

## **Wiltshire Council**

### **Cabinet Capital Assets Committee**

**17 January 2017**

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#### **Questions from Richard Hames**

##### **Questions**

1. Could you please explain why the council consider six days is sufficient time for the public to read the agenda, understand what is behind the agenda and then comment on it. The agenda was published on 11 January and the meeting is on 17 January. I would hope in future you would agree that in order to be transparent and democratic a longer period should be given.
2. Could you please explain why you are selling and whether it is linked to potential development at Rawlings Green?
3. How is the price determined? Can you confirm that it will be widely publicised and unless there is a good reason the highest price will be accepted. Will anyone other than the developer be interested in purchasing it?
4. What guarantees will there be that the current public right-of-way continues?
5. Who will maintain the land after the sale?
6. As you are aware Rawlings Green is being looked at by the inspector and the current planning application has been referred to the Secretary of State. Therefore it seems totally premature to consider any such sale until the inspector has reported, the planning decision made either for or against, and the Secretary of State has given his approval to whatever the decision is.

##### **Responses**

1. The agenda was in fact published on 9 January and within the legally prescribed timescale giving 5 clear (working) days' notice of the meeting. In addition, notice that the Committee intended to consider the item 'Assets to be declared Surplus' was first published in the Council's Forward Work Plan for the Cabinet Capital Assets Committee on 19 December 2016.
2. As part of the process we are declaring this site as an asset held for sale, surplus to operational requirements

The recommendations refer to a whole series of assets surplus to council requirements therefore it is listed and if asset is decided to be put up for disposal due diligence will be undertaken.

Yes, it is linked to Rawlings Green

3. If we decide to sell then the site would be evaluated in accordance with council obligations under section 123 of the local government act 1972
4. If we decide to sell any such issues will be picked up as part of due diligence.
5. This question presupposes a sale refer back to response to question 2
6. As is usual practice, the Council is able to consider the disposal of any assets in advance of planning permission and ensure that any disposal only takes place if planning permission is granted.

The Secretary of State has only directed the Council not to grant permission on the application without his specific authorisation. This is to enable him to consider (emphasis added) whether he should direct that the application be referred to him for determination. As his letter points out, the direction does not prevent the Council from considering the application and forming a view as to its merits, nor does it prevent the Council from refusing permission.