

AGENDA SUPPLEMENT (2)

Meeting: Cabinet Capital Assets Committee
Place: The Kennet Room - County Hall, Trowbridge BA14 8JN
Date: Tuesday 17 January 2017
Time: 10.00 am

The Agenda for the above meeting was published on 9 January 2017. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Will Oulton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713935 or email william.oulton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

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

5 **Public Participation and Questions from Councillors** *(Pages 3 - 14)*

Responses to written questions received.

DATE OF PUBLICATION: 17 January 2017

This page is intentionally left blank

Wiltshire Council

Cabinet Capital Assets Committee

17 January 2017

Questions from Councillor John Knight, Trowbridge Central Division

Questions

1. Could the retained area of the car park be free car parking for the first 30 minutes to allow the public to collect prescriptions from the proposed new pharmacy and assist with short visits to the adjoining park?
2. Could officers investigate how to mitigate the loss of car parking during construction as the pharmacy may well require the retained area of the car park as a builders compound, supplies deliver and turning. Possibly using land forming part of the park either immediately adjoining the car park or the area formerly occupied by the youth centre at Innox Road/Linden Place?
3. What arrangements will be made for existing parking permit holders?
4. Has the company considered that there already pharmacies nearby at Shires Gateway and Wingfield Road?

Responses

1. Parking Services will consider the request although such arrangements do not generally prevail elsewhere in similar circumstances
2. If Members are minded to approve the recommendation then officers in Strategic Assets & Facilities Management together with those in Amenities & Leisure will discuss with the pharmacy how best to mitigate any inconvenience to the public both in respect of car parking and enjoyment of the adjoining park.
3. It is anticipated that these will be suspended for the period of the construction works. However officers will investigate opportunities to mitigate any inconvenience.
4. The company has done so but believes this site would best serve the local community.

This page is intentionally left blank

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.

Wiltshire Council

Cabinet Capital Assets Committee

17 January 2017

Questions from Anne Henshaw

Question

Please inform me whether this could lead to any possible change in the status or nature of this track and its immediate surrounds in the future. As a much valued public path between Calne and Chippenham we would certainly lodge objections if this were to be the case?

Response

The council recognises the important role of the North Wiltshire Rivers Route. If we decide to sell, we recognise the value of the cycle path and due diligence would cover issues such as these.

This page is intentionally left blank

Questions from Kim Stuckey

Question

I have only today found out the detail of the Cabinet Capital Assets Committee meeting next Tuesday 17th January, and in particular Site 2 – Land at Darcy Close.

I am very concerned not about the strip of land as titled at Darcy Close, but the hatched area at the top of the plan, being the old dismantled track bed and embankment of the disused Chippenham-Calne railway.

This is used as a cycling and walking link between National Cycle Route 403 and Chippenham Station, avoiding a steep hill at Black Bridge Road and is a vital part of the sustainable transport infrastructure in Chippenham. I have and continue to use this route for cycling.

If this area of land is being sold off, what restrictions are being put on purchasers to keep in place the cycle track and maintain it? Will it remain open as a right of way? Have discussions taken place with Sustrans about the implications of this sale? At a time where the issue of sustainable transport is so important to the public and indeed the Council, could it be made clear about the guarantees about the future use of this route, rather than just being a hatched area on a map and an asset sale?

Response

The council recognises the important role of the North Wiltshire Rivers Route. If we decide to sell, we recognise the value of the cycle path and due diligence would cover issues such as these.

This page is intentionally left blank

Wiltshire Council

Cabinet Capital Assets Committee

17 January 2017

Questions from Nick Murry

Question

I would be grateful if you would inform me whether the rights of way on the footpath and cycle path will be in any way affected by this proposed sale?

If use of the footpath and/or the cycle path are in any way affected, currently or in the long term, I wish to strongly object to the inclusion of the footpath and/or cycle path as part of this proposed sale and for my objection to be registered at the forthcoming meeting referenced above.

Response

The council recognises the important role of the North Wiltshire Rivers Route. If we decide to sell, we recognise the value of the cycle path and due diligence would cover issues such as these.

This page is intentionally left blank

Wiltshire Council

Cabinet Capital Assets Committee

17 January 2017

Questions from Stephen Eades

Question

I am chair of N. Wiltshire Friends of the Earth. We would like to enquire whether the selling off by Wiltshire Council of land which it currently owns at Rawlings Green, Chippenham, which is part of the old railway and is now part of the the footpath and cycle path from Chippenham to Calne, will result in the footpath and cycle path being in any way being compromised in the future for this specific use ?

Could you please inform us?

If its use as a footpath will be affected, we would like to register in writing – which this email would now constitute – a formal objection to this proposal at the Council meeting on 17th January

Response

The council recognises the important role of the North Wiltshire Rivers Route. If we decide to sell, we recognise the value of the cycle path and due diligence would cover issues such as these.

This page is intentionally left blank