be provided to the council's Section 106 and CIL Monitoring Officer. If approval is required from the council on an element of the in-kind obligation, the Section 106 and CIL Monitoring Officer should be the first point of contact.

**Non-financial obligations**

12.8 The delivery of non-financial contributions, or in-kind obligations, will be monitored by the appropriate service areas responsible for project delivery. For example, where there is an affordable housing element to a legal agreement, the New Housing Team will monitor this section of the agreement to ensure that it is complied with.

**Financial contributions**

12.9 Once a financial contribution is received by the council the service area or organisation with the responsibility for delivery of the s106 project will be informed.

12.10 CIL Regulation 123 states that the pooling of contributions from more than five separate planning obligations towards a specific type of infrastructure or infrastructure project will not be permitted.

12.11

Comment [FL39]: SPD12

12.12 Any pooling of contributions will be in line with CIL Regulations and guidance.

Comment [FL40]: SPD13

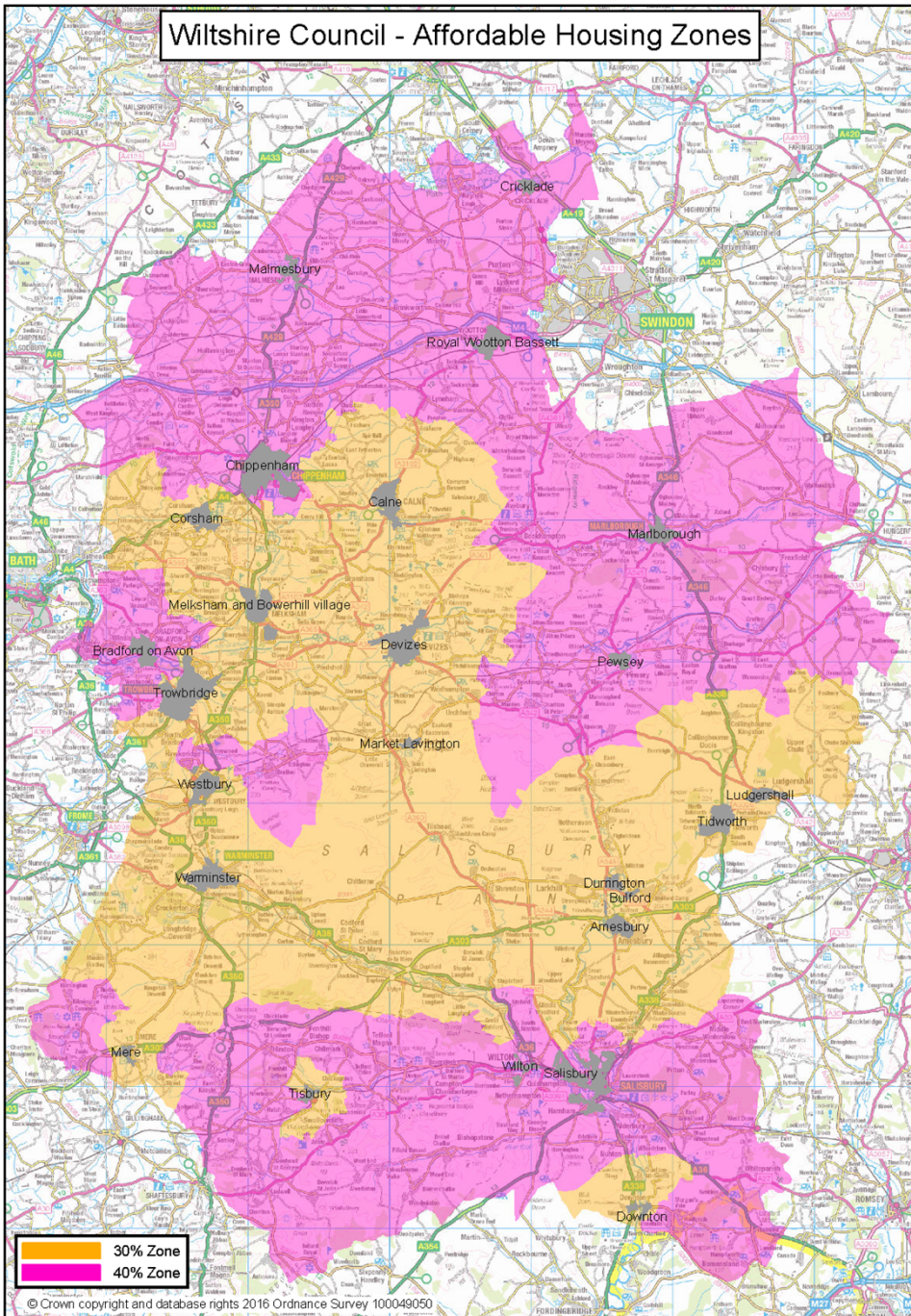




Appendix 1 – Wiltshire Affordable Housing Zones Map (Core Policy 43)

Comment [FL42]: SPD15

Comment [FL43]: SPD16



**Comment [FL44]: SPD16**

## Appendix 2 – Useful links

### Planning legislation

- [CIL Regulations 2010](#)
- [CIL Regulations \(amended\) 2011](#)
- [CIL Regulations \(amended\) 2012](#)
- [CIL Regulations \(amended\) 2013](#)
- [CIL Regulations \(amended\) 2014](#)
- [CIL Regulations \(amended\) 2015](#)

### National planning policy

- [Planning Practice Guidance \(PPG\)](#)
- [National Planning Policy Framework \(NPPF\)](#)
- [Planning Practice Guidance \(PPG\)](#)

### Local planning policy

- [Wiltshire Core Strategy](#)
- [Wiltshire Community Infrastructure Levy](#)

### Local planning application process advice and fees

- [Planning and building control](#)

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**Wiltshire Council**

**Cabinet**

**13 September 2016**

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Subject: **Revenue Budget Monitoring Period 4 2016/2017**

Cabinet Member: **Cllr Dick Tonge – Finance**

Key Decision: **No**

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## **Executive Summary**

This report advises members of the revenue budget monitoring position as at the end of Period 4 (end of July 2016) for the financial year 2016/2017 with suggested actions as appropriate.

The forecasts indicate an £8.300 million overspend with management action identified to date. This is 2.6% of the Council's net budget. The purpose of budget monitoring is to identify such risks in order to allow management to address issues. Action is currently being taken to identify areas where savings can be made and a balanced budget is being achieved. An updated position will be reported to Cabinet in the next revenue budget monitoring report (Period 7 to Cabinet in December).

If action is taken then a balanced budget can be achieved by 31 March 2017. If this is not the case then there will be a drawdown from reserves. Therefore every action should be taken to reduce unnecessary spend to avoid the use of reserves.

The year-end general fund reserve balance with no drawdown to fund overspends would be £12.206 million. This is in line with the Council's financial plan and recommendations by the Section 151 Officer.

## **Proposal**

Cabinet is asked to note the outcome of the period 4 (end of July) budget monitoring and to approve all budget amendments outlined in the report.

## **Reason for Proposal**

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

**Carolyn Godfrey Corporate Director**

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## Wiltshire Council

### Cabinet

13 September 2016

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Subject: **Revenue Budget Monitoring Period 4 2016/2017**

Cabinet Member: **Cllr Dick Tonge – Finance**

Key Decision: **No**

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### Purpose of Report

1. To advise members of the revenue budget monitoring position as at the end of period 4 (end of July 2016) for the financial year 2016/2017 with suggested actions as appropriate.

### Background

2. The Council set the 2016/2017 budget at its meeting on 23 February 2016. The report focuses on forecast exceptions to meeting the original budget and actions required to balance it. Comprehensive appendices showing the individual service headings are included in Appendix C. More details on any revisions to the original base budgets in year are also included in the report.

### Summary

3. The projected year end position for the relevant accounts is set out as follows:

	<b>Revised Budget Period 4 £m</b>	<b>Profiled Budget to date £m</b>	<b>Actual Net Spend to date £m</b>	<b>Projected Spend Position for Year £m</b>	<b>Projected Overspend/ (Underspend) at Period 4 £m</b>
<b>General Fund Total</b>	313.585	189.261	136.247	321.885	8.300
<b>Housing Revenue Account</b>	(0.975)	(4.669)	(5.556)	(0.975)	0.000

4. Budget expenditure is not always spent in equal amounts each month. The profiled budget above shows the anticipated budget at the end of period 4. The main variance between the revised budget at period 4 and the profiled budget is due to a phasing of grant income due to be received by schools in period 12.

## **General Fund Monitoring Update**

5. Finance has continued to monitor budgets, with budget managers, with a focus on the budgets assessed to be subject to a higher risk of volatility due to factors such as changes in demand or assumptions. This has identified the areas where costs have risen quicker than forecast.
6. Budget monitoring is an ongoing process and budgets and expenditure are reviewed between budget managers and accountants regularly, on a risk based approach. As part of this review these reports exclude commitments in the actual spend column, to better show a consistent position. However, known commitments are taken into account in calculating the projected position for the year.
7. The period 4 report shows more detailed information and includes a number of smaller variances. Full details of service area figures are included in Appendix C. The figures in period 4 are current position after any approved recovery actions have been actioned.
8. As in previous reports, this report will target large variances and the managerial actions arising to ensure a balanced budget at year end. As last year, Budget Monitoring reports to members will be taken to Cabinet to cover the periods 4, 7, 9 and year end outturn.

## **Budget Movements in Period**

9. There have been a number of budget movements in the period. These are due to budget virements and structural changes since the report for budget setting in February 2016. A full trail is shown in appendix A.
10. Further details of major virements in the period are included in appendix B. This includes a virement that has reallocated budget across all council services following a review of projected outturn for the year.
11. During the year the whole reporting structure for Adult Social Care has been reviewed. This report reflects the updated reporting structure.

## **General Fund Monitoring Details**

12. Overall the majority of services net spend are in line with budget profiles and forecasts. There are some services which have identified larger variances at this stage of the year than originally planned. Details of these areas are included below. Associate Directors are identifying compensating actions to bring these back in line.
13. Overall the period 4 report identifies potential cost pressures of £8.300 million.

## **Children's Social Care**

14. Children's Social Care budgets are projected to overspend by £1.800 million. The key risks continue to be costs of placements for looked after children and the costs of agency staff within social work teams.
15. To mitigate the costs of agency staff during the year, reliance on agency staff at management level has been reduced and the numbers of agency social workers across the teams also continues to reduce. It is not anticipated that there will be significant external pressures during the year that would impact on staffing and therefore require the reduction in agency staff to be reversed. However the continued costs, of agency staff albeit reduced, contributes to the overspend.
16. The number of Looked After Children continue to be below average compared with other authorities but numbers have increased by 10% in the current financial year and this places additional pressure on the placement budget. Work is continuing to review the mix of placements for looked after children, and in particular the numbers of children placed in residential care settings. It is anticipated that we can reduce the number of placements in children's homes by a further 25% by the end of the financial year; this will reduce the level of overspend, however the number of children who remain in external placements will continue to be significant. Service management are working with the Corporate Procurement Unit to continue to ensure that placements are effectively procured in line with regional average prices.

## **0-25 Service: Disabled Children & Adults**

17. The 0-25 SEND Service is currently projected to overspend by £1.300 million. This overspend is primarily due to continued growth in the number and cost of packages of care and pressure on SEN transport budgets for home to school transport. The growth in numbers of care packages and in transport costs was anticipated at budget setting and the budget was increased in line with estimated costs, however activity and costs have exceeded the initial estimates. This is in terms of the volume of children meeting the criteria for transport because eligibility for Education Health Care Plans now extends beyond nineteen years of age and because of more local college provision in place of residential college provision. Whilst the shift to more local provision has significantly reduced costs to the Dedicated Schools Budget it has impacted on transport costs. Overall costs to the SEND Service including the DSG funded elements have been reduced. There has also been an increase in complexity of need which impacts on the type of transport used and the need for personal assistants.
18. To mitigate costs, work continues to take place to review all journeys, investigate the potential for more effective utilisation of transport between children's and adult's services and to support parents to provide transport where possible through fuel allowances.

## **Legal & Governance**

19. Legal & Governance is currently projecting a net overspend of £0.560 million.
20. This overspend is mainly due to a continuing high demand for legal services across the council, which has largely been met in-house to minimise external legal spend. The resulting pressures on in-house capacity are in turn having an adverse impact on the achievement of income targets. Officers are taking action to manage down demand levels to mitigate this issue.

## **Capital Financing**

21. Capital Financing is currently projecting a net overspend of £2.000 million.
22. As discussed in the budget setting report to Cabinet in February 2016, this is due to pressure on the revenue costs of the capital programme. The budget will be reviewed to look for opportunities to reprioritise, re-profile and better manage cash over borrowing to fund schemes. This will allow capital financing costs to be reduced wherever possible. This work is currently underway and will return to Cabinet in the future.

## **Restructure & Contingency**

23. This heading includes a range of corporate and cross cutting savings and is currently projecting a net overspend of £2.150 million.
24. Not all of the corporate savings have yet been delivered and plans are in place to deliver the remainder. The savings identified are continually being reviewed for robustness and to look for additional potential savings.

## **Housing Revenue Account Monitoring Update**

25. Budget figures on the Housing Revenue Account (HRA) have been reviewed as part of the regular budget monitoring process.
26. The HRA is currently projecting a balanced position.

## **Reserves**

27. The table below provides the projected position for the year as at period 4 on the general fund balance held by the Council. The latest forecast on general fund balances currently stands at £12.206 million at 31 March 2017.

<b>General Fund Reserve</b>	<b>£ million</b>	<b>£ million</b>
Balance as at 1 April 2016		(12.206)
Projected overspend at period 4	8.300	
Service Recovery Plans	(8.300)	
Total Forecast movement		0.000
<b>Forecast Balance 31 March 2017</b>		<b>(12.206)</b>

28. At present it is assumed that all other areas currently overspending will be on line by the year end following management action. A review of the assessment of need has been undertaken by the Section 151 Officer to link all the General Fund balances to risk.

### **Overall Conclusions**

29. This report has identified a shortfall if no further action is taken on the general fund budget of £8.300 million at period 4 due to cost pressures / shortfalls in income. Officers are currently taking action to address this and further monitoring reports will be brought to Cabinet throughout 2016/2017.
30. The early identification of potential issues is part of sound and prudent financial management. Action to address this year's forecast should be taken where officers have the delegated powers to do so and this is underway.

### **Implications**

31. This report informs member's decision making.

### **Overview & Scrutiny Engagement**

32. Regular reports are taken to Overview & Scrutiny relating to the Council's financial position

### **Safeguarding Implications**

33. Safeguarding remains a key priority for the Council and this report reflects the additional investment support the ongoing spend in looked after children and safeguarding.

### **Public Health Implications**

34. None have been identified as arising directly from this report.

### **Corporate Procurement Implications**

35. None have been identified as arising directly from this report.

## **Equalities and diversity impact of the proposals**

36. None have been identified as arising directly from this report.

## **Environmental and Climate Change Considerations**

37. None have been identified as arising directly from this report.

## **Risks Assessment**

38. If the Council fails to take actions to address forecast shortfalls, overspends or increases in its costs it will need to draw on reserves. The level of reserves is limited and a one off resource that cannot thus be used as a long term sustainable strategy for financial stability. Budget monitoring and management, of which this report forms part of the control environment, is a mitigating process to ensure early identification and action is taken.

## **Financial implications**

39. This is a report from the Chief Finance Officer and the financial implications are discussed in the detail of this report. It is forecast that a balanced budget will be achieved by 31 March 2017 following mitigating management action.

## **Legal Implications**

40. None have been identified as arising directly from this report.

## **Proposals**

41. Cabinet is asked to note the outcome of the period 4 (end of July) budget monitoring and to approve all budget amendments outlined in the report.

## **Reasons for Proposals**

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

## **Background Papers and Consultation**

None

### **Contact Name:**

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Report Author: Matthew Tiller, Chief Accountant

**Appendices:**

Appendix A: Revenue Budget Movements 2016/2017

Appendix B: Major Virements between Service Areas from Original budget

Appendix C: Revenue Budget Monitoring Statements



## Wiltshire Council Revenue Budget Movements 2016/2017

Service	Original Budget	Structural Changes	Revised Original Budget	In Year Virements to Period 4	Revised Budget Period 4	Major Virements See Appendix B
	£m	£m	£m	£m		
<b>Adult Social Care Operations</b>						
Older People	51.476	(51.476)	0.000	0.000	0.000	
Other Vulnerable Adults	11.703	0.000	11.703	(11.703)	0.000	*
Adults 18+	0.000	47.254	47.254	11.775	59.029	*
Mental Health	23.187	0.000	23.187	(2.080)	21.107	*
Learning Disabilities	47.193	(1.637)	45.556	(2.886)	42.670	*
<b>Adult Care Commissioning &amp; Housing</b>						
Resources, Strategy & Commissioning	1.463	5.859	7.322	2.055	9.377	*
Housing Services	4.159	0.000	4.159	0.023	4.182	
<b>Public Health &amp; Public Protection</b>						
Public Health Grant	0.000	0.000	0.000	0.000	0.000	
Other Public Health & Public Protection	2.506	0.000	2.506	0.116	2.622	
Leisure	0.621	0.000	0.621	(0.392)	0.229	
<b>Operational Children's Services</b>						
Children's Social Care	31.389	0.000	31.389	3.440	34.829	*
0-25 Service: Disabled Children & Adults	15.600	0.000	15.600	0.193	15.793	
Early Help	1.983	0.000	1.983	(0.103)	1.880	
<b>Commissioning, Performance &amp; School Effectiveness</b>						
School Effectiveness	2.081	0.000	2.081	(0.205)	1.876	
Safeguarding	1.387	0.000	1.387	0.098	1.485	
Funding Schools	0.000	0.000	0.000	0.000	0.000	
Commissioning & Performance	8.070	0.000	8.070	(0.784)	7.286	*
<b>Economy &amp; Planning</b>						
Economy & Planning	3.617	0.000	3.617	0.443	4.060	
<b>Highways &amp; Transport</b>						
Highways	17.028	0.000	17.028	0.019	17.047	
Transport	17.107	0.000	17.107	0.044	17.151	
Car Parking	(6.040)	0.000	(6.040)	(0.067)	(6.107)	
<b>Waste &amp; Environment</b>						
Waste	32.869	0.000	32.869	0.000	32.869	
Environment Services	3.986	0.000	3.986	0.000	3.986	
<b>Communities &amp; Communications</b>						
Communications	1.108	0.000	1.108	0.429	1.537	
Libraries, Heritage & Arts	4.765	0.000	4.765	(0.146)	4.619	
<b>Corporate Function, Procurement &amp; Programme Office</b>						
Corporate Function, Procurement & Programme Office	4.877	1.694	6.571	1.140	7.711	*
<b>Finance</b>						
Finance, Revenues & Benefits, & Pensions	3.117	0.000	3.117	0.000	3.117	
Revenues & Benefits - Subsidy	(0.500)	0.000	(0.500)	0.000	(0.500)	
<b>Legal &amp; Governance</b>						
Legal & Governance	2.507	0.000	2.507	(0.458)	2.049	
<b>People &amp; Business Services</b>						
Human Resources & Organisational Development	3.192	0.000	3.192	0.500	3.692	*
Business Services	3.361	(1.694)	1.667	0.000	1.667	
Strategic Asset & Facilities Management	11.811	0.000	11.811	0.301	12.112	
Information Services	10.287	0.000	10.287	(0.636)	9.651	*
<b>Corporate Directors</b>						
Corporate Directors	0.827	0.000	0.827	0.000	0.827	
Members	2.006	0.000	2.006	0.010	2.016	
<b>Corporate</b>						
Movement on Reserves	0.000	0.000	0.000	(0.141)	(0.141)	
Capital Financing	23.999	0.000	23.999	0.000	23.999	
Restructure & Contingency	0.926	0.000	0.926	(0.985)	(0.059)	*
General Government Grants	(37.942)	0.000	(37.942)	0.000	(37.942)	
Corporate Levys	7.859	0.000	7.859	0.000	7.859	
<b>2015/2016 Budget Requirement</b>	<b>313.585</b>	<b>(0.000)</b>	<b>313.585</b>	<b>0.000</b>	<b>313.585</b>	
HRA Budget	(0.975)	0.000	(0.975)	0.000	(0.975)	
	<b>312.610</b>	<b>(0.000)</b>	<b>312.610</b>	<b>0.000</b>	<b>312.610</b>	

More details are given of major virements and structural movements in Appendix B. These areas are marked above with \*

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## Major Virements between Services Areas from Original Budget to Period 4

APPENDIX B

Net virements over £500,000

### Other Vulnerable Adults

Increase of ILF for 2016/2017  
Rebase of Adult Social Care - move to Adults 18+

### In Year Virements period 1-4

### Adults 18+

ASC Budget Realignment  
Increase of ILF for 2016/2017  
Rebase of Adult Social Care - move from Other Vulnerable Adults

### In Year Virements period 1-4

### Mental Health

ASC Budget Realignment  
Procurement Restructure  
Increase of ILF for 2016/2017  
Rebase of Adult Social Care - move to Resources, Strategy & Commissioning

### In Year Virements period 1-4

### Learning Disabilities

ASC Budget Realignment  
Salary/Income Review  
Increase of ILF for 2016/2017  
Rebase of Adult Social Care - move to Resources, Strategy & Commissioning

### In Year Virements period 1-4

### Resources, Strategy & Commissioning

ASC Budget Realignment  
Salary/Income Review  
Service Redesign 2016/2017  
Procurement Restructure  
Increase of ILF for 2016/2017  
Rebase of Adult Social Care - move from Mental Health & Learning Disabilities  
Corporate Budget rebase

### In Year Virements period 1-4

### Children's Social Care

Grant Allocations 2016/2017  
Service Redesign 2016/2017  
Drawdown Adoption Reform Grant  
Corporate Budget rebase

### In Year Virements period 1-4

### Commissioning & Performance

Grant Allocations 2016/2017  
Service Redesign 2016/2017  
Salary and Savings Budget Realignment  
Corporate Budget rebase

### In Year Virements period 1-4

### Corporate Function, Procurement & Programme Office

Transfer of Information Governance Team from Legal  
Salary and Savings Budget Realignment  
Procurement Restructure  
Redundancies  
Corporate Support Salary Adj  
Corporate Budget rebase

### In Year Virements period 1-4

### Human Resources & Organisational Development

Redundancies  
Reallocation of Comensura Budget  
Transfer of Budget for Payroll  
Corporate Budget rebase

### In Year Virements period 1-4

### Information Services

Calne Leisure Centre Budget  
Transfer of Budget for Payroll  
Corporate Budget rebase

### In Year Virements period 1-4

### Restructure & Contingency

Recharges Realignment  
Redundancies  
Reallocation of Comensura Budget - move to Human Resources  
Corporate Budget rebase

### In Year Virements period 1-4

£m
0.625
(12.328)
(11.703)
0.278
(0.826)
12.323
11.775
(0.068)
(0.037)
(0.004)
(1.971)
(2.080)
0.130
0.088
(0.045)
(3.059)
(2.886)
(0.340)
(0.110)
(0.045)
(0.335)
0.250
5.035
(2.400)
2.055
0.030
0.650
0.060
2.700
3.440
(0.030)
(0.632)
0.028
(0.150)
(0.784)
0.449
0.218
0.372
0.022
0.027
0.052
1.140
0.111
0.200
0.039
0.150
0.500
0.003
(0.039)
(0.600)
(0.636)
(0.001)
(0.584)
(0.200)
(0.200)
(0.985)

Please note, these are only the service movements over £500,000. The sum of all virements balances to zero

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## Wiltshire Council Revenue Budget Monitoring Statement: Period 4

31-Jul-16

		<i>Original Budget</i>	<i>Revised Budget Period 4</i>	<i>Profiled Budget to Period 4</i>	<i>Actual to date</i>	<i>Projected Position for Year</i>	<i>Projected Variation for Year: Overspend / (Underspend)</i>	<i>Variation as % of Revised Budget: Overspend / (Underspend)</i>
		<i>£m</i>	<i>£m</i>	<i>£m</i>	<i>£m</i>	<i>£m</i>	<i>£m</i>	
<b>Adult Social Care Operations</b>								
Older People	Gross Costs	66.697	-	-	-	-	-	
	Income	(15.221)	-	-	-	-	-	
	Net	<b>51.476</b>	-	-	-	-	-	
Other Vulnerable Adults	Gross Costs	12.996	-	-	0.028	-	-	
	Income	(1.293)	-	-	-	-	-	
	Net	<b>11.703</b>	-	-	<b>0.028</b>	-	-	
Adults 18+	Gross Costs	-	75.278	25.969	25.270	75.278	-	-
	Income	-	(16.249)	(6.202)	(4.128)	(16.249)	-	-
	Net	-	<b>59.029</b>	<b>19.767</b>	<b>21.142</b>	<b>59.029</b>	-	-
Mental Health	Gross Costs	26.541	24.524	9.942	7.840	24.524	-	-
	Income	(3.354)	(3.417)	(1.327)	(0.729)	(3.417)	-	-
	Net	<b>23.187</b>	<b>21.107</b>	<b>8.615</b>	<b>7.111</b>	<b>21.107</b>	-	-
Learning Disabilities	Gross Costs	50.322	45.982	18.753	15.649	45.982	-	-
	Income	(3.129)	(3.312)	(1.242)	(1.065)	(3.312)	-	-
	Net	<b>47.193</b>	<b>42.670</b>	<b>17.511</b>	<b>14.584</b>	<b>42.670</b>	-	-
<b>Adult Care Commissioning &amp; Housing</b>								
Resources, Strategy & Commissioning	Gross Costs	2.271	10.915	3.582	2.784	10.915	-	-
	Income	(0.808)	(1.538)	(0.679)	(0.498)	(1.538)	-	-
	Net	<b>1.463</b>	<b>9.377</b>	<b>2.903</b>	<b>2.286</b>	<b>9.377</b>	-	-
Housing Services	Gross Costs	8.685	8.643	3.261	2.947	8.543	(0.100)	(1.2%)
	Income	(4.526)	(4.461)	(1.193)	(1.213)	(4.461)	-	-
	Net	<b>4.159</b>	<b>4.182</b>	<b>2.068</b>	<b>1.734</b>	<b>4.082</b>	<b>(0.100)</b>	<b>(2.4%)</b>
<b>Public Health &amp; Public Protection</b>								
Public Health Grant	Gross Costs	18.269	18.269	10.369	3.837	18.269	-	-
	Income	(18.269)	(18.269)	(9.135)	(7.476)	(18.269)	-	-
	Net	-	-	<b>1.234</b>	<b>(3.639)</b>	-	-	

		Original Budget	Revised Budget Period 4	Profiled Budget to Period 4	Actual to date	Projected Position for Year	Projected Variation for Year: Overspend / (Underspend)	Variation % of Revised Budget: Overspend / (Underspend)
		£m	£m	£m	£m	£m	£m	%
Other Public Health & Public Protection	Gross Costs	3.428	3.529	1.273	1.310	3.529	-	-
	Income	(0.922)	(0.907)	(0.349)	(0.398)	(0.907)	-	-
	Net	<b>2.506</b>	<b>2.622</b>	<b>0.924</b>	<b>0.912</b>	<b>2.622</b>	-	-
Leisure	Gross Costs	5.896	6.646	1.464	2.574	6.646	-	-
	Income	(5.275)	(6.417)	(2.138)	(3.481)	(6.667)	(0.250)	3.9%
	Net	<b>0.621</b>	<b>0.229</b>	<b>(0.674)</b>	<b>(0.907)</b>	<b>(0.021)</b>	<b>(0.250)</b>	<b>(109.2%)</b>
<b>Operational Children's Services</b>								
Children's Social Care	Gross Costs	33.689	37.259	12.558	12.339	39.059	1.800	4.8%
	Income	(2.300)	(2.430)	(0.644)	(0.130)	(2.430)	-	-
	Net	<b>31.389</b>	<b>34.829</b>	<b>11.914</b>	<b>12.209</b>	<b>36.629</b>	<b>1.800</b>	<b>5.2%</b>
0-25 Service: Disabled Children & Adults	Gross Costs	39.515	41.152	13.738	14.568	42.452	1.300	3.2%
	Income	(23.915)	(25.359)	(0.228)	(0.146)	(25.359)	-	-
	Net	<b>15.600</b>	<b>15.793</b>	<b>13.510</b>	<b>14.422</b>	<b>17.093</b>	<b>1.300</b>	<b>8.2%</b>
Early Help	Gross Costs	6.691	7.083	3.271	3.113	7.083	-	-
	Income	(4.708)	(5.203)	(0.293)	(0.818)	(5.203)	-	-
	Net	<b>1.983</b>	<b>1.880</b>	<b>2.978</b>	<b>2.295</b>	<b>1.880</b>	-	-
<b>Commissioning, Performance &amp; School Effectiveness</b>								
School Effectiveness	Gross Costs	5.973	4.665	1.532	1.343	4.665	-	-
	Income	(3.892)	(2.789)	0.048	0.024	(2.789)	-	-
	Net	<b>2.081</b>	<b>1.876</b>	<b>1.580</b>	<b>1.367</b>	<b>1.876</b>	-	-
Safeguarding	Gross Costs	1.586	1.771	0.671	0.675	1.771	-	-
	Income	(0.199)	(0.286)	(0.265)	(0.245)	(0.286)	-	-
	Net	<b>1.387</b>	<b>1.485</b>	<b>0.406</b>	<b>0.430</b>	<b>1.485</b>	-	-
Funding Schools	Gross Costs	264.750	272.967	68.357	45.885	272.967	-	-
	Income	(264.750)	(272.967)	(1.959)	(15.108)	(272.967)	-	-
	Net	-	-	<b>66.398</b>	<b>30.777</b>	-	-	-
Commissioning & Performance	Gross Costs	32.037	32.070	10.980	11.682	32.070	-	-
	Income	(23.967)	(24.784)	(0.508)	(0.725)	(24.784)	-	-
	Net	<b>8.070</b>	<b>7.286</b>	<b>10.472</b>	<b>10.957</b>	<b>7.286</b>	-	-
<b>Economy &amp; Planning</b>								
Economy & Planning	Gross Costs	10.059	10.879	3.587	3.348	10.879	-	-
	Income	(6.442)	(6.819)	(2.915)	(1.990)	(6.729)	0.090	(1.3%)
	Net	<b>3.617</b>	<b>4.060</b>	<b>0.672</b>	<b>1.358</b>	<b>4.150</b>	<b>0.090</b>	<b>2.2%</b>
<b>Highways &amp; Transport</b>								
Highways	Gross Costs	19.146	18.790	6.367	5.582	18.790	-	-
	Income	(2.118)	(1.743)	(0.478)	(1.335)	(1.743)	-	-
	Net	<b>17.028</b>	<b>17.047</b>	<b>5.889</b>	<b>4.247</b>	<b>17.047</b>	-	-
Transport	Gross Costs	19.204	18.774	5.378	5.568	18.774	-	-
	Income	(2.097)	(1.623)	(1.234)	(1.369)	(1.623)	-	-
	Net	<b>17.107</b>	<b>17.151</b>	<b>4.144</b>	<b>4.199</b>	<b>17.151</b>	-	-
Car Parking	Gross Costs	1.626	1.559	0.532	0.546	1.559	-	-
	Income	(7.666)	(7.666)	(2.383)	(2.303)	(7.566)	0.100	(1.3%)
	Net	<b>(6.040)</b>	<b>(6.107)</b>	<b>(1.851)</b>	<b>(1.757)</b>	<b>(6.007)</b>	<b>0.100</b>	<b>(1.6%)</b>
<b>Waste &amp; Environment</b>								
Waste	Gross Costs	38.683	38.910	10.417	9.497	38.910	-	-

## Wiltshire Council Revenue Budget Monitoring Statement: Period 4

31-Jul-16

		Original Budget	Revised Budget Period 4	Profiled Budget to Period 4	Actual to date	Projected Position for Year	Projected Variation for Year: Overspend / (Underspend)	Variation as % of Revised Budget: Overspend / (Underspend)
		£m	£m	£m	£m	£m	£m	
	Income	(5.814)	(6.041)	(1.405)	(6.455)	(6.041)	-	-
	Net	32.869	32.869	9.012	3.042	32.869	-	-
Environment Services	Gross Costs	5.716	5.578	2.075	1.843	5.578	-	-
	Income	(1.730)	(1.592)	(0.616)	(0.488)	(1.592)	-	-
	Net	3.986	3.986	1.459	1.355	3.986	-	-
<b>Communities &amp; Communications</b>								
Communications	Gross Costs	1.188	1.617	0.513	0.445	1.617	-	-
	Income	(0.080)	(0.080)	(0.027)	(0.001)	(0.080)	-	-
	Net	1.108	1.537	0.486	0.444	1.537	-	-
Libraries, Heritage & Arts	Gross Costs	6.489	6.125	2.361	2.842	6.475	0.350	5.7%
	Income	(1.724)	(1.506)	(0.302)	(0.606)	(1.506)	-	-
	Net	4.765	4.619	2.059	2.236	4.969	0.350	7.6%
<b>Corporate Function, Procurement &amp; Programme Office</b>								
Corporate Function, Procurement & Programme Office	Gross Costs	5.629	9.752	4.142	4.163	9.902	0.150	1.5%
	Income	(0.752)	(2.041)	(1.414)	(1.575)	(2.041)	-	-
	Net	4.877	7.711	2.728	2.588	7.861	0.150	1.9%
<b>Finance</b>								
Finance, Revenues & Benefits, & Pensions	Gross Costs	14.851	15.204	4.863	5.582	15.354	0.150	1.0%
	Income	(11.734)	(12.087)	(2.958)	(3.522)	(12.087)	-	-
	Net	3.117	3.117	1.905	2.060	3.267	0.150	4.8%

		Original Budget	Revised Budget Period 4	Profiled Budget to Period 4	Actual to date	Projected Position for Year	Projected Variation for Year: Overspend / (Underspend)	Variation as % of Revised Budget: Overspend / (Underspend)
		£m	£m	£m	£m	£m	£m	
Revenues & Benefits - Subsidy	Gross Costs	118.126	111.386	35.106	35.133	111.386	-	-
	Income	(118.626)	(111.886)	(36.509)	(36.509)	(111.886)	-	-
	Net	<b>(0.500)</b>	<b>(0.500)</b>	<b>(1.403)</b>	<b>(1.376)</b>	<b>(0.500)</b>	-	-
<b>Legal &amp; Governance</b>								
Legal & Governance	Gross Costs	4.839	4.381	1.319	2.087	4.381	-	-
	Income	(2.332)	(2.332)	(0.704)	(0.911)	(1.772)	0.560	(24.0%)
	Net	<b>2.507</b>	<b>2.049</b>	<b>0.615</b>	<b>1.176</b>	<b>2.609</b>	<b>0.560</b>	<b>27.3%</b>
<b>People &amp; Business Services</b>								
Human Resources & Organisational Development	Gross Costs	5.110	5.671	2.043	1.752	5.671	-	-
	Income	(1.918)	(1.979)	(0.990)	(1.077)	(1.979)	-	-
	Net	<b>3.192</b>	<b>3.692</b>	<b>1.053</b>	<b>0.675</b>	<b>3.692</b>	-	-
Business Services	Gross Costs	5.433	2.542	0.848	0.912	2.542	-	-
	Income	(2.072)	(0.875)	(0.292)	(0.549)	(0.875)	-	-
	Net	<b>3.361</b>	<b>1.667</b>	<b>0.556</b>	<b>0.363</b>	<b>1.667</b>	-	-
Strategic Asset & Facilities Management	Gross Costs	16.213	16.514	5.946	2.396	16.514	-	-
	Income	(4.402)	(4.402)	(1.475)	(1.342)	(4.402)	-	-
	Net	<b>11.811</b>	<b>12.112</b>	<b>4.471</b>	<b>1.054</b>	<b>12.112</b>	-	-
Information Services	Gross Costs	11.299	11.717	5.916	5.901	11.717	-	-
	Income	(1.012)	(2.066)	(1.055)	(1.040)	(2.066)	-	-
	Net	<b>10.287</b>	<b>9.651</b>	<b>4.861</b>	<b>4.861</b>	<b>9.651</b>	-	-
<b>Corporate Directors</b>								
Corporate Directors	Gross Costs	0.854	0.854	0.362	0.379	0.854	-	-
	Income	(0.027)	(0.027)	(0.005)	(0.073)	(0.027)	-	-
	Net	<b>0.827</b>	<b>0.827</b>	<b>0.357</b>	<b>0.306</b>	<b>0.827</b>	-	-
Members	Gross Costs	2.006	2.016	0.637	0.697	2.016	-	-
	Income	-	-	-	-	-	-	-
	Net	<b>2.006</b>	<b>2.016</b>	<b>0.637</b>	<b>0.697</b>	<b>2.016</b>	-	-
<b>Corporate</b>								
Movement on Reserves		-	(0.141)	(0.141)	-	(0.141)	-	-
Capital Financing		23.999	23.999	3.041	3.164	25.999	2.000	8.3%
Restructure & Contingency		0.926	(0.059)	(0.923)	0.847	2.091	2.150	(3644.1%)
General Government Grants		(37.942)	(37.942)	(12.782)	(13.423)	(37.942)	-	-
Corporate Levys		7.859	7.859	2.810	2.423	7.859	-	-
	Net	<b>(5.158)</b>	<b>(6.284)</b>	<b>(7.995)</b>	<b>(6.989)</b>	<b>(2.134)</b>	<b>4.150</b>	<b>(66.0%)</b>
<b>Wiltshire Council General Fund Total</b>	<b>Gross Costs</b>	<b>860.659</b>	<b>866.738</b>	<b>270.137</b>	<b>233.528</b>	<b>874.538</b>	<b>7.800</b>	<b>0.9%</b>
	<b>Income</b>	<b>(547.074)</b>	<b>(553.153)</b>	<b>(80.876)</b>	<b>(97.281)</b>	<b>(552.653)</b>	<b>0.500</b>	<b>(0.1%)</b>
	<b>Net</b>	<b>313.585</b>	<b>313.585</b>	<b>189.261</b>	<b>136.247</b>	<b>321.885</b>	<b>8.300</b>	<b>2.6%</b>
Housing Revenue Account (HRA)	Gross Costs	24.769	24.732	3.509	2.867	24.732	-	-
	Income	(25.744)	(25.707)	(8.178)	(8.423)	(25.707)	-	-
	Net	<b>(0.975)</b>	<b>(0.975)</b>	<b>(4.669)</b>	<b>(5.556)</b>	<b>(0.975)</b>	-	-
<b>Total Including HRA</b>	<b>Gross Costs</b>	<b>885.428</b>	<b>891.470</b>	<b>273.646</b>	<b>236.395</b>	<b>899.270</b>	<b>7.800</b>	<b>0.9%</b>
	<b>Income</b>	<b>(572.818)</b>	<b>(578.860)</b>	<b>(89.054)</b>	<b>(105.704)</b>	<b>(578.360)</b>	<b>0.500</b>	<b>(0.1%)</b>
	<b>Net</b>	<b>312.610</b>	<b>312.610</b>	<b>184.592</b>	<b>130.691</b>	<b>320.910</b>	<b>8.300</b>	<b>2.7%</b>



**Wiltshire Council**

**Cabinet**

**13 September 2016**

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**Subject: Report on Treasury Management Strategy 2016-17 – First Quarter ended 30 June 2016**

**Cabinet member: Councillor Richard Tonge - Finance**

**Key Decision: No**

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## **Executive Summary**

The Council has adopted a Treasury Management Strategy and an Annual Investment Strategy (AIS) for 2016-17 at its meeting on 23 February 2016, which can be found in the Council meeting agenda reports pack at the following [Link](#), Item 8, Pages 117 to 140.

In addition to an Annual Report, the policy requires quarterly reports reviewing the Treasury Management Strategy (TMS). This is the first quarterly report of 2016-17 and covers the period from 1 April 2016 to 30 June 2016.

## **Proposals**

The Cabinet is asked to note that the contents of this report are in line with the Treasury Management Strategy.

## **Reasons for Proposals**

To give members an opportunity to consider the performance of the Council in the period to the end of the quarter against the parameters set out in the approved Treasury Management Strategy for 2016-17.

**Carolyn Godfrey – Corporate Director**

**Subject: Report on Treasury Management Strategy 2016-17 – First Quarter ended 30 June 2016**

**Cabinet member: Councillor Richard Tonge - Finance**

**Key Decision: No**

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## **1. Background & Purpose of Report**

- 1.1 The Council adopted a Treasury Management Strategy for 2016-17 at its meeting on 23 February 2016, incorporating Prudential Indicators (PrIs), Treasury Management Indicators (TrIs) and an Annual Investment Strategy, in accordance with the Prudential Code for Capital Finance in Local Authorities (the Prudential Code). The Strategy report can be found in the Council 23 February 2016 agenda reports pack, Item 8, Pages 117 to 140 at following [Link](#).
- 1.2 The Strategy states that, in addition to an Annual Treasury Report reviewing the year as a whole, quarterly reports would be submitted to Cabinet reviewing the Treasury Management Strategy. This report covers the first quarter of 2016-17, ended 30 June 2016.

## **2. Main Considerations for the Cabinet**

- 2.1 This report reviews management actions in relation to:
- a) the PrIs, TrIs originally set for the year and the position at the 30 June 2016;
  - b) other treasury management actions during the period; and
  - c) the approved Annual Investment Strategy.

### **Lender Option Borrower Option (LOBO) Loans**

- 2.2 The Council currently has eight LOBO loans, totalling £61 million, three of which (totalling £21 million) were taken with Barclays. We have recently (30 June 2016) received notification that Barclays have made the decision to waive their right (Lender Option) to change the applicable interest rates in the future. The loans, therefore, effectively become fixed rate loans, at their current interest rates and stated maturities and no risk that the interest rates will be changed in the future.

## **Review of Prudential and Treasury Indicators and Treasury Management Strategy for 2016-17**

- 2.3 A full detailed listing of the indicators required by the CIPFA Prudential Code, Treasury Management Code and Treasury Management Guidance Notes is given in Appendix 1.

### **Other Debt Management Issues**

#### Debt Rescheduling

- 2.4 No opportunities to reschedule PWLB debt have been identified during the period, mainly because of the high level of premiums payable for early repayment of debt. This is continually monitored and any opportunities to reschedule cost effectively will be considered, should they arise. This is unlikely, unless the PWLB change policy regarding early repayment.

#### Cash Surpluses and Deficits

##### *Short Term Surpluses and Deficits*

- 2.5 Any short term cash surpluses or deficits have been managed through temporary deposits or loans, respectively. Temporary deposits outstanding at 30 June 2016 amounted to £56.250 million, as detailed in Appendix 3.

##### *Icelandic Banks*

- 2.6 The only outstanding amount not yet received relates to the former Heritable Bank of approximately £0.180 million, which will be repaid in time, either by the administrators of Heritable or via an agreement with LBI (successor to Landsbanki). Indications are that this will be received in the next 24 months.
- 2.7 The (circa) £20,000 deposit (on conversion), relating to Landsbanki, that was held in Iceland (in Icelandic Kroner) has been repaid in this quarter (via an auction which took place in mid-June 2016).

##### *Longer Term Cash Balances*

- 2.8 Interest rate movements in the period have not provided many opportunities for an increased return by longer term investment of the more permanent cash surpluses, such as reserves and balances. However, the availability of any appropriate longer term investment opportunities is continually monitored, such as “special tranche rates” that are offered by ‘Government backed’ banks. The rates available from these types of investments may now be reduced as Lloyds are and RBS will eventually no longer be partially Government owned, as the Government’s programme of the sale of shares in the banks progresses. This has already led to, in the case of Lloyds, and will lead to, in the case of RBS, a change in the credit rating level and, consequently, the recommended duration for deposits, thus affecting the interest rate available to the Council.
- 2.9 Rates have remained relatively low, which is, therefore, reflected in rates available, including the “special tranche rate” investments. Details of investments outstanding are shown in Appendix 3.

## **Review of Investment Strategy**

2.10 The Treasury Management Strategy Statement (TMSS) for 2016-17, which includes the Annual Investment Strategy, was approved by the Council on 23 February 2016. It sets out the Council's investment priorities as being:

- a) Security of capital;
- b) Liquidity; and
- c) Yield.

2.11 The Council will also aim to achieve the optimum return (yield) on investments commensurate with proper levels of security and liquidity. In the current economic climate it is considered appropriate to keep investments short term to cover cash flow needs but also to seek out value available in higher rates in periods up to 12 months with highly credit rated financial institutions, using Capita Treasury Solution's suggested creditworthiness approach, including sovereign credit rating and Credit Default Swaps (CDS) overlay information provided by Capita. Following the EU Referendum decision to leave the EU, the Council's Investment Strategy has been reviewed and there are no issues for the Council as a consequence of the financial effects of the decision at this stage. The impact of any further potential developments/effects on the Strategy following the decision to leave the EU will be continually reviewed.

2.12 All investments have been conducted within the agreed Annual Investment Strategy and made only to authorised lenders within the Council's high credit quality policy.

2.13 Credit ratings are incorporated within the approved Investment Strategy as detailed within the Treasury Management Strategy 2016-17 and the current ratings have been shown against the deposits outstanding in Appendix 3.

### **3. Overview and Scrutiny Engagement**

3.1 The Financial Planning Task Group sits under the OS Management Committee and leads on scrutiny of the budget throughout the year and during the budget setting process. The task group has received a briefing on the purpose of the Treasury Management Strategy overall, but does not scrutinise each quarterly report.

### **4. Safeguarding Implications**

4.1 None have been identified as arising directly from this report.

### **5. Public Health Implications**

5.1 None have been identified as arising directly from this report.

### **6. Corporate Procurement Implications**

6.1 None have been identified as arising directly from this report.

## **7. Equalities Impact of the Proposal**

7.1 None have been identified as arising directly from this report.

## **8. Environmental and Climate Change Considerations**

8.1 None have been identified as arising directly from this report.

## **9. Risks Assessment and Financial Implications**

9.1 All investment has been at fixed rates during the period. The Council's current average interest rate on long term debt is 3.77%, which compares favourably with similar rates of other UK local authorities.

9.2 The primary management risks to which the Council is exposed are adverse movements in interest rates and the credit risk of counterparties.

9.3 Investment counterparty<sup>1</sup> risk is controlled by assessing and monitoring the credit risk of borrowers as authorised by the Annual Investment Strategy.

## **10. Legal Implications**

10.1 None have been identified as arising directly from this Report.

## **11. Options Considered**

11.1 The availability of any longer term investment opportunities, such as those offered by "special tranche rates", is continually monitored.

11.2 Also any options available to provide savings from rescheduling long term borrowing are continually assessed in liaison with our treasury advisers.

## **12. Conclusion**

12.1 Cabinet is asked to note the report.

Michael Hudson  
Associate Director, Finance, Revenues & Benefits and Pensions

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Report Author:

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<sup>1</sup> A Counterparty is a term most commonly used in the financial services industry to describe a legal entity, unincorporated entity or collection of entities (e.g. lender/borrower) to which an exposure to financial risk might exist.

## **Background Papers**

The following unpublished documents have been relied on in the preparation of this Report: NONE

## **Appendices**

- Appendix 1 Prudential and Treasury Indicators for 2016-17, 2017-18 & 2018-19
- Appendix 2 Summary of Long Term Borrowing 1 April 2016 – 30 June 2016
- Appendix 3 Summary of Temporary Loans and Deposits 1 April 2016 – 30 June 2016

**Prudential and Treasury Indicators for 2016-17, 2017-18 & 2018-19**

**Prudential Indicators**

Pr1 – Capital Expenditure

1. The table below shows the revised figures for capital expenditure based on the current capital approved budget.

	<b>2015-16 Actual Outturn</b>	<b>2016-17 Original Estimate</b>	<b>2016-17 Revised Estimate</b>	<b>2016-17 Actual To date 31/07/16</b>
	<b>£ million</b>	<b>£ million</b>	<b>£ million</b>	<b>£ million</b>
General Fund	101.6	122.7	159.0	20.3
HRA	13.3	11.9	12.1	2.3

2. The (revised) estimate and actual to date for 2016-17 has been amended to reflect the most up to date capital budget and expenditure position.
3. The Capital Programme is monitored closely throughout the year and progress on the programme is reported to the Cabinet Capital Asset Committee (CCAC). The Month 4 2016-2017 report (as at 31 July 2016) is being taken to CCAC in September 2016.

Pr1 2 – Ratio of Financing Costs to Net Revenue Stream

	<b>2015-16 Actual Outturn</b>	<b>2016-17 Original Estimate</b>	<b>2016-17 Revised Estimate</b>
General Fund	7.0%	8.1%	7.3%
Housing Revenue Account	14.9%	15.2%	15.0%

4. The General Fund revised estimate for 2016-17 is lower than the original estimate mainly due to lower than expected financing costs (including lower interest payments and principal charges (MRP)) offset slightly by lower interest receivable as a result of lower cash balances, together with a reduction in interest rates.

**Prudential and Treasury Indicators for 2016-17, 2017-18 & 2018-19**

Prl 3 – Estimate of Incremental Impact of Capital Investment Decisions on the Council Tax

5. This indicator is only relevant at budget setting time and for 2016-17 was calculated as being £-17.81.

Prl 4 – Gross Borrowing compared to Capital Financing Requirement (CFR)

	<b>2015-16 Actual Outturn £ million</b>	<b>2016-17 Original Estimate £ million</b>	<b>2016-17 Revised Estimate £ million</b>
CFR – General Fund	394.7	439.1	400.5
CFR – HRA	122.6	122.6	122.6
Gross Borrowing – General Fund	231.1	314.1	237.1
Gross Borrowing – HRA	118.8	118.8	118.8
<b>CFR not funded by gross borrowing – General Fund</b>	<b>163.6</b>	<b>125.0</b>	<b>163.4</b>
<b>CFR not funded by gross borrowing – HRA</b>	<b>3.8</b>	<b>3.8</b>	<b>3.8</b>

6. Prl 4 measures the so called “Golden Rule” which ensures that over the medium term net borrowing is only for capital purposes.
7. CFR not funded by gross borrowing represents capital expenditure met by internal borrowing, i.e. funded from the Council’s own funds, such as reserves and balances and working capital (an accounting term for the difference, at a point in time, between what the Council owes and what is owed to it).
8. Internal borrowing is cheaper than external borrowing, however, the ability to borrow internally will depend upon the sufficiency of reserves, balances and working capital. The sufficiency needs to be monitored and projections carried out to indicate where any adverse movements are expected, that could jeopardise the Council’s cash flow position, making it necessary to replace internal borrowing with external borrowing.
9. A continual review of the capital programme over the reporting period has led to a change in the 2016-17 [revised] estimate when compared with the original estimate (which was prepared at budget setting time in February prior to the beginning of the financial year).
10. The revised estimate for General Fund CFR and gross borrowing is based on the 2016-17 Capital Programme which currently stands at £171.145 million and includes all of the 2015-16 slippage. The Capital Programme is being reviewed by CLT for affordability and the borrowing position may, therefore, be subject to change.



**Prudential and Treasury Indicators for 2016-17, 2017-18 & 2018-19**

Pr1 5 – Compliance with the CIPFA Code of Practice for Treasury Management in the Public Services

11. All actions have been compliant with the CIPFA Code of Practice.

**Treasury Management Indicators within the Prudential Code**

12. The Operational Boundary and Authorised Limit, as approved by Council in February as part of the Treasury Management Strategy, detailed below, are control limits and do not compare with actual borrowing figures as capital funding requirements are not automatically taken as loans and may be funded from cash balances.

Tr1 1 – Authorised Limit for External Debt

<b>Authorised Limit</b>	<b>2016-17 £ million</b>	<b>2017-18 £ million</b>	<b>2018-19 £ million</b>
Borrowing – General Fund	471.7	483.0	466.6
Borrowing – HRA	123.2	123.2	123.2
Other Long Term Liabilities	0.2	0.2	0.2
<b>TOTAL</b>	<b>595.1</b>	<b>606.4</b>	<b>590.0</b>

13. The External Debt limit includes a margin above the Operational Boundary to allow for any unusual or unpredicted cash movements. The limit has not been exceeded in the reporting period.

Tr1 2 – Operational Boundary for External Debt

<b>Operational Boundary</b>	<b>2016-17 £ million</b>	<b>2017-18 £ million</b>	<b>2018-19 £ million</b>
Borrowing – General Fund	460.2	471.2	455.2
Borrowing – HRA	123.2	123.2	123.2
Other Long Term Liabilities	0.2	0.2	0.2
<b>TOTAL</b>	<b>583.6</b>	<b>594.6</b>	<b>578.6</b>

14. The Operational Boundary is set at a limit that facilitates the funding of the Council's entire financing requirement through loans, if this was the most cost effective approach. The limit was set to anticipate expected expenditure and has not been exceeded during the reporting period (maximum borrowing during the period was £350.1 million).

**Prudential and Treasury Indicators for 2016-17, 2017-18 & 2018-19**

Trl 3 – External Debt

	<b>31/03/16 Actual £ million</b>	<b>30/06/16 Actual £ million</b>	<b>31/03/17 Expected £ million</b>
Borrowing – General Fund	231.1	229.1	237.1
Borrowing – HRA	118.8	118.8	118.8
<b>Total Borrowing</b>	<b>349.9</b>	<b>347.9</b>	<b>355.9</b>
Other Long Term Liabilities	0.2	0.2	0.2
<b>TOTAL</b>	<b>350.1</b>	<b>348.1</b>	<b>356.1</b>

15. Trl 3 shows the gross External Debt outstanding, both long-term loans and temporary borrowing. A £2 million General Fund PWLB loan was repaid, on maturity, in June 2016. This has resulted in a reduction in actual borrowing, the repayment being contained within the Councils cash flow, through a reduction in investments rather than refinancing. The figure for actual borrowing at 31 March 2016 is stated at the amount that reflects actual outstanding external borrowing at the end of 2015-16 (i.e. excluding accounting adjustments, such as accrued interest and effective interest rate adjustments).

**Treasury Management Indicators within the Treasury Management Code**

Trl 4a – Upper Limit on Fixed Interest Rate Exposures

**The Council's upper limit for fixed interest rate exposure for the period 2016-17 to 2018-19 is 100% of net outstanding principal sums.**

Trl 4b – Upper Limit on Variable Interest Rate Exposures

**The Council's upper limit for variable interest rate exposure is 52% for 2016-17, 54% for 2017-18 and 56% for 2018-19 of net outstanding principal sums.**

16. Options for borrowing during the period were considered, however, (mainly) due to the premium that would be incurred on the early repayment of debt, no new borrowing was taken.

**Prudential and Treasury Indicators for 2016-17, 2017-18 & 2018-19**

Trl 5 – Upper & Lower Limits on the Maturity Structure of Borrowing

<b>Limits on the Maturity Structure of Borrowing</b>	<b>Upper Limit</b>	<b>Lower Limit</b>	<b>Position at 30/06/15</b>
Maturing Period:			
- under 12 months	25%	0%	16%
- 12 months and within 24 months	25%	0%	4%
- 2 years and within 5 years	45%	0%	10%
- 5 years and within 10 years	75%	0%	15%
- 10 years and above	100%	0%	55%

17. No long term borrowing has been taken during the period. If interest rates are favourable and an opportunity exists to take further borrowing this year we will, according to need, look to match borrowing with this maturity structure.

Trl 6 – Principal Sums invested for periods of longer than 364 days

18. This PrI is now covered by the Annual Investment Strategy for 2016-17, which set a limit of £30 million, as approved by Council in February as part of the Treasury Management Strategy. During the first three months of 2016-17 no cost effective investments have been identified. The Authority however holds a number of money market funds and a 35 day notice deposit account, which offer competitive interest rates and, in the case of money market funds, instant access for flexibility of cash management.

Trl 7 - Local Prudential Indicator

19. In addition to the main maturity indicators it was agreed in the approved Treasury Management Strategy that no more than 15% of long term loans should fall due for repayment within any one financial year. Applying the CIPFA recommendation, for the treasury report, the actual maximum in any one year is currently 16.1% (£56 million) in 2016-17. This remains temporarily [marginally] above the 15%. However, this is not the case if the alternative (contracted maturity date) is applied. £46 million (82%) of the £56 million shown as maturing in 2016-17, by the recommended method, relates to LOBO loans. Through call options, the lender has the right to change the interest rate at various points, in which case the Council will repay the loans and consider whether it needs to refinance them. In the current interest rate climate (where interest rates are expected to remain low for some time) they are extremely unlikely to be called. However, please also refer to paragraph 2.2 in the main report, which explains changes to three of the LOBO loans, after the end of the reporting period that effectively changes the status of the loans to fixed term loans. A summary maturity profile is shown in Appendix 2.

**SUMMARY OF LONG TERM BORROWING 1 APRIL 2016 – 30 JUNE 2016**

**Loans Raised During the Period**

Date Raised	Lender	Amount (£m)	Type	Interest rate (%)	Maturity date	No. of years
	<b>Total</b>	0.000				

Average period to maturity (years) 0.00

Average interest rate (%) 0.00

**Maturity Profile at 30 June 2016**

Year	Amount (£m)					% age		Average rate (%)	
	PWLB	Market Loans (LOBO)		Total		Next Call Date	Contracted Maturity	Next Call Date	Contracted Maturity
		Next Call Date	Contracted Maturity	Next Call Date	Contracted Maturity				
(A)	(B)	(C)	(A)+(B)	(A)+(C)					
1 to 5 years	46.810	56.000	-	102.810	46.810	29.5	13.5	3.612	2.662
6 to 15 years	97.123	5.000	-	102.123	97.123	29.4	27.9	3.315	3.280
16 to 25 years	68.500	-	-	68.500	68.500	19.7	19.7	3.897	3.897
26 to 50 years	74.500	-	51.000	74.500	125.500	21.4	36.1	4.497	4.459
Over 50 years	-	-	10.000	-	10.000	-	2.9	-	4.206
<b>Totals</b>	286.933	61.000	61.000	347.933	347.933	100.0	100.0	3.770	3.770

Average period to maturity (years) 14.76 21.61

CIPFAs Guidance Notes on Treasury Management in the Public Services recommends that the Treasury Management Strategy Reports include LOBO (Lender Option Borrower Option) loans at the earliest date on which the lender can require payment, deemed to be the next 'call date'. At that date the lender may choose to increase the interest rate and the borrower (the Council) may accept the new rate or repay the loan (under the current approved Treasury Management Strategy, the Council would repay the loan). Whether or not the lender chooses to exercise their right to alter the interest rate will depend on market conditions (interest rates). Current market conditions, where interest rates are predicted to remain low for some time, indicate that it is highly unlikely that lenders will call the loans in the immediate future.

The alternative method of determining the maturity profile of LOBO loans, based on contracted maturity dates, is used in the 2015-16 year end outturn.

The table above includes the maturity profiles using both the earliest date on which the lender can require payment and the contracted maturity dates.

Included within the LOBO loans are three loans (totalling £21m) originally taken with Barclays. On 30 June 2016 the Council received notification that Barclays have made the decision to waive their right (Lender Option) to change the applicable interest rates in the future. The loans, therefore, effectively become fixed rate loans, at their current interest rates and stated maturities and no risk that the interest rates will be changed in the future.

**SUMMARY OF TEMPORARY LOANS AND DEPOSITS 1 APRIL 2016 – 30 JUNE 2016**

**Deposits Outstanding at 30 June 2016**

<b>Borrower</b>	<b>Amount £m</b>	<b>Terms</b>	<b>Interest Rate</b>	<b>Capita Credit Rating at 30/06/2016</b>
National Bank of Abu Dhabi	8.000	Fixed to 14-Oct-16	0.76	Orange - 12 Months
Nationwide Building Society	8.000	Fixed to 17-Oct-16	0.72	Red - 6 Months
Lloyds Bank	5.000	Fixed to 15-Jul-16	0.65	Green - 100 Days
Qatar National Bank	8.000	Fixed to 14-Nov-16	0.82	Orange - 12 Months
Australia and New Zealand Banking Group	7.000	Fixed to 16-Aug-16	0.52	Orange - 12 Months
Wiltshire Pension Fund	14.410	Fixed to 04-Jul-16	0.53	N/A
Svenska Handelsbanken (Call Account)	0.017	No fixed maturity date	0.50	Orange - 12 Months
Black Rock Money Market Fund	0.044	No fixed maturity date	0.48	AAA
Prime Rate Money Market Fund	5.774	No fixed maturity date	0.53	AAA
Goldman Sachs Money Market Fund	0.001	No fixed maturity date	0.44	AAA
Standard Life Investments Liquidity Funds	0.004	No fixed maturity date	0.50	AAA
<b>Total</b>	<b>56.250</b>			

Investments held have increased by £28.879 million between the end of March 2016 as reported in the Annual Treasury Report, and the end of June 2016. This is because of changes in cash flows/timing differences (e.g. movements in the value of receipts and payments), resulting in an increase in cash available for investment. The cash position is reviewed regularly to ensure that the Council maintains an appropriate level of cash to support the Council's cash flow commitments. Any timing differences are expected to reduce as the financial year progresses. The change in the investment position is shown in the table below.

	<b>Year Ended 31/03/2016 £m</b>	<b>Quarter Ended 30/06/2016 £m</b>	<b>Change £m</b>
<b>Total Deposits Outstanding</b>	<b>27.371</b>	<b>56.250</b>	<b>28.879</b>

**Temporary Loans Outstanding at 30 June 2016**

<b>Lender</b>	<b>Amount £m</b>	<b>Terms</b>	<b>Interest Rate</b>
There were no temporary loans outstanding at 30 June 2016			
<b>Total</b>	<b>0.000</b>		

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**Wiltshire Council**

**Cabinet**

**13<sup>th</sup> September 2016**

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**Subject: Update on quarter one 2016/17 outturns reported as part of the corporate performance framework including the Citizens' Dashboard and the strategic risk register**

**Cabinet member: Councillor Dick Tonge – Cabinet Member for Performance and Risk**

**Key Decision: No**

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### **Executive Summary**

This report provides an update on first quarter outturns against the measures and activities compiled and reported through the council's website via the [Citizens' Dashboard](#) and other key measures, as well as latest outturns on the council's strategic risk register.

### **Proposal(s)**

Cabinet to note updates and outturns

1. Against the measures and activities ascribed against the council's key outcomes.
2. To the strategic risk register.

### **Reason for Proposal**

The performance framework compiles and monitors outturns in relation to the outcomes laid out in the Business Plan. The framework is distilled from individual services' delivery plans. In doing so, it captures the main focus of activities of the council against each outcome.

The strategic risk register captures and monitors significant risks facing the council: in relation to significant in-service risks facing individual areas, in managing its business across the authority generally and in assuring our preparedness should a national risk event occur.

**Carlton Brand & Carolyn Godfrey**  
**Corporate Director's**

**13<sup>th</sup> September 2016**

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**Subject: Update on quarter one 2016/17 outturns reported as part of the corporate performance framework including the Citizens' Dashboard and the strategic risk register**

**Cabinet member: Councillor Dick Tonge – Cabinet Member for Performance and Risk**

**Key Decision: No**

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### **Purpose of Report**

1. This report provides a quarter one update on outturns against the measures and activities compiled and reported through the council's website via the [Citizens' Dashboard](#) and other key measures, as well as latest outturns on the council's strategic risk register.

### **Relevance to the Council's Business Plan**

2. This report updates Cabinet on outturns and significant activities against each of the outcomes contained in the Business Plan.

### **Overview of outturns**

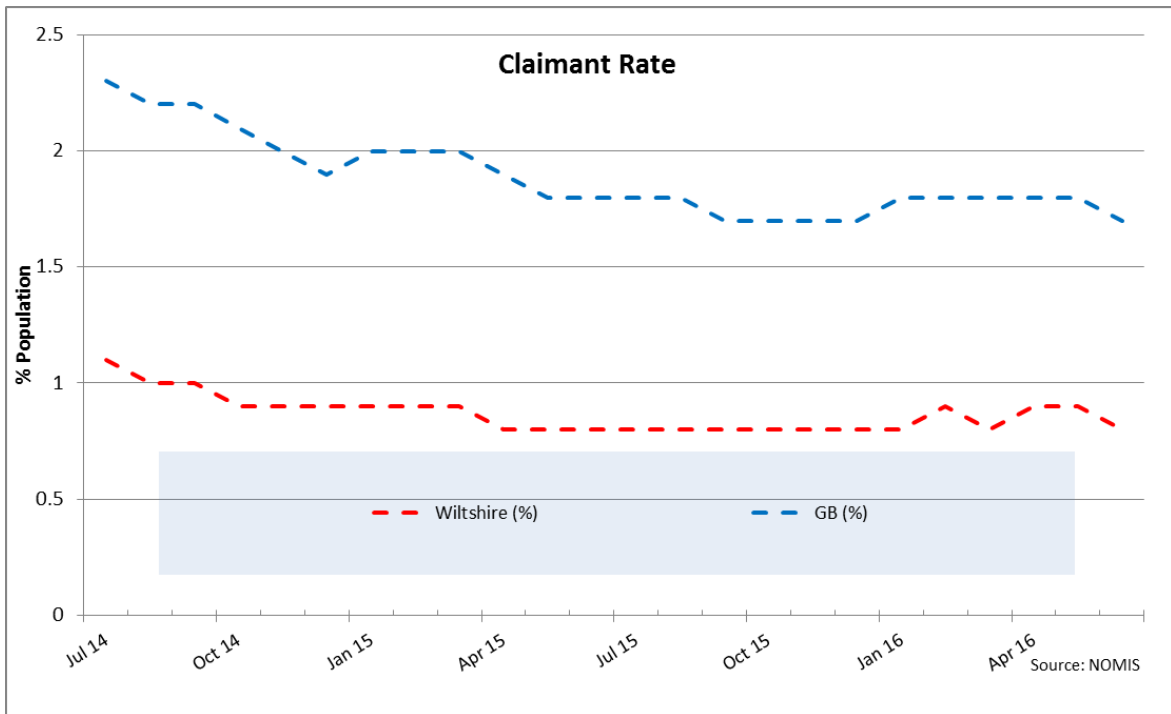
3. Measures within the [Citizens' Dashboard](#) were revised, using information drawn from individual 2015/16 services' delivery plans. These measures form the basis of the performance framework used to monitor progress through 2016/17, against the objectives set out in the Business Plan.
4. At the start of the current financial year the performance framework was reviewed for relevance against both the Business Plan and the work of council services.
5. In addition to headline measures in the Citizens' Dashboard the performance framework includes measures drawn from service areas that add to the overall understanding of progress against the business plan outcomes.
6. A summary of key published measures – as well as some more general supporting information about each theme – is provided below.

### ***Outcome 1: thriving and growing local economy***

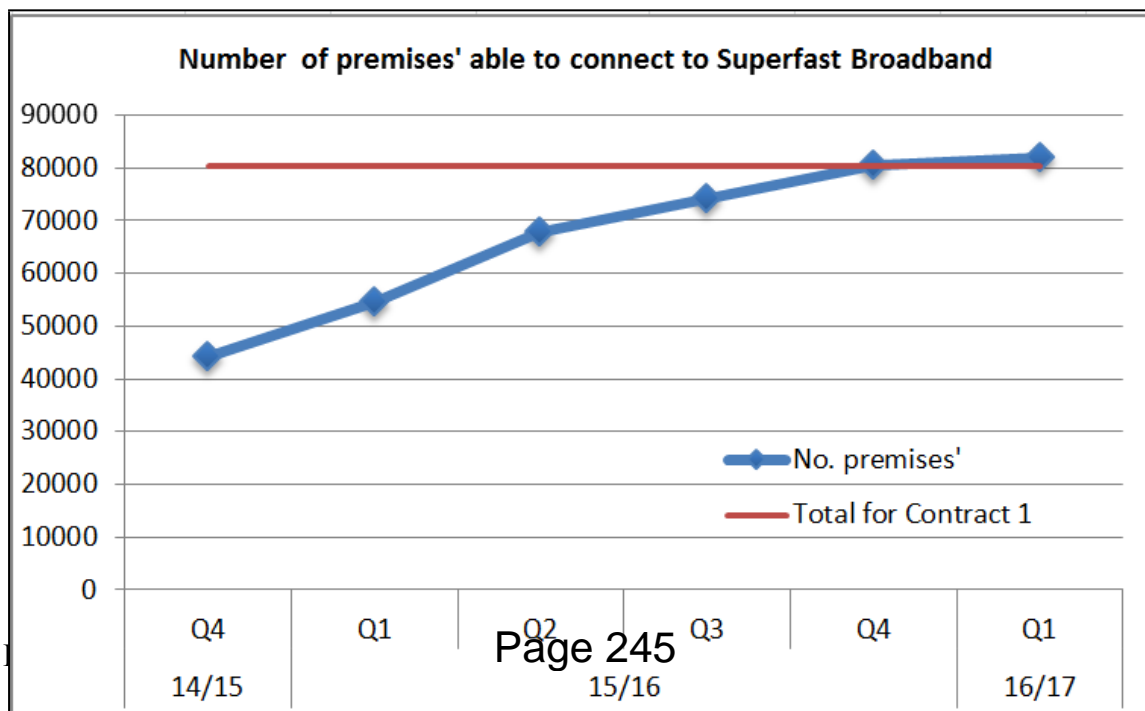
7. The introduction of Universal Credit has resulted in a change in the way that benefit claimant statistics are measured nationally. The Claimant Count now includes Universal Credit claimants who are not in work, replacing the previous measure based on Jobseeker's Allowance claimants only.



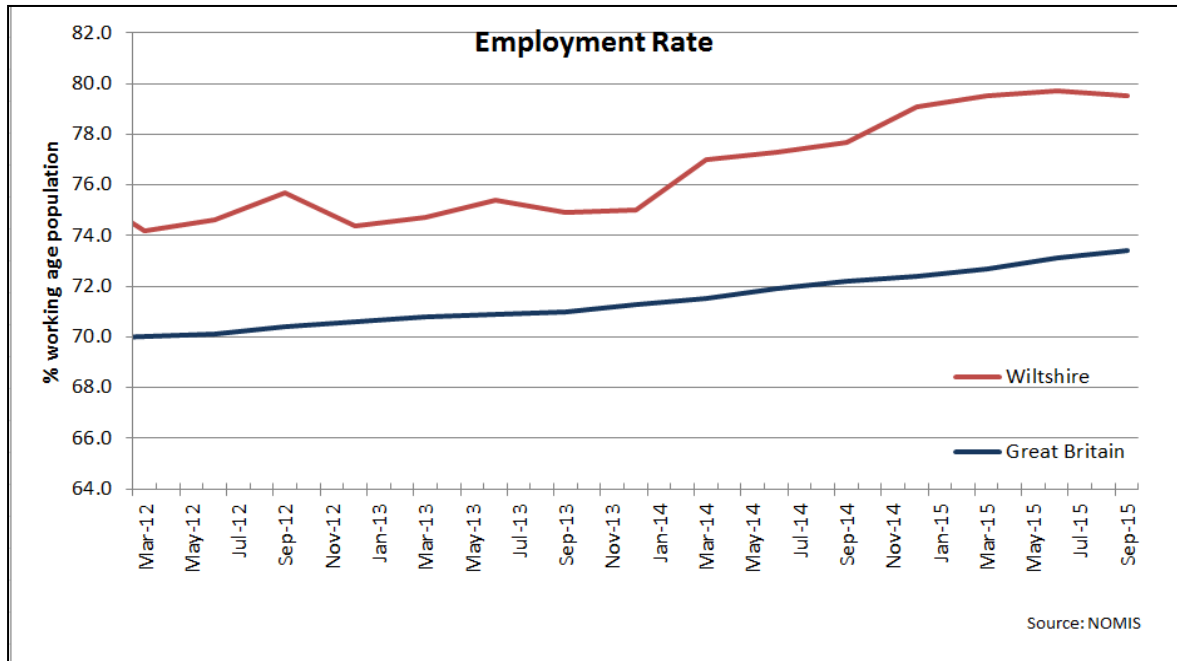
8. At the end of quarter one there were just over 2,500 individuals in the claimant count. This is a slight increase on the position at the same time last year (0.1%).



9. Despite these small fluctuations Wiltshire's Claimant Count remains below 1% of the working age population and below the national comparison.
10. Further progress has been made towards achieving the ambition of providing more premises' in Wiltshire with Superfast Broadband. In quarter one nearly 1,300 additional residential and commercial premises' had a Superfast Broadband internet connection available. Wiltshire has now moved beyond the number of premises covered by the first part of the contract with the provider, and is into the second stage. The Superfast Broadband project has helped enable the delivery of commercial Superfast Broadband to 40% of business and domestic premises in Wiltshire.



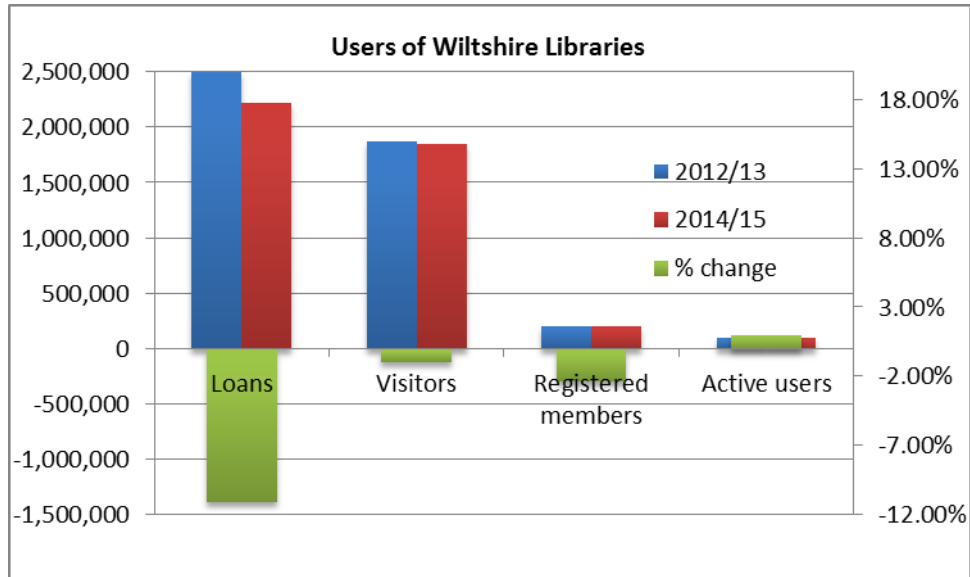
11. Through the work on superfast broadband, investments in advanced engineering and life sciences and involvement in the Enterprise Network (attracting employers and investment into the county, supporting existing businesses and providing a comprehensive and efficient planning service) the council has supported the creation of more than 1,200 new jobs in the last 12 months. In the most recent quarter there were four LEADER Grants awarded investing in small and medium sized rural businesses.
12. Latest figures show Wiltshire's employment rate is largely stable having fallen 0.3% points in the last quarter and remains just under 80% in the 12 months to March 2016.



13. In the 12 months to June 2016, just over 3,000 businesses have been provided with advice and support. Wiltshire businesses have been supported through the following Wiltshire Council programmes: the Superfast Broadband Programme, the [Wiltshire Business Support Service Wiltshire 100](#), [The Enterprise Network](#), and [Project Impress](#).
14. In the 12 months to June 2016 there were more than 1,000 additional affordable homes completed which is roughly a third less than the same period in the previous year. Changes in the housing sector, including the reductions in housing association rents required by the July Budget, have had a negative impact on the number of affordable homes that can be delivered, as it has made it less attractive for developers to invest into social housing.
15. From April to July the Skill Entrepreneur and Wiltshire Careers Education Programmes helped almost 1,400 students gain skills and knowledge to transition from schools into further education, training or employment. A number of businesses have participated in the Enterprise Adviser Project, and the Employability Charter has engaged 800 students via career fairs, mock interview days and other activities.

Outcome 2: people working together to solve problems and participate in decisions

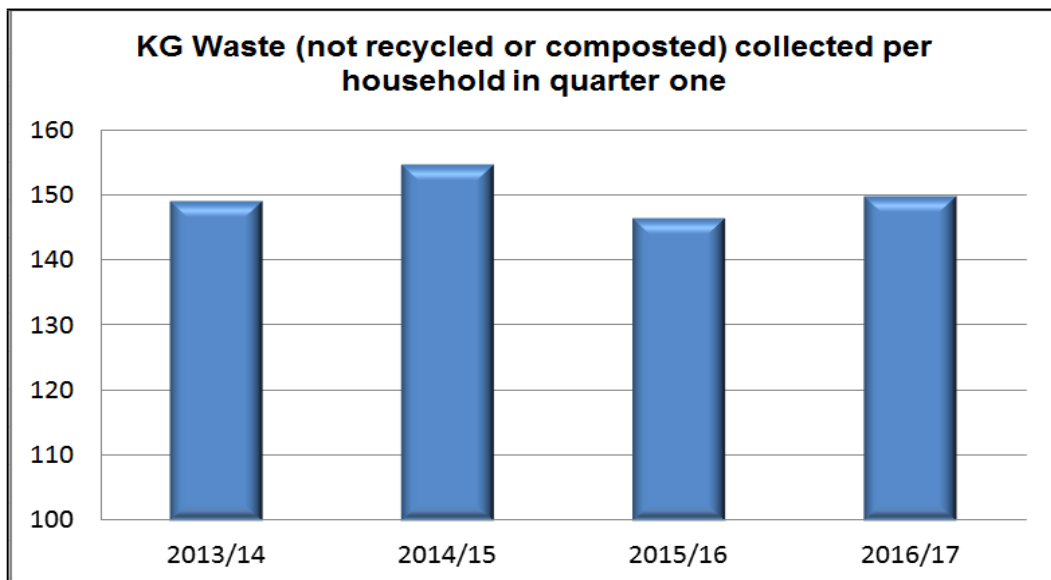
16. Total spend through Area Boards in the first quarter of 2016/17 was nearly £390,000. A total of just under 200 individual projects were supported during the quarter. Because of the high quality of the projects chosen the current leverage on community grants has been calculated at over £16 for every £1 spent. All of the projects supported through Wiltshire's Area Boards are listed [on the council's website](#).
17. Area Boards use the [Our Community Matters](#) platform to engage and communicate with local residents. This consists of 18 individual community blogsites featuring events, news, jobs and comments and each week a local mailing is generated from the content posted and sent to the community area network - subscribers who have signed up to receive the news service. Each blogsite is supported by a specific Twitter account. During quarter one, the number of subscribers to these social media channels increased from nearly 17,000 to just over 87,000. An additional 2,800 Twitter followers ([@WiltsCouncil](#)) in quarter one brought the total to over 13,000.
18. A consultation exercise on the future of bus travel in Wiltshire was a huge success attracting more than 11,000 responses for individuals and businesses. The results of the exercise will be used to help shape subsidised bus services over at least the next three years.
19. A strong sense of community engagement is evident in maintaining our rights of ways, as well as our countryside sites. Volunteers carry out a wide range of activities from replacing stiles, gates and signposts through building bridges to clearing paths. In quarter one there were over 700 volunteer hours given to support rights of way and more than 2,600 in total maintaining countryside sites.
20. Wiltshire is a national leader in the use of volunteers in libraries. Wiltshire has the highest level of volunteering within both the regional and statistical neighbour groupings, and one of the highest levels of volunteer support in the country. In total, 758 volunteers support the service in a variety of roles; 335 Community Library Volunteers, and 423 volunteers helping to extend our service offer with the homes service, summer reading challenge, rhyme times, and as computer buddies. In 2014/15 the service recorded 26,938 volunteer hours.
21. Libraries usage rates have fallen in recent years but overall remain high with more than 400,000 visits during which over half a million transactions were completed in the first quarter of 2016/17.
22. Figures on the use of libraries for the last full financial year suggest that Wiltshire is just above the regional average for the number of active borrowers and book issues per 1,000 of the population. Although there is a national trend towards a reduction in loans, Wiltshire still loans 4,154 books per 1,000 population compared with the national average of 3,483.



23. There were just under 200,000 registered library members which represents 42% of the population. Just under 30% of registered users are below the age of 15.

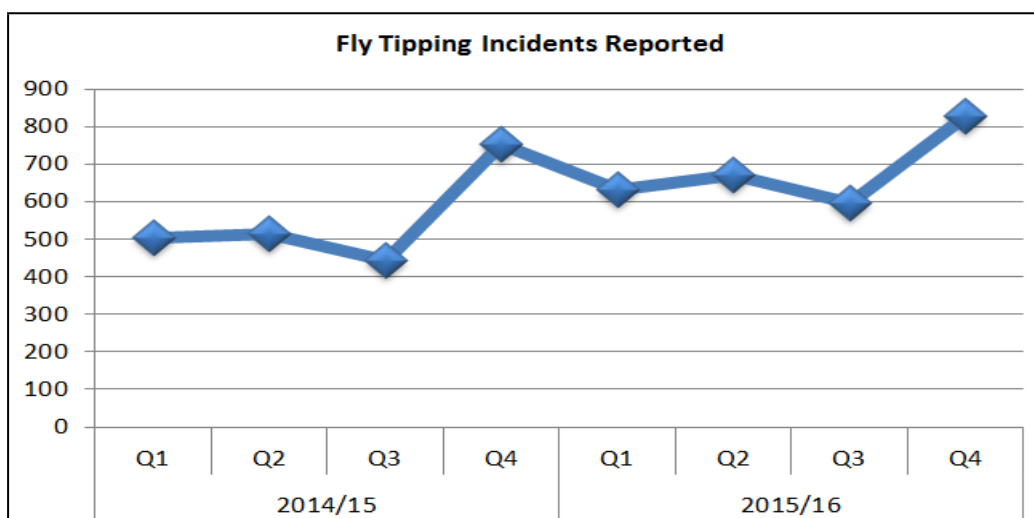
*Outcome 3: living in a high quality environment*

24. There has been continued volatility in the amount of residual waste collected per household in Wiltshire over the last three years (using 12 month totals). Q1 2016/17 shows a small (3.33kg or 2.3%) increase in household residual waste compared with Q1 2015/16.



25. There has been a 0.4% improvement in the proportion of total municipal waste (i.e. local authority collected household and commercial waste, and waste from HRCs) diverted from landfill in quarter 1 2016/17, compared with Quarter 1 2015/16. The proportion diverted from landfill is just under 80% and well above the target of 75%.

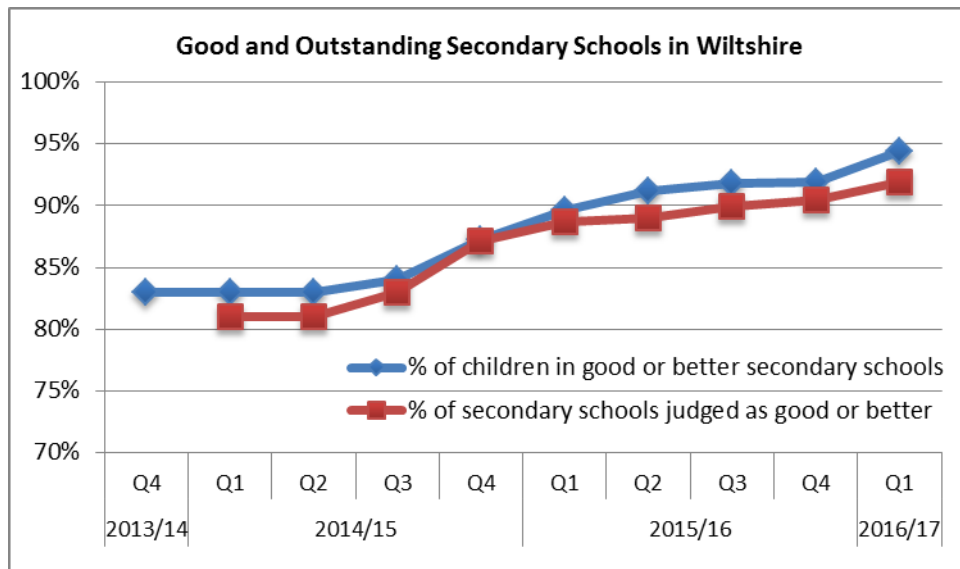
26. The national waste strategy includes a target of 50% recycling by 2020. New waste and recycling contracts due to start in 2017 and are expected to increase household recycling by providing more opportunities for householders, and allow a step change improvement in household waste recycling rates.
27. Q1 2016-17 recycling rate shows a reduction of 3.9% compared with Q1 2015-16. The tonnage of recycling collected in Q1 2016-17 was over 5,000 tonnes lower than in Q1 2015-16. The introduction of chargeable garden waste services and the reduction in HRC opening hours and days were introduced in June/July 2015 respectively.
28. The total number of reported fly tipping incidents was 10% greater in quarter one this year than last year. Nationally, over the past two years, the number of reported incidents of fly-tipping has increased by more than 27%. Over the same period of time, incident numbers have increased in Wiltshire by 22%.



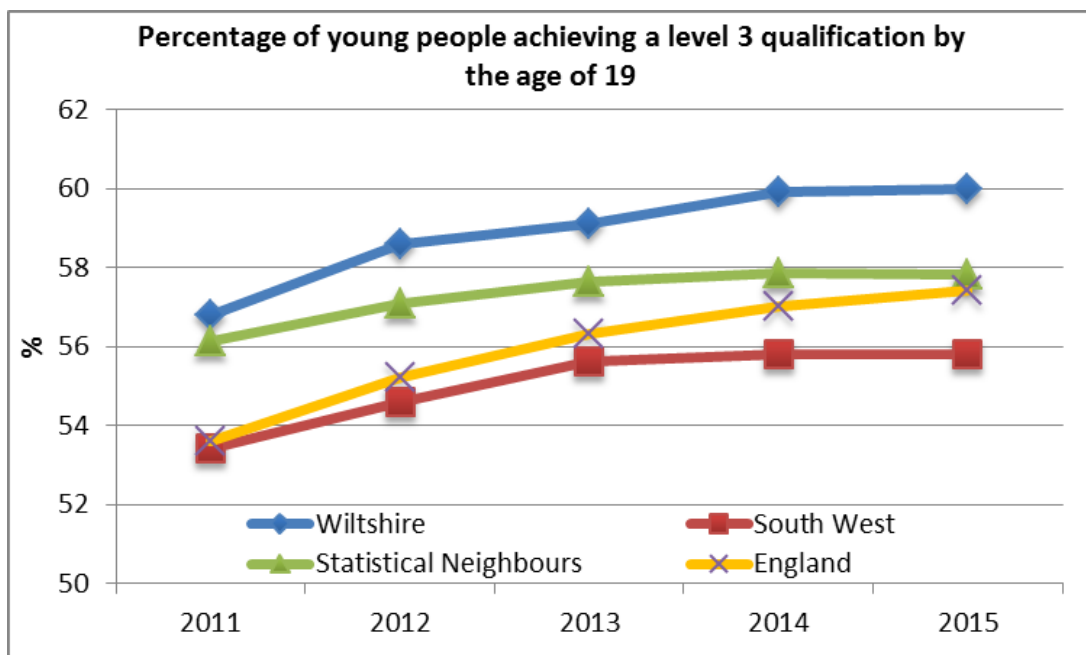
29. It was another busy quarter for the highways and street scene teams with nearly 5,400 issues (excluding potholes) reported. This is a reduction of 6.6% on last quarter but an increase of 13.6% on quarter one 2015/16.

***Outcome 4: inclusive communities where everyone can achieve their potential***

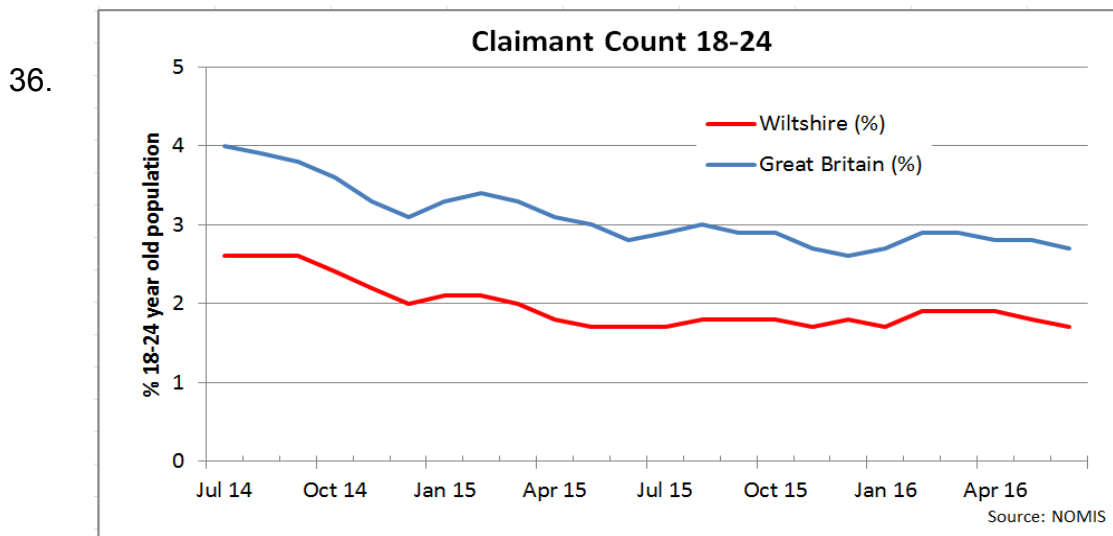
30. School inspections generally show Wiltshire in a positive light as revealed in the medium term trend in the graph below. At the end of quarter one the proportion of children attending a secondary school judged as good or outstanding had risen to over 94%. This is a 2.5% point increase on the previous quarter and a 4.8% point increase on the same period in the last year.
31. Nearly 92% of secondary schools were judged as good or better.



32. Results for students taking level 3 qualifications (A levels and equivalent) for the academic year ending in 2015 show Wiltshire performing above the national average. In Wiltshire 81.1% of students taking A levels achieved at least 3 A\*-E grades compared to 78.7% in England as a whole.
33. Performance in substantial advanced level vocation qualifications (those equivalent to A levels) was less encouraging. 29.9% of Wiltshire students achieved at least 3 qualifications compares to the national figure of 47.4%. The cohort taking the qualifications is much smaller than those taking academic qualifications.
34. Wiltshire has 60.0% of young people achieving level 3 qualifications by the age of 19. This is above the England average of 57.4% and an increase of 3.2% points on the position four years previously.



35. As with the corresponding adult measure the proportion of young people in receipt of Job Seekers Allowance has changed to a Claimant Count for 18 to 24 year olds. Wiltshire performs better than the national average with a stable figure of 1.5% (1% below the national average) and at the end of quarter one there were 515 young people in the Claimant Count in Wiltshire. This is a 0.2% reduction on the previous quarter.



.4% of Wiltshire young people (16-18 years old) were found to be NEET at the end of quarter one. This is a slight increase of 0.3% points on the same period in the previous year.

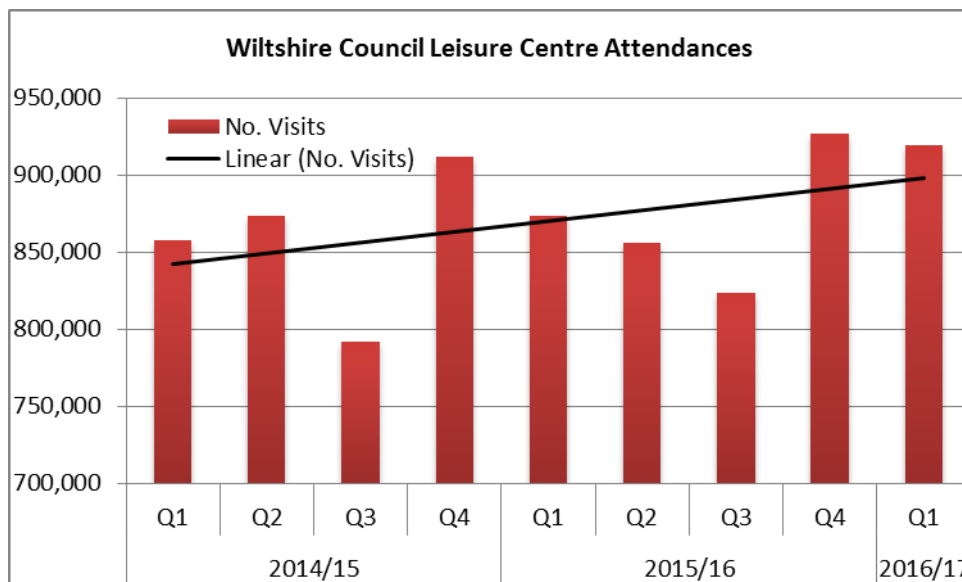
37. During quarter one places at primary schools were allocated for children starting in September. This year 92% of children have been offered a place at their parent's first choice school. This is an increase of 1.7% points on last year and above the national average. 98% of children were offered a place at one of their preferred schools.

#### Outcome 5: healthy, active and high quality lives

38. In 2015-16 we saw over 29, 200 people have been invited for an NHS Health Check with over 14, 000 accepting the offer. Wiltshire's percentage uptake for 2015-16 is 48%. There is a substantial improvement of a 15% increase when compared to 2014-15. In quarter one 2016/17 over 3,700 people had their five yearly NHS Health Check, compared to 3,476 Quarter 1 in 2015/16.
39. Wiltshire Council's Adult Care Services provide a range of social care services to older people and people with a learning disability or physical impairment. Services are delivered to people who need a rapid response to a crisis, need help to maintain their independence where they have complex needs and to promote preventative services which help people remain well and independent. In quarter one over 7,600 individuals received support of some kind from Wiltshire Council's Adult Care Services. This is on a par with the previous year.
40. Help to live at Home is designed to help people who are frail, sick or disabled live at home for as long as it is safe and it helps people to continue to look after themselves in their own home. Help to live at Home

supports self-funders as well as those eligible for council-funded support. The care providers supporting Help to live at Home are motivated to deliver on people's individual support plans and outcomes, not just providing the care. The mean average number receiving Help to live at Home over the last 12 months was just over 900 which was 10% lower than the average of the previous year.

41. In the course of supporting vulnerable adults Wiltshire Council's Adult Care Services supported over 960 carers during quarter one.
42. The latest available figures suggest that teenage pregnancies are at a 15 year low in Wiltshire. In 1998 the rate of conceptions was 32.1 in every 1,000 females aged 15-17. At the end of March 2015 the same figure was 15.0, over 50% lower. In this time there have been a number of initiatives led and supported by Wiltshire Council including the No Worries programme.
43. It is widely recognised that staying active is an essential part of being healthy and Wiltshire Council's leisure services have an essential role to play in improving local health and wellbeing. There were just under 920,000 attendances at Wiltshire Council Leisure Centres in the first quarter of the year, a 46,000 increase on the same period last year. The black line in the graph below shows the trend over the period covered.



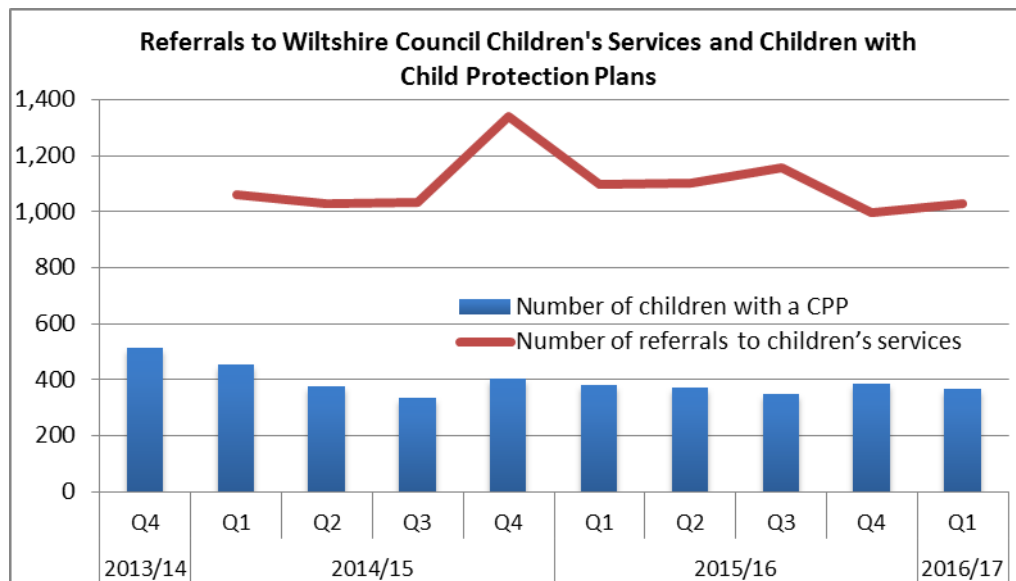
44. The latest information available for smoking cessation shows that in the last financial year (2015/16) nearly 2,500 Wiltshire people set a date to quit smoking and 54.1% had succeeded four weeks after that date.

***Outcome 6: protected from harm and feel safe***

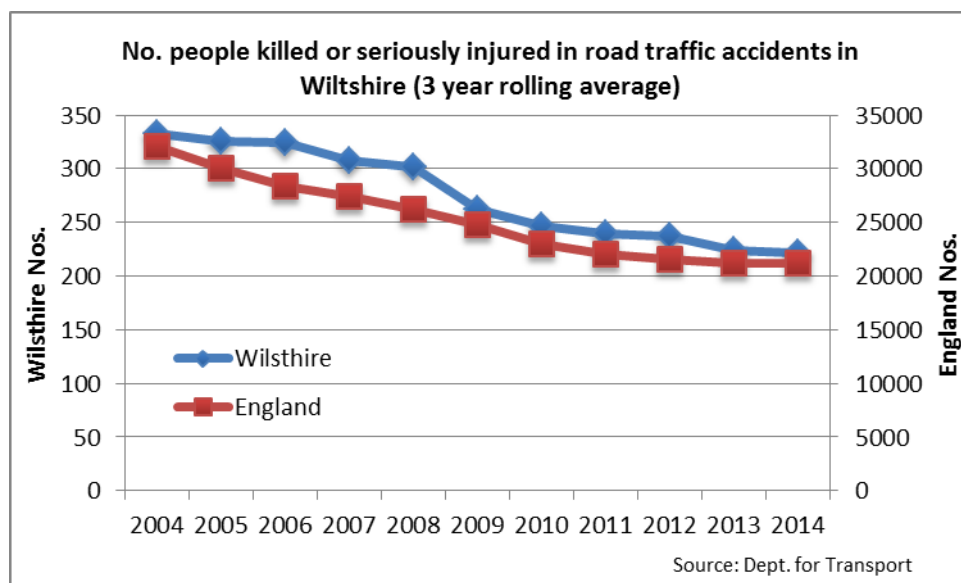
45. The number of referrals to Children's social care rose slightly on the previous quarter when there was the lowest figure reported in two years. At just over 1,000 referrals the quarter one level is comparable to the average of the last two years.



46. Meanwhile there is a 5% fall in the number of children and young people who were subject to a Child Protection Plan between quarter one this year and quarter four last year.



47. The current number of children in care has risen to 428, which equates to a rate within the expected range of 38 to 42 children per 10,000. Likewise despite a 5% rise on the last quarter to just over 3,000 the total numbers of Children in Need remains within the expected range of 260 to 290 per 10,000. This increase brings with it financial pressures for the Local Authority.
48. A campaign to improve recruitment of social workers in Wiltshire which started in August 2014 has been successful in helping more than 180 qualified members of staff joining the council in less than two years
49. The number of people killed or seriously injured on Wiltshire's roads was 15.8% lower in quarter one 2016/17 than during the same period in the previous year at just below 50. This continues to reflect the national trend shown in the graph below using the most recently available numbers.



50. Data for Q1 from Wiltshire Police shows that the rate of Alcohol Related Crime remains at a similar level to quarter one 2015/16.

Recorded domestic abuse crime rates have shown a small increase in the last 12 months. However, this change may be explained, at least in part, by to the police force improving their recording of domestic abuse incidents as crimes and by public agencies actively encouraging victims to come forward to report these crimes.

Incidents of all crime, recorded by police in Wiltshire ,per 1,000 people has risen from 11.3 in quarter one last year to 12.2 in quarter one 2016/17. National comparator data for this period has not yet been published.

### **Strategic Risk Register**

51. Delivering the Council's Business Plan remains a significant challenge given an increasing demand for key services, such as care for vulnerable children and adults, and highways maintenance, as well as rising inflation costs, and less money from central Government. The Strategic Risk Register reflects these challenges.

52. The Strategic Risk Register draws together information reordered on risk registers at service delivery level. Information that had significance across the council as a whole is displayed in three categories on the Strategic Risk Register.

- *Critical service risks*: significant single service risks, which, should they be realised will have a significant impact on the organisation as a whole.
- *Composite strategic risks*: risks which are significant within a number of service areas although individually would not significantly impact on the organisation as a whole. These risks are compiled into a single strategic composite risk (owned by the most appropriate service) and included within the strategic risk register. The ongoing monitoring of these risks therefore is drawn from the updates to the individual service level risks.

The recording of these risks is a new approach recently introduced, to ensure that service updates to these risks are more readily captured within the overall composite risk, and the supporting information and process for capturing progress is in development.

- *National risks*: These risks mirror the most significant risks on the Cabinet Office's [national risk register](#) and is Wiltshire's response should these be realised. These are typically captured within the [Wiltshire Community Risk Register](#) managed by the [Local Resilience Forum](#).
53. The simplified version of the current strategic risk register is provided in appendix 1.

54. Each risk is fully defined by the responsible service (who assess the cause, event and effect that make up the identified risk) and scored for impact and likelihood to give an overall score. A risk is scored twice; firstly as inherent (the current level of risk) and then as residual (the risk once all described mitigating actions are in place). The actions described are RAG'd based on progress towards completion. This RAG guides the reader of the register to understand the true current risk.
55. There are no new risks on the register and none have been removed since the last quarter. A whole range of service risks are kept under observation each quarter.
56. Of the 13 risks listed on the strategic risk register just three have a residual score of 12 (seen as high).
57. A pandemic flu outbreak or widespread flooding remain a risk to both local life and to service provision. However, the Council has effective business continuity plans and resilient staff structures in place to respond to any incidents. The way these risks are scored on the register reflects the scale of the impact should either an outbreak of extreme flooding occur and the lack of control the organisation has on avoiding these national high level risks.
58. Other national level risks have low or medium inherent and residual scores and suggest good progress against planned actions.
59. Wiltshire's Integrated Emergency Plan, which allows us to protect people more effectively should a major incident occur, has been embedded into procedure with the relevant staff having received internal training. Working with our partners in emergency services we are creating safer, more resilient communities. This year the team have run multi-agency community resilience workshops across the 18 Area Boards which have helped communities complete local plans. The workshops are a big step forward in helping the public cope during widespread emergencies like flooding, snow or disease outbreaks when the public services' resources could be stretched.
60. The Safeguarding of children, young people and vulnerable adults remains a high priority for the Council. This focus means that actions continue to be sought and undertaken, to mitigate the likelihood of safeguarding incidents. However, the unpredictability of the sources of such events means that safeguarding will always be a risk to the organisation.
61. An additional service level risk has been added to the Budget Management composite risk which focuses on the potential overspend against the Children's services placements budget. This risk has a high inherent score and not showing good progress against mitigating actions. There are a number of well-planned actions but they will only have an impact in the longer term.
62. The Staff Capacity composite risk has not changed position in the last quarter and work is ongoing to complete the Corporate Workforce Action Plan. There were some reduced scores amongst the component service level risks as the longer term impacts of reorganisations became apparent.

63. The Government's austerity programme has generated significant challenges for public authorities, including this Council, in the procurement of major contracts such as highways, waste, children's and adult health and social care services. These include reduced or insufficient competition in certain markets, increased risk of legal challenges to the procurement process, increased contract management demands and costs and an overall increase in the cost of service provision. The Strategic Procurement Hub is working with services across the Council to mitigate the impact of these challenges. Further progress has been made in implementing plans for a corporate procurement team which has helped maintain the composite Contract Monitoring and Management risk at its current level. Further progress is expected to help reduce the likelihood of contract issues developing within services over the next 12 months.
64. In March 2015 the Information Commissioner's Office (ICO) were invited to conduct an audit of the Council's arrangements for the processing of personal data. The overall conclusion was that there was a limited level of assurance that processes and procedures are in place and delivering data protection compliance and that there is considerable scope for improvement. An information Governance Board was established and an Information Governance Improvement Plan developed to address the areas for improvement. The Information Governance composite remains at a medium level. The Action Plan that had been in development is now being implemented. Over the next quarter this risk will be reviewed in light of the new team's greater understanding of Information Governance across the council.

### **Overview & Scrutiny Engagement**

65. The Financial Planning Task Group receives all quarterly performance management reports and will consider this edition on 8<sup>th</sup> September 2016. The task group chairman will be able to provide a verbal update on behalf of the task group at the Cabinet meeting.

### **Safeguarding Implications**

66. A number of indicators are regularly analysed which directly relate to the safeguarding of children and adults. Action is taken where improvements in performance are required.

### **Public Health Implications**

67. Not applicable as no decision is required.

### **Environmental and Climate Change Considerations**

68. Not applicable as no decision is required.

### **Equalities Impact of the Proposal**

69. Not applicable as no decision is required.

## **Risk Assessment**

70. Not applicable as no decision is required.

## **Risks that may arise if the proposed decision and related work is not taken**

71. Not applicable as no decision is required.

## **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

72. Not applicable as no decision is required.

## **Financial Implications**

73. Not applicable as no decision is required.

## **Legal Implications**

74. Not applicable as no decision is required.

## **Options Considered**

75. Not applicable as no decision is required.

## **Conclusions**

76. This report brings together updates on outturns published through the Citizen's Dashboard, as well supplementary commentary to provide further context around the council's activities in these areas.

## **Reason for Proposal**

77. The Strategic Performance Framework compiles and monitors outturns in relation to the outcomes laid out in the Council's Business Plan, distilled from individual services' delivery plans. In doing so, it captures the main focus of activities of the council against each outcome.

78. The strategic risk register captures and monitors significant risks facing the council: in relation to significant in-service risks facing individual areas, in managing its business across the authority generally and in assuring our preparedness should a national risk event occur.

## **Robin Townsend**

**Associate Director, Corporate Support, Procurement & Programme Office**

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August 2016

## Appendices

- Appendix 1: Strategic Risk Register (June 2016)
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Wiltshire Council Strategic Risk Register  
Q1 2016/17

Risk short name	Mitigation Actions	Inherent Score				Actions RAG	Residual Score			Q1 Comments
		Q1 Impact	Q1 Likelihood	Risk Rating	DoT		Q1 Impact	Q1 Likelihood	Risk Rating	
<b>Critical Service Risks</b>										
<b>Safeguarding Children</b>	<ul style="list-style-type: none"> <li>Stable workforce</li> <li>Skilled and experienced workforce</li> <li>Increase social worker retention</li> <li>Reduction in use of agency social workers</li> <li>Permanent, experienced managers</li> <li>Clear training pathway</li> <li>Reduction in bureaucracy in order to increase amount of time spent with family / intervening</li> </ul>	4	2	8	▶	Green	2	2	4	More confidence in the planned mitigating actions including additional actions under the Children's Services Integration Project which aims to improve processes and outcomes shared between Social Care and Early Help.
<b>Safeguarding Adults</b>	<ul style="list-style-type: none"> <li>Regular update training sessions for investigating managers and investigating officers.</li> <li>Updated Care First documents in line with the Care Act guidance</li> <li>Robust case file audit system in place</li> <li>Central safeguarding adults triage process</li> <li>Updated policy and procedures</li> </ul>	4	2	8	▶	Green	4	1	4	Actions are regularly review to maintain a low likelihood of a safeguarding incident occurring
<b>Composite Corporate Risks</b>										
<b>Staff capacity: Recruitment and Retention</b>	<ul style="list-style-type: none"> <li>Development of a corporate workforce action plan for delivering the people strategy.</li> <li>Strategic HR project managers reviewing the impact of service reviews and the corporate redundancy programme with service managers.</li> <li>Review of pay and reward policies to aid retention of staff.</li> <li>Job family modelling to provide workforce flexibility and clear progression to aid recruitment and retention workforce.</li> <li>New careers website.</li> <li>Social work microsite.</li> </ul>	3	2	6	▶	Green	3	2	6	Work is ongoing to complete the Corporate Workforce Action Plan. Restructures and integration projects have reduced some service level risks allowing the strategic level risk to remain at the same level.
<b>Budget management</b>	<ul style="list-style-type: none"> <li>Budgetary control</li> <li>Due diligence in setting the budget</li> <li>Timeliness of reporting</li> <li>Competencies of the team and budget managers being invested in</li> </ul>	4	3	12	▶	Amber	4	3	12	Some optimism in some service areas following restructures. However uncertainty around new government and future funding means strategic level risk remains high.
<b>Contract monitoring and management</b>	<ol style="list-style-type: none"> <li>Maintain strategic oversight on contract monitoring arrangements – develop a central repository of contracts and monitoring arrangements within</li> <li>Create a corporate requirement on contract management to ensure consistency and escalation processes for emerging issues</li> <li>A greater involvement from procurement in oversight of contract management to ensure greater visibility of emerging issues at earliest stage</li> <li>To make better use of appropriate contract and management skills within the new structure</li> <li>Further actions to be developed and refined alongside new procurement structure</li> </ol>	3	3	9	▶	Amber	3	3	9	Still in early days of new approach more progress expected in next quarter.
<b>Composite Corporate Risks</b>										
<b>Corporate Health, Safety &amp; Wellbeing</b>	<ol style="list-style-type: none"> <li>Corporate policy statement</li> <li>Service specific policies and systems of work.</li> <li>Incident reporting via e-form and investigation procedure to reduce potential for recurrences.</li> <li>A blended programme of e-learning and personal course delivery is available.</li> <li>Corporate procedures and pro-forma exist for core safety functions including risk assessment</li> <li>Audit programme to monitor compliance with statutory duty and best practices.</li> <li>Corporate Risk Register</li> <li>OH service provides independent medical opinion and advice to support managers dealing with employee ill-health and absence.</li> <li>Confidential Employee Well-Being Telephone Helpline operates.</li> <li>Regionalised clinics are held to provide easier access for employees to OH Services.</li> <li>Partnerships with external providers of counselling and physiotherapy services are in place to provide fast-track access to these services.</li> <li>Pre-employment health screening ensures reasonable adjustments are identified to support employees.</li> <li>Specific training on H&amp;S and Personal Resilience as part of Management Matters and Staff Matters programmes.</li> <li>Investment in statutory health surveillance equipment and training.</li> <li>Arrangements in place for fire risk assessment of all workplaces.</li> <li>Quarterly management information provided to Associate Directors and benchmarked annually.</li> <li>Annual performance report.</li> <li>Provision of HGV driver medical service.</li> <li>Intelligence Network to share details of members of public considered to present risks to staff.</li> </ol>	3	2	6	▶	Green	3	2	6	Service level risks continued to be understood and monitored across the organisation .
<b>Information Governance</b>	A detailed action plan is being developed to ensure that the ICO's recommendations (from the voluntary audit in March 2015) are prioritised and implemented.	3	3	9	▲	Amber	3	2	6	Action plan is now being implemented. Revised timeline for the implementation is now in place following a restructure in the corporate IG team..

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Wiltshire Council Strategic Risk Register  
Q1 2016/17

Risk short name	Mitigation Actions	Inherent Score				Actions RAG	Residual Score			Q1 Comments
		Q1 Impact	Q1 Likelihood	Risk Rating	DoT		Q1 Impact	Q1 Likelihood	Risk Rating	
<b>National Level Risks</b>										
<b>Pandemic influenza</b>	<ul style="list-style-type: none"> <li>Local Resilience Forum and Local Health Resilience Partnership pandemic influenza plans.</li> <li>Excess Deaths Plan</li> <li>Business Continuity Plan</li> <li>The NHS will lead on a thorough review of Pandemic Influenza plans nationally this year.</li> </ul>	4	3	12	▶	Green	4	3	12	<p>All National Level risks are monitored at a local level and reviewed by the Local Resilience Forum.</p> <p>Work has started on a Flood Plan for Salisbury City and is due to be completed in quarter three.</p> <p>More internal training on responding to terrorist incidents has been delivered to council managers and is being rolled out across the whole organisation.</p>
<b>Flooding</b>	<ul style="list-style-type: none"> <li>Wiltshire Council Flood Response Plan</li> <li>LRF Severe Weather Plan</li> <li>Wiltshire Flooding Strategy</li> <li>Flood Operational Working Groups in North, South and Salisbury</li> <li>Wiltshire Council Welfare Plan</li> </ul>	4	3	12	▶	Green	4	3	12	
<b>Widespread electricity failure (NEW 2015)</b>	<ul style="list-style-type: none"> <li>Local Resilience Forum Emergency Telecoms and Procedures</li> <li>Fuel Supply Disruption Plan</li> <li>Business Continuity Plan</li> <li>Engaging with Scottish and Southern Electricity</li> <li>Telecommunications exercise completed</li> </ul>	4	2	8	▶	Green	4	2	8	
<b>Catastrophic terrorist attacks</b>	<ul style="list-style-type: none"> <li>Bomb alarm health and safety training</li> <li>Health and Safety procedures.</li> <li>Training for event staff</li> <li>Health and Safety training on bomb alerts</li> <li>Improved process and information for dealing with suspicious packages disseminated</li> </ul>	4	2	8	▶	Green	4	2	8	
<b>Poor air quality events (NEW 2015)</b>	<ul style="list-style-type: none"> <li>wiltshireairquality.org.uk/</li> <li>Health Community Response Plan</li> <li>Public messaging by use of social media and communications during poor air quality events</li> <li>Review of Air quality strategy.</li> </ul>	4	2	8	▶	Green	4	2	8	
<b>Cyber Security</b>	<ul style="list-style-type: none"> <li>Anti Virus installations and updates,</li> <li>Software Patching,</li> <li>Revised security posture,</li> <li>PSN accreditation</li> </ul>	4	1	4	▶	Green	4	1	4	

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