

Council Minute Book
12/11/2013

Agenda Item 15

Minutes of Cabinet and Committees

July to November 2013

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CABINET

MINUTES of a MEETING held in COUNCIL CHAMBER - COUNCIL OFFICES,
MONKTON PARK, CHIPPENHAM, SN15 1ER on Tuesday, 23 July 2013.

Cllr Keith Humphries	Cabinet Member for Public Health, Protection Services, Adult Care and Housing (exc strategic housing)
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economy, Skills and Transport
Cllr Jane Scott OBE	Leader of the Council
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property, Waste
Cllr John Thomson	Deputy Leader and Cabinet Member for Highways and Streetscene and Broadband
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage & Arts, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services)

Also in Attendance: Cllr Richard Britton, Cllr Allison Bucknell, Cllr Christine Crisp
Cllr Peter Edge, Cllr Peter Evans, Cllr Richard Gamble
Cllr Jon Hubbard, Cllr Peter Hutton, Cllr David Jenkins
Cllr Julian Johnson, Cllr Simon Killane, Cllr Gordon King
Cllr Jerry Kunkler, Cllr Magnus Macdonald, Cllr Alan MacRae
Cllr Jemima Milton, Cllr Bill Moss, Cllr Roy While
Cllr Philip Whitehead

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

54 Apologies

Apologies were received from Cllr Laura Mayes, Cabinet member for Children's Services and Cllr Jonathon Seed, Cabinet member for Communities, Campuses, Area Boards, Leisure, Libraries and Flooding.

55 Minutes of the Previous Meeting

The minutes of the meeting held on 18 June 2013 were presented.

Resolved:

To approve as a correct record and sign the minutes of the last meeting held on 18 June 2013.

56 Leader's announcement

Royal Birth

The Leader congratulated HRH the Duke of Cambridge and HRH the Duchess of Cambridge on the birth of their son on 22 July 2013. A joint letter from the Leader and Chairman of Council on behalf of Council would be sent to the royal couple to congratulate them and to say how pleased the Council was to hear of his safe arrival.

57 Declarations of interest

There were no declarations of interest.

58 Public participation

The Leader confirmed that as usual she would be happy to allow participation on any of the items listed on the agenda by members of the public present.

Cllr Hubbard expressed concern that some of his members had not as requested been given copies of the confidential part II report for this meeting and that one of his members had not as requested received a copy of the agenda. He appreciated that he had been given a copy of the Part II report on 19 June (along with other group leaders) but was only given a further 3 copies for his members shortly before the meeting. Whilst acknowledging he was an opposition group member, he considered that sharing information with the opposition was essential to enable them to robustly challenge proposals and therefore ensure good governance in decision making.

The Leader explained that she was aware that reference to the part II report had been posted to a liberal democrat website with an alarmist headline. She considered this to be unnecessarily unsettling to staff which was not only irresponsible but totally unacceptable. She considered that Councillors should despite political differences, above all act in the best interests of the Council.

The Monitoring Officer confirmed that confidential material could be provided to Councillors on request and on a need to know basis. He accepted that sharing information contributed to good governance but that confidentiality needed to be maintained in the best interests of the Council. He would be happy to review processes to ensure we were achieving the right balance between good governance and protecting the Council's position.

During the course of discussion later in the meeting, it was agreed to review processes through the Group Leaders.

59 **Wiltshire Council's Draft Business Plan for 2013-17**

Public Participation

Mr Brian Warwick, Chairman of the Melksham Seniors Forum addressed Cabinet on this item. He considered that the reference to tourism in the Plan should be strengthened, welcoming the comments of Scrutiny in this respect. The Leader confirmed that the point made by Scrutiny had been accepted. Cllr Fleur de Rhé Philipe, Cabinet member for Economy, Skills and Transport also referred Mr Warwick to the work of Visit Wiltshire.

The Leader presented the draft Business Plan for 2013-17 for Cabinet's consideration having regard to the views of Scrutiny before being recommended to Council for adoption at its extraordinary meeting called for that purpose on 3 September 2013.

The Plan gave an account of how the Council would manage the changes and challenges over this period. It focused on how the Council would continue to work with its communities and partners to protect those who were most vulnerable, to boost the local economy and to bring communities together to enable them to do more for themselves.

The Plan explained how the Council would deliver its shared vision, namely to create stronger and more resilient communities. The Leader referred to the various initiatives already implemented and those planned for the future which were innovative and ground breaking and would see the Council working more closely with its partners and sharing resources to meet the continued financial challenges.

To provide focus, the Plan set out the following 12 key actions to be delivered over the next four years:

- *Invest additional money between 2014 – 2017 to reduce the historic backlog in highway maintenance;*
- *Stimulate economic growth and create additional jobs in partnership with the LEP;*
- *Further enhance the role of Area Boards, developing innovative community led approaches to designing and delivering services;*
- *Improve the attainment, skills and achievement of all children and young people;*

- *Support the most vulnerable in our local communities and improve our safeguarding services;*
- *Invest to refurbish council housing and encourage the development of new affordable homes, including supported living in rural areas;*
- *Build on the work of the Military Civilian Integration Programme and maximise benefits arising from the Army Basing Plan;*
- *Delegate cost neutral packages of land, services and assets to town and parish councils;*
- *Create a campus opportunity in each of the 18 community areas;*
- *Integrate public health at the heart of all public services;*
- *Do things differently to deliver at least £120 million of savings over the next four years and*
- *Develop the leadership, knowledge, skills and expected behaviours of our managers and staff.*

The most important thing was that the Plan reflected the most important aspect which was to continue to support the people of Wiltshire and provide the services they needed and wanted and to continue to make Wiltshire a great place in which to live, work and visit.

The Business Plan had been subject to scrutiny by the Overview and Scrutiny Management Committee with detailed scrutiny undertaken by the individual Select Committees, each focusing on their respective disciplines. A meeting of the Chairmen of the Select Committees had co-ordinated the comments into one report.

Cllr Simon Killane, Chairman of the Overview and Scrutiny Management Committee explained that there had been good scrutiny of the Plan. He thanked the members of Scrutiny for their work in scrutinising the Plan so diligently in the time available and officers for their support. He presented the Scrutiny report together with an appendix of comments and suggested amendments for Cabinet's consideration. A summary of the Cabinet and CLT's response to these comments and suggested amendments was tabled at the meeting.

Cllr Killane and other Councillors commented that they had expected to see a revised Plan incorporating the views of Scrutiny. Corporate Director, Maggie Rae explained that these would subject to what was agreed at this meeting, be incorporated and circulated to Councillors. This it was felt would preserve an audit trail of the scrutiny comments.

Cllr Jon Hubbard welcomed the Plan accepting that a lot of it was indeed very good. He considered that Scrutiny should have an opportunity to review the

Plan as revised before progressing to Council. It was agreed to circulate the revised Plan as soon as possible and hopefully by the following day.

The Leader thanked Scrutiny for its contribution to the development of the Plan and answered Councillors' points of detail. She explained that between now and the Council meeting, the Plan would benefit from editing and design to ensure an easy to read format. It would also include a credit sized summary that would be a useful handout for Councillors, staff and the public.

Resolved:

- (a) To note the draft Business Plan as presented.**
- (b) To note the report of Scrutiny detailing their comments and suggestions and to thank Scrutiny for its work.**
- (c) To accept the report circulated at the meeting as Cabinet and the Corporate Leadership Team's responses to the comments and suggestions put forward by Scrutiny.**
- (d) That the draft Business Plan be revised to incorporate the responses referred in (c) above and be circulated to all members of the Overview and Scrutiny Management and Scrutiny Select Committees to give them an opportunity to consider the final draft Plan before being presented to Council.**

Recommended to Council

That the Draft Business Plan as revised be presented to Council for adoption at its extraordinary meeting on 3 September 2013 together with any further comments from Scrutiny.

Reason for decisions

To enable Cabinet to fully consider the draft Business Plan, to review feedback from Scrutiny and to recommend a final draft to Council. The Business Plan would enable the Council to set its strategic direction, priorities and key actions for the next four years.

60 Annual Governance Statement

Cllr Dick Tonge, Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform presented a report which asked Cabinet to consider a draft Annual Governance Statement (AGS) for 2012-13 before final approval was sought from the Audit Committee on 4 September 2013.

Cabinet noted that the Council was required as part of its annual review of the effectiveness of the governance arrangements, to produce an AGS for 2012-13.

This would be signed by the Leader of the Council and the Corporate Directors after final approval by the Audit Committee on 4 September 2013. The AGS would form part of the Annual Statement of Accounts for the same period.

The AGS had been considered initially by the Audit Committee at its meeting on 18 June with the resulting minute presented to Cabinet which indicated one minor amendment to the AGS being made. The AGS had also been considered by the Standards Committee at its meeting on 10 July where it had been accepted without any suggested amendment.

Resolved:

- a) **That having considered the draft Annual Governance Statement, that Cabinet notes and accepts it as presented with no recommended amendments.**
- b) **Note that the draft Annual Governance Statement would be revised in the light of the comment by the Audit Committee and acceptance of it as presented by Cabinet and the Standards Committee and ongoing work by the Governance Assurance Group before final consideration by the Audit Committee on 4 September 2013 and publication by 30 September 2013.**

Reason for decision

To prepare the Annual Governance Statement 2012-13 for publication in accordance with the requirements of the Audit and Accounts Regulations 2011.

61 Strategic Partnership with Wiltshire Police

The Leader presented a report which updated Cabinet on progress with the creation of a strategic partnership with Wiltshire Police and the Office of the Police and Crime Commissioner, outlined the next steps and sought delegated authority where this was necessary to progress further.

The Leader explained that as referred to in the draft Business Plan, this was very much about public services working together to reduce their respective costs especially in these financially challenging times for the public sector. A number of support services common to both organisations would be capable of being shared.

Deputy Chief Constable Mike Veale attended the meeting for this item. He considered that the only way to manage the financial challenges being faced similarly by the Police was to be innovative in the approach to service delivery. He and the Chief Constable felt strongly that proposals would not affect the integrity of operational policing or police branding. Collaboration in the ways being proposed he said would ensure protection of front line services and the quality of those services whilst maintaining individual responsibility. It would

also allow for seamless joint working where necessary to work more efficiently and effectively.

The Leader considered the proposals to be very innovative and would be followed nationally with interest. She thanked Deputy Chief Constable Mike Veale, Service Director for Transformation, Mark Stone and Head of Transformational Change, Julie Anderson-Hill and their teams for all their continued hard work on this ground breaking project. The Leader and officers responded to points of specific detail.

The Leader explained that having reviewed the governance arrangements of the Transformation Board and in the interests of transparency and open and honest decision making, she proposed to establish a Cabinet Committee on Transformation. It was envisaged that subject to any legal and constitutional constraints, the Committee would involve representatives from partner organisations.

Councillors welcomed the proposals. Cllr Jon Hubbard considered the report to be very positive, had no doubt that integrated working arrangements would lead to improvements and was pleased to hear that consideration was being given to also working with other partners.

Resolved:

That Cabinet:

- a) **note the significant progress that has been made between Wiltshire Council, Wiltshire Police and the Office of the Police and Crime Commissioner towards creating a Strategic Partnership;**
- b) **confirm its commitment to working within this Strategic Partnership to reduce the total support costs incurred by Wiltshire Council and Wiltshire Police;**
- c) **confirm that work should commence on the integration of shared services and that this should include the use of a mini-systems and transformational review in each area to drive the design of the future service;**
- d) **delegate the final approval of the design, timing and any required staff transfer arrangements for each individual area to Dr Carlton Brand following consultation with the Leader of Council, after taking advice from the Solicitor to the Council and**
- e) **to note the Leader's intention to establish a Cabinet Committee on Transformation.**

Reason for decision

To allow the ongoing development of the strategic partnership in a rapid, but appropriate manner, in support of the Police and Crime Plan and the Council's Business Plan. Full details of reasons as detailed in the report presented.

62 **Progress Report on Help to Live at Home Service**

Public Participation

Mr Brian Warwick, Chairman of the Melksham Seniors Forum addressed Cabinet on this item. He welcomed proposals before Cabinet and agreed with the approach to discuss making care a safe and professional career path with local colleges and universities.

Cllr Keith Humphries, Cabinet Member for Public Health, Adult Social Care and Housing presented a report which updated members on the Help to Live at Home service in the light of Aster Living's decision to terminate contracts in three of the eight contract areas. These contracts involved 600 customers, 33 sheltered housing schemes and approximately 200 Aster staff.

Cabinet was advised of arrangements to retender the contracts and to divide the 3 contract areas into smaller manageable lots to overcome difficulties encountered on the current contracts.

The report also highlighted the link between well paid staff and good quality care. The Help to Live at Home aspiration was to develop a professional care workforce with salaried staff and clear career pathways; to remove zero hour contracts whereby the employee was only paid for the time spent with clients rather than when they actually started and finished work.

Cllr Milton, Portfolio Holder for Adult Care and Public Health explained the need to work with Colleges and young people to make the caring industry attractive as a career path by making the staff well paid and valued.

Cllr Humphries responded to questions. The Leader agreed that a key factor in driving up standards of care was to adopt measures to make the caring sector a professional, well paid, well trained, respected and attractive career proposition.

Resolved that Cabinet:

- a) **notes the steps being taken to award three contracts for the provision of care and support services in Wiltshire and**
- b) **supports the position that the Council is looking to promote by valuing the domiciliary care workforce and ensuring domiciliary**

care providers reward staff appropriately, recognising the link between well valued staff and quality care.

Reason for decision

A tendering process is required due to the termination of three contracts with the Council for the provision of Help to Live at Home services in South and East Wiltshire. This termination comes into effect on 28 September 2013. Work is well underway to re-let these contracts to ensure customers receive continuity of care.

63 Future Service Delivery Model for Waste Management 

Cllr Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing and Waste presented a report which sought a decision from Cabinet on whether to deliver the waste and recycling collection service in-house or to invite tenders for the service.

Cabinet noted that the current main contract was due to terminate in 2016 and the current contract covering the West Wiltshire area was due to terminate in 2014 with an option to extend to 2016.

Details of the various elements of the waste and recycling service were presented together with the options available for the future delivery of the service within the context of the Council's Waste Management Strategy, details of which were also presented. Cllr Sturgis recommended options (i) (b) and (iii) of the report which essentially would mean inviting tenders for the service.

The report had been the subject of consideration by a specially convened meeting of the Environment Select Committee on 18 June. Cllr Peter Edge, Vice-Chairman of the Select Committee who had chaired the meeting expressed disappointment that the report had only been made available to his Committee at the time of being made available to Cabinet. He was concerned that receiving reports late could compromise Scrutiny's ability to thoroughly scrutinise proposals.

Cllr Simon Killane, Chairman of the Overview and Scrutiny Management Committee echoed these comments suggesting that arrangements should be made to provide proper and timely engagement with Scrutiny. The Leader suggested that this was something which could be looked into by Cllr Killane, Corporate Director Dr Carlton Brand and the Designated Scrutiny Officer, Paul Kelly.

Cllr Sturgis explained that the report which was quite complex in nature had been made available to Cabinet as well as the Committee and all other members as soon as it had been completed and could not therefore have been provided any earlier.

Cllr Edge presented a report which documented the views and recommendations of the Select Committee as follows:

'The Committee wishes to offer endorsement of the general contents of the report and recommends that:

The wording in the proposals of the Cabinet report on pages 3 and 5 be amended to recommend that Cabinet invite tenders for the delivery of the waste and recycling collection service (including the chargeable waste collection service) for two options:

- 1) to include provision of a co-mingled collection of dry recyclable material with separate collection of glass;*
- 2) to include provision of a kerbside sort collection of dry recyclable material.*

And upon receiving more details make a determination on whether to deliver services in-house or to pursue the tender further at a future date'.

Cllr Sturgis explained that due to time constraints, it would not be possible to delay making a decision. Furthermore, the tender documentation would make it clear that the Council would not be obliged to accept a tender. Costs would be considered as part of the evaluation of tenders received.

Cllr Sturgis answered questions and responded to points of detail. He also thanked Tracy Carter, Service Director for Waste Management Services for her hard work in putting together such a comprehensive report.

Resolved:

That Cabinet agrees to:

- (a) invite tenders for the delivery of the waste and recycling collection service (including the chargeable waste collection service) for two options:**
 - to include provision of a co-mingled collection of dry recyclable material with separate collection of glass**
 - to include provision of a kerbside sort collection of dry recyclable material;**
- (b) invite tenders for the following waste management services as three lots at the same time as inviting tenders as in (a) above:**
 - (i) landfill capacity or landfill diversion capacity for residual waste (excluding the treatment of residual waste under the contracts with Hills Waste Solutions for diversion of waste**

from landfill to the Lakeside Energy from Waste plant and the Northacre mechanical biological treatment plant)

- (ii) garden waste composting capacity
- (iii) transfer stations, wood waste treatment, servicing household recycling centres and materials (including plastic) recovery facility capacity for two options:
 - the sorting of co-mingled dry recyclable material
 - the sorting of co-mingled plastic and the bulking of other dry recyclable materials

(to include a percentage share of income from the sale of recyclable materials).

Reason for decision

To enable the council to maintain service delivery for residents and chargeable waste customers, to comply with its statutory duties to collect and dispose of waste and to continue to progress towards achieving statutory targets once existing contracts expire.

64 **Proposed Alignment of Senior Management Structure to the new Business Plan**

The Leader presented an executive summary which explained proposals to align the senior management structure of the Council to reflect the emerging Business Plan for 2013-17 as considered earlier in the meeting (minute no.59 refers).

The proposed structure if approved would be implemented following adoption of the Business Plan by the Council. Details of the structure would be considered under Part II of the meeting as it referred to individuals or post holders.

Resolved:

That Cabinet considers the proposed review of the senior management structure in line with the draft business plan 2013-17.

Reason for decision

The new draft business plan reflects the challenges and changes that the council faces in the next four years. It has evolved from being service specific and focusing on protecting the most vulnerable in our communities, investing in services and making savings; to a themed based focus that will continue to protect the most vulnerable, boost the local economy, do things differently

through being more innovative and deliver further savings. The proposed senior restructure will align posts to reflect the business plan 2013 - 2017.

65 Urgent Items

There were no urgent items.

66 Exclusion of the press and Public

Having complied with paragraphs 5 (4) and 5 (5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in respect of the intention to take the following item in private,

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 be disclosure to them of exempt information as defined in paragraphs 1 and 2 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 item in private:

Exempt paragraph 1 - information relating to any individual
Exempt paragraph 2 – information which is likely to reveal the identify of an individual

No representations had been received as to why the item should not be held in private.

67 Proposed Alignment of Senior Management Structure to the new Business Plan

The Leader explained that alongside consideration of the draft Business Plan, it was also necessary to review the senior management structure of the Council. The resulting structure would provide the necessary resources to the Corporate Leadership Team comprising the 3 Corporate Directors to deliver the Business Plan.

It was explained that the non-executive aspects of the restructuring exercise would be considered by the Staffing Policy Committee. Cllr Allison Bucknell, Chairman of the Staffing Policy Committee requested that the Committee's consideration of the item be preceded with a presentation by the Corporate Directors on the underlying principles of the restructuring to assist the Committee in its deliberations.

Resolved:

- a) **That Cabinet approve the proposed senior management restructuring as presented for the purposes of consultation and referral back to Cabinet at its meeting on 24 September 2013.**
- b) **To note that the Staffing Policy Committee would be considering the non-executive aspects of the restructuring at its meeting on 4 September 2013.**
- c) **That Corporate Directors be requested to prepare a timetable for Group Leaders in respect of the restructuring (linked with consideration and approval of the Business Plan) which would also include a timeframe for scrutiny to be able to comment on the restructuring proposals.**

Reason for decision

The new draft business plan reflects the challenges and changes that the council faces in the next four years. It has evolved from being service specific and focusing on protecting the most vulnerable in our communities, investing in services and making savings; to a themed based focus that will continue to protect the most vulnerable, boost the local economy, do things differently through being more innovative and deliver further savings. The proposed senior restructure will align posts to reflect the business plan 2013 - 2017.

(Duration of meeting: 10.30am – 1.10pm)

These decisions were published on the 29 July 2013 and will come into force on 6 August 2013
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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
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CABINET

MINUTES of a MEETING held in COUNCIL CHAMBER - COUNCIL OFFICES,
MONKTON PARK, CHIPPENHAM, SN15 1ER on Tuesday, 24 September 2013.

Cllr Keith Humphries	Cabinet Member for Public Health, Protection Services, Adult Care and Housing (exc strategic housing)
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economy, Skills and Transport
Cllr Jane Scott OBE	Leader of the Council
Cllr Jonathon Seed	Cabinet Member for Communities, Campuses, Area Boards, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property, Waste
Cllr John Thomson	Deputy Leader and Cabinet Member for Highways and Streetscene and Broadband
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage & Arts, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services)

Also in Attendance: Cllr Allison Bucknell, Cllr Richard Clewer, Cllr Christine Crisp
Cllr Richard Gamble, Cllr Mike Hewitt, Cllr Jon Hubbard
Cllr David Jenkins, Cllr Simon Killane, Cllr Gordon King and
Cllr Magnus Macdonald

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

68 Apologies

No apologies received from Cabinet members.

69 Minutes of the Previous Meeting

The minutes of the last meeting of Cabinet held on 23 July 2013 were presented.

Resolved:

That the minutes of Cabinet dated 23 July 2013 be approved as a correct record and signed by the Leader.

70 Declarations of interest

No declarations of interest were made.

71 Public participation

Whilst no requests for public participation had been received, the Leader explained that as usual, she would be happy to hear from any member of the public present on any of the items on this agenda. She extended this to members of the Peer Review group who were in attendance, who were welcomed to the meeting.

72 Leader's announcements

New Cabinet Transformation Committee

The Leader explained that as mentioned at the last meeting, she had now established the Cabinet Transformation Committee.

The Committee would comprise 5 members of Cabinet, namely Cllrs John Thomson, Jonathon Seed, Stuart Wheeler, Dick Tonge and the Leader. To provide flexibility, the Leader would be able to nominate remaining Cabinet members to substitute. The meetings would be open to the public subject to the usual restrictions on the consideration of Part II items. Other Cabinet and non executive members would be able to attend but not be able to vote. All members would receive email notifications of agenda and minutes as they did for Cabinet and other meetings as well as the publication of a Forward Work Plan for the Committee.

Key strategic partners involved in the Transformation programme such as the Police and the Clinical Commissioning Group would be invited to attend in a non-voting capacity.

The main purpose of the Transformation Committee would be to discharge the executive functions of the Council with regards to the implementation of the Transformation Programme. The Cabinet Capital Assets Committee would retain responsibility for decisions concerning the use of the Council's assets in relation to the delivery of that programme. The Transformation Committee would meet every other month alternating with the Capital Assets Committee.

In accordance with the Council's constitution, the Leader would inform Council at its next meeting of the establishment of this Committee and the executive powers she had delegated to it.

73 **Wiltshire Council's Business Plan for 2013-17**

The Leader took the opportunity to present and launch the Council's Business Plan as adopted by Council on 3 September 2013.

This comprised the full version of the Business Plan, a Young People's version of the Plan and a keepsake bookmark which would be circulated with the 'Your Wiltshire' magazine and summarised the Council's vision, priorities and actions for the next four years as well as ways residents could contact and engage with the Council. Copies of these versions were circulated at the meeting.

The Leader confirmed that the Business Plan would be available online, with hard copies available on request and drawn to the attention of various sectors of the community including town, parish and city councils.

Resolved:

To note the launch of the Business Plan in its various forms and arrangements to publicise and distribute it.

Reason for decision

To raise awareness of the communication plan developed to support the publication and distribution of the Business Plan.

74 **Proposed Senior Management Restructure**

The Leader reminded Cabinet that it had at its last meeting on 23 July 2013, received details of proposals to undertake a senior management restructuring exercise to ensure alignment with the new Business Plan. The proposals were then subjected to a period of consultation with those directly affected and the wider workforce.

Corporate Directors presented the revised structure chart and stressed that the restructure was not just about a revised structure; the role of Associate Director was new, requiring a different approach and set of behaviours aligned to the new senior team delivering the Business Plan jointly to secure the vision set by elected members and the needs of Wiltshire's communities and citizens.

The Corporate Directors explained that minor amendments had been made to the structure in light of feedback received as detailed in the report presented. It was also agreed to accept a point made by Cllr Sturgis at the meeting on including 'waste' in the relevant Director job title to reflect this was a major service provided by the Council.

A discussion ensued on the title 'Associate Director' and it was agreed to reconsider this title to reflect the way these post holders would be working

across the organisation in a more corporate way but still recognise the seniority of these positions.

Members noted the placing of Democratic Services which included the Scrutiny team within the Policy, Performance and Procurement service. Cllr Simon Killane, Chairman of the Overview and Scrutiny Management Committee sought an assurance that this would not compromise the independency of the scrutiny function in being able to hold the Executive to account. It was confirmed that this move was concerned with the management of staff delivering scrutiny rather than managing the scrutiny function itself and this was accepted by those present.

Whilst accepting that a hierarchal structure was required to show line management responsibilities, it was agreed to review how the structure was depicted to reflect the corporate and not silo based approach to the structure.

Resolved:

That Cabinet note:

- a) some revisions, outlined in paragraph 11 of the report presented had been made to the proposed senior management structure presented to Cabinet in a report dated 23 July 2013 and that a further change would be made to reflect 'waste' in the title of the relevant Director ;**
- b) taking into account (a) above, the new senior management structure outlined in appendix 1 as presented be now confirmed subject to the title 'Associate Director' being reviewed and**
- c) appointments to this structure would now take place in line with the Appointments Policy and Procedure for Chief and Senior Officers.**

Reason for decision

To advise Cabinet of the senior management structure being put in place to ensure alignment with the Council's recently adopted Business Plan.

75 Transformational Leadership

Cllr Stuart Wheeler presented a report on Transformational Leadership. It was explained that since the formation of Wiltshire Council, a strong emphasis had been placed on the importance of strengthening the leadership capacity. This together with transforming the organisational culture, were prerequisites to being able to deliver the corporate vision of building strong and resilient communities in Wiltshire.

An essential ingredient to achieving this was to deliver the right training and provide clear career paths for high performing staff with potential at all levels.

Cllr Allison Bucknell, Portfolio Holder for staffing equalities, customer care and systems thinking delivered a comprehensive power point presentation which explained how the Transformational Leadership programme would be delivered. The programme was designed to develop authentic and enthusiastic leaders, who demonstrate the right attitude, qualities and behaviours, working together to develop common focus, delivering our strategy whilst motivating and inspiring those around them.

Resolved:

That Cabinet recognise that much had been achieved in recent years in developing outstanding leadership and shifting the organisational culture in Wiltshire Council and note the transformational leadership concept proposals moving forward.

Reason for decision

To recognise that much had been achieved in recent years in developing outstanding leadership and shifting the organisational culture in Wiltshire Council and note the transformational leadership concept proposals moving forward.

76 Winterbourne View Stock-take

Cllr Keith Humphries presented a report which sought to assure Cabinet of the progress that had been made since the Department of Health (DoH) issued its report '*Transforming Care: a National Response to Winterbourne View Hospital*' in December 2012 and the associated recommendations.

Following the DoH report, a Winterbourne View Joint Improvement Programme was established, led at Ministerial level. The Programme had asked local areas to complete a stock-take of progress against the commitments made nationally that should lead all individuals receiving personalised care and support in appropriate community settings no later than 1 June 2014.

Details of the stock-take undertaken by this Council was presented. This showed that the Council had implemented or was in the process of implementing all of the DoH recommendations. It also identified key areas for improvement and areas where the Council and its partners were still at an early stage of delivery.

Resolved:

That Cabinet note the report and progress made in relation to the Department of Health report '*Transforming Care: a National Response to Winterbourne View Hospital*' and request a follow up progress report in 6 months time.

Reason for decision

To ensure Cabinet was aware of the key issues that need to be progressed with Wiltshire Clinical Commissioning Group around the Department of Health report *'Transforming Care: a National Response to Winterbourne View Hospital.'*

77 **Help to Live at Home: Appointment of Contractors**

Cllr Keith Humphries presented a report which informed Cabinet of the process and award of three Help to Live at Home contracts previously delivered by Aster Living.

Twelve bids had been received which following evaluation, had been short listed to seven providers who had been invited to the final stage to give a presentation. This resulted in the company Mears Care Ltd of Gloucestershire having been selected. Cllr Humphries gave a brief profile of the company and explained that following a meeting with the company's Chief Executive, he was very confident that the company would be able to successfully deliver on the contract.

The company also impressed with its plans to improve the terms and conditions of its staff, something that Cabinet had previously considered an extremely important issue in order to attract the right staff and make the caring industry an attractive career proposition.

Resolved:

That Cabinet notes the award of the Help to Live at Home contract to Mears Group Ltd.

Reason for decision

In July 2013, a report was presented to Cabinet to inform Cabinet of the decision by Aster Living to terminate their contracts and setting out the steps that would be taken to re-let those contracts.

78 **Public Health Annual Report 2012/13**

Cllr Keith Humphries explained that the Director of Public Health had a statutory responsibility to produce an annual report on public health.

Accordingly, Maggie Rae, Corporate Director in her capacity as Director of Public Health presented the Public Health Annual Report for 2012/13 to inform Cabinet of public health activity during this period.

Maggie Rae gave a detailed power point presentation highlighting key activities and successes which included various successful campaigns, such as the Healthy Child programme, Safe Drive Stay Alive programme, Wiltshire Stop

Smoking Service, Active Health Scheme, Health Information Support Service and Get Wiltshire Walking and successful screening programmes which identified those affected and provided treatment.

It was noted that this was in addition to managing the transition of the public health service to the Council and integrating public health within the business of the Council.

Maggie Rae responded to questions and thanked the Council for its continued support. She also thanked Laurie Bell and her team for their efforts in producing the Annual Report.

Resolved:

That the Public Health Annual Report 2012/13 be received and noted.

Reason for decision

To comply with statutory responsibility to publish the public health annual report and make Cabinet aware of progress on public health issues in the County.

79 Military Civilian Integration Programme

The Leader presented a report for Cabinet's information and sought Cabinet's continued support for the Military Civilian Integration (MCI) Partnership and its programme of work. The report explained how the programme would continue with existing initiatives to improve the integration of military personnel and their families into the communities of Wiltshire, and how it would respond to the opportunities and challenges brought by the Army Rebasing Programme.

The report also updated Cabinet on the important milestones that had been reached through partnership working and the support of the MCI Partnership since the last update report to Cabinet in May 2011. Key achievements had included Wiltshire's Armed Forces Community Covenant, the progress made on the delivery of a Defence Technical Training College at the former RAF Lyneham site and the official opening of Tedworth House Personnel and Recovery Centre in May 2013. It was noted that military personnel were being kept informed of SEN and educational places.

Since its establishment in 2007 the MCI Partnership and its programme of work had seen the success of a number of initiatives which had significantly benefited not only the military community comprising of military personnel, leavers and their families, but also of the civilian community whose lives are in many ways connected with Wiltshire's strong military heritage. This success was due to the strength of the partnership in working together to develop new initiatives and face the new challenges brought about by the Regular Army Basing Plan. By continuing to support the MCI Partnership, Wiltshire Council would benefit from the cross cutting and co-operative approach the MCI Delivery Group embodied,

so that the opportunity to unlock the economic potential of the military and provide better services to Wiltshire's communities would be enhanced.

Cllr Christine Crisp, Chairman of Council took the opportunity to remind Members that a ceremony would be held on Friday 26 September at County Hall to present the Arctic Convoy medal to 25 veterans of the Arctic Convoys and of Bomber Command.

Resolved:

That Cabinet:

- (a) confirms its support for the MCI Programme, and endorses the approach being taken to delivering the Army Rebasing Workstream and**
- (b) notes the progress of the:**
 - i. Wiltshire's Armed Forces Community Covenant (agreed in August 2011) and our success in drawing down over £585,000 of grant funding to support local integration projects**
 - ii. Personnel Recovery and Assessment Centre at Tedworth House, Tidworth, which officially opened on 20 May and**
 - iii. development of a Defence Technical Training College at the former RAF Lyneham site.**

Reason for decision

The Military has a significant presence in Wiltshire, and the nature of this presence will change dramatically over the coming years. It is important that the Council recognises the impacts that the Regular Army Basing Plan will bring to Wiltshire, both in terms of the opportunities that this will offer in terms of growth and diversity, and the preparations that the Council will need to make to ensure that the needs of everyone in Wiltshire are met. Cabinet is invited to recognise the achievements that have already been made with the support of the MCI Partnership, such as the progress on a Defence Technical Training College at the former RAF Lyneham Site, the opening of Tedworth House, and the Community Covenant, while acknowledging that there will be difficult challenges ahead, whose successful resolution will require the support of the Council working closely with 43 Wessex Brigade and partners.

80 **Report on Treasury Management**

In accordance with the Treasury Management Strategy as adopted by Council in February 2013, Cllr Dick Tonge, Cabinet member presented the treasury management report for the first quarter of 2013/14 ending 30 June 2013.

This report reviewed management actions in relation to:

- a) the PrIs, TrIs originally set for the year and the position at the 30 June 2013;
- b) other treasury management actions during the period and
- c) the approved Annual Investment Strategy.

Cllr Tonge updated Cabinet on funds recovered from the Icelandic banks. The Council had recovered just over £8.4m of the original £12m deposited in 2008. A further repayment from the Administrators of Heritable Bank of £1.510 million, was received on 23 August 2013 which takes the total recovered from Heritable Bank to nearly £8.5 million (representing approximately 94p in the £ of the £9 million invested in 2008).

Based on current information, the Council was expecting to recover up to 95% of its deposits with Heritable. The Landsbanki Winding-up Board had not yet indicated when they would be making the next distribution but it was expected to recover 100% although repayments in full were likely to be completed over several more years.

Resolved:

That Cabinet note the contents of the report presented in line with the Treasury Management Strategy.

Reason for decision

To give Cabinet 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 2013/14. The report is a requirement of the Council's Treasury Management Strategy.

81 **Revenue Budget Monitoring - Period 5**

Cllr Dick Tonge presented a report which advised Cabinet of the revenue budget monitoring position as at the end of Period 5 (end of August 2013) for the financial year 2013/2014 with suggested actions as appropriate.

The projected year end position for the relevant accounts was reported as set out as follows:

	Revised Budget Period 5 £ m	Profiled Budget to date £ m	Actual and committed to date £ m	Projected Position for Year £ m	Projected (Over)/ Underspend £ m
General Fund Total	340.518	201.264	179.444	342.585	2.067
Housing Revenue Account	(0.631)	(2.932)	(3.236)	(0.631)	0.000

As usual Finance officers and budget managers were monitoring budgets and taking appropriate action as necessary. It was noted that the spend on Children's Social Care was forecast to be £1.9 million above the original allocated budget. However the potential risk of this occurring had been included in the risk assessment of the General Fund Reserves presented to Council in February 2013 and £1.4 million was therefore set aside within the General Fund Reserve to meet this requirement. It was proposed that this element of the Reserve is released.

Resolved:

That Cabinet note the outcome of the period 5 (end of August) budget monitoring, and approve the transfer of £1.4 million from General Fund Reserves to Children's Social Care.

Reason for decision

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

82 Supply of Energy, Electricity and Gas

Cllr Stuart Wheeler presented a report which sought to explain the Council's current energy supply arrangements which would end 31 March 2014, the work undertaken to establish the options and identify the best value procurement solution. Cabinet's views were sought on proposals to support the award of contracts to secure supply for a period of up to three years until 31 March 2017.

The report concluded that the Council and its partners were best served by procuring energy supplies from 1 April 2014 through entering into a contract with a Public Buying Organisation by 1 October 2013, implementing a locked pricing strategy and specifying further service levels in support of best value. It was noted that details of the electricity and gas opportunity assessments were recommended to be considered in private as they included exempt information.

The report detailed the various options open to the Council.

Cllr Stuart Wheeler thanked officers in particular Greg Lewis for a thorough and detailed piece of work on what was a very complex area.

Public participation

Mr Michael Sprules suggested that it might be cheaper to keep street lights on continuously as he had been given the impression that the energy used to switch them on and off was greater and therefore more expensive than leaving them on. It was however explained that with modern technology this was no longer the case.

Resolved:

- (a) That Cabinet agree to procure its energy requirements for council operated buildings and some schools, using a locked pricing strategy, through a Public Buying Organisation pre-approved framework for a maximum of a three year period from 1 April 2014 through to 31 March 2017.**
- (b) That Cabinet give delegated authority to the Service Director, Business Services, in consultation with the relevant Cabinet Member to have executed all necessary documents required for the Council to join an appropriate energy supply framework.**
- (c) That Cabinet acknowledge the complexity of the energy market and resolve that in advance of the end of the new agreement, the council seek independent professional advice to develop an assessment of our energy requirements and associated options and recommendation for future procurement.**

Reason for decision

To secure the council's energy supplies from 1 April 2014 and deliver best value for the council and any partners that opt-in.

83 **Urgent Items**

There were no urgent items.

84 **Exclusion of the Press and Public**

Having complied with paragraphs 5 (4) and 5 (5) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in respect of the intention to take the following items in private,

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 items of business because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 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 items in private:

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

No representations had been received as to why the items should not be held in private.

85 Supply of Energy, Electricity and Gas

Cllr Stuart Wheeler presented the electricity and gas opportunity assessments as referred to in minute no.82 above.

On consideration of this information, it was

Resolved:

That Cabinet confirms its decisions as detailed under minute no. 82 above.

86  Proposed Extension to Waste and Recycling Collection Contract

Cllr Toby Sturgis presented a confidential report which sought Cabinet approval to extend the contract with FCC Environment for waste and recycling collection in west Wiltshire until 31 July 2016.

The options open to the Council were to either terminate the FCC Environment Contract on 31 March 2014 or extend the contract to 31 July 2016.

Cllr Jon Hubbard mentioned that a member of his constituency had praised a member of the waste team for the exceptional way they had handled her concerns and provided her with information and advice.

Resolved:

That Cabinet agrees to extend the contract with FCC Environment for waste and recycling collection in west Wiltshire until 31 July 2016.

Reason for decision

To enable the Council to maintain service delivery for residents in west Wiltshire and to comply with its statutory duty to collect waste.

(Duration of meeting: 10.30am - 1.10 pm)

These decisions were published on the 1 October 2013 and will come into force on 9 October 2013

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
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CABINET

MINUTES of a MEETING held in ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU on Tuesday, 22 October 2013.

Cllr Keith Humphries	Cabinet Member for Public Health, Protection Services, Adult Care and Housing (exc strategic housing)
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economy, Skills and Transport
Cllr Jane Scott OBE	Leader of the Council
Cllr Jonathon Seed	Cabinet Member for Communities, Campuses, Area Boards, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property, Waste
Cllr John Thomson	Deputy Leader and Cabinet Member for Highways and Streetscene and Broadband
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage & Arts, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services)

Also in Attendance: Cllr Richard Britton, Cllr Richard Clewer, Cllr Tony Deane
Cllr Richard Gamble, Cllr Jon Hubbard, Cllr David Jenkins
Cllr Julian Johnson, Cllr Simon Killane, Cllr Jerry Kunkler
Cllr Magnus Macdonald, Cllr Alan MacRae, Cllr Dr Helena McKeown, Cllr Bill Moss, Cllr Horace Prickett, Cllr John Walsh
Cllr Bridget Wayman, Cllr Fred Westmoreland, Cllr Roy While and Cllr Philip Whitehead

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

87 Apologies

All Cabinet members present.

88 Minutes of the Previous Meeting

The minutes of the last meeting held on 24 September 2013 were presented.

Resolved:

That the minutes of the meeting held on 24 September 2013 be approved as a correct record and signed by the Leader.

89 **Leader's announcements**

The Leader made the following announcements:

Withdrawal of agenda Item

The Leader explained that item 12 on the agenda – 'Local Government Association Adult Social Care Peer Challenge' was withdrawn from the agenda. This was due to notification from the Local Government Association that it would not be able to provide a review team to carry out the Peer Review. This was now expected to be considered in the Spring of 2014 when the matter would be brought back to Cabinet.

Officers leaving due to Voluntary Redundancy

The Leader acknowledged that several officers had either recently left or would be leaving the Council's employ shortly following their successful applications for voluntary redundancy. The Leader wished to place on record her thanks for their hard work and contribution to the services they helped provide to the people of Wiltshire.

In particular, the Leader thanked 3 officers who had provided direct support to the Cabinet and members, namely John Quinton – Head of Democratic Services, Marie Todd – Area Board and Member Support Manager and Wendy Packer – Senior Member Support Officer. She referred to the excellent work carried out by these officers.

John Quinton had been heavily involved in the transition to unitary status in 2009, successfully led the boundary review project and instrumental in establishing the Police and Crime Panel and the Health and Wellbeing Board. Marie had successfully led and developed the democratic support function to the Council's Area Boards and been a key player in the Council's induction programmes and member development and enabled the Council to secure Charter status for member development. Wendy had consistently provided friendly and efficient support to elected members and the democratic process.

Framed Picture from Leer, Germany

Cllr Horace Prickett explained that he had recently attended a twinning conference in Leer, Germany which was twinned with Trowbridge. Cllr Prickett gave a brief presentation on the work of Wiltshire Council and as a friendly gesture between the two authorities presented them with a Wiltshire Flag and explained its origins.

The Burgomeister of Leer Council presented Cllr Prickett with a framed picture of the Leer Council house, their administrative building and the harbour side in Leer. Cllr Prickett in turn presented the picture to the Leader to receive on behalf of the Council. The Leader thanked the people of Leer for their generosity, commenting that it was a beautiful picture and thanked Cllr Prickett for bringing it to the Council. She explained that she would arrange for the picture to be displayed in a suitable location at County Hall.

90 Declarations of interest

No declarations of interest were made.

91 Public participation

The Leader explained that as usual at meetings of Cabinet she would be more than happy to hear from any members of the public present on any of the items on this agenda. She acknowledged receipt of statements and questions received as circulated at the meeting.

Cllr Margaret Willmot, Salisbury City Councillor – Transport Planning in Salisbury

Cllr Willmot addressed Cabinet on this issue to which Cllr John Thomson responded. A copy of the statement and questions submitted and response from Cllr Thomson are included with the online agenda for this meeting.

Mr Kenneth Spencer, Atworth Traffic Action Group – Traffic and Road Safety

Mr Spencer addressed Cabinet on this issue to which Cllr John Thomson responded. Cllr Thomson added that he would be happy to bring the issues raised by Mr Spencer to the Road Safety Partnership and that the Area Board could take up the matter through the Community Area Transport Group. A copy of the correspondence from Mr Spencer and response from Cllr Thomson are included with the online agenda for this meeting.

92 Minutes - Cabinet Capital Assets Committee

The minutes of the Cabinet Capital Assets Committee dated 24 September 2013 were presented.

Resolved:

That the minutes of the Cabinet Capital Assets Committee dated 24 September 2013 be received and noted.

93 Local Sustainable Transport Fund - Trans Wilts Rail Service

🔑 Cllr John Thomson reminded Cabinet that the Council had submitted a bid to the Department for Transport's (DfT) Local Sustainable Transport Fund (LSTF) in February 2012. The bid project had three main elements:

- Support for improved rail services on the Westbury to Swindon line (the Trans Wilts service)
- Interchange improvements at Wiltshire's railway stations
- Supporting smarter choices measures.

The Council was awarded a £4.25 million grant by the DfT on 27 June 2012. At its meeting on 10 September 2012, Cabinet approved the commencement and delivery of the package of complementary sustainable transport measures but given the uncertainties and risks associated with the implementation of the train service at the time, requested that officers liaise with the DfT, the Great Western franchise bidders and other relevant parties regarding the improved Westbury to Swindon train service, and submit a further report to a future Cabinet meeting.

Accordingly, Cllr Thomson presented a report which updated Cabinet on the latest developments and included proposals to approve the procurement of the improved Trans Wilts rail service from First Great Western Limited. The various options open to the Council and the risks involved were detailed in the report. Cllr Thomson read out a statement in support of the proposals from Mrs Jenny Ragget, Director of Travelwatch, South West. She congratulated the Council on its efforts to achieve a vastly improved Trans Wilts rail service.

Cabinet noted that procurement of an improved Trans Wilts rail service would provide local areas with a number of economic, community and environmental benefits. It would also offer the opportunity of the service being considered by the DfT for full inclusion in the franchise after three years of successful operation. The Leader and Cllr Thomson added that the future viability of the service would be largely dependent on how well it was used and should therefore be encouraged by local members.

In the debate which ensued, a number of members welcomed the proposals. Some members hoped that the Council would be able in due course to look to support services and the reopening of stations in their divisional areas. Cllr Jon Hubbard highlighted that the service would open up Melksham railway station to other rail networks and as such, he hoped that a ticket machine in particular would be provided to enable the purchase of tickets in advance. He also requested that officers explore opportunities for funding capacity improvements to the Melksham single track line through the Swindon and Wiltshire Local Enterprise Partnership Strategic Economic Plan.

Resolved:

That Cabinet:

- a) **approves the procurement of the improved Trans Wilts rail service from First Great Western Limited and delegates the finalisation and signing of the contract agreement to the Service Director for Highways and Transport in consultation with the Deputy Leader and Cabinet Member for Highways and Streetscene and Broadband and**
- b) **delegates detailed operational matters relating to the improved Trans Wilts rail service to the Associate Director for Highways and Transport in consultation with the Deputy Leader and Cabinet Member for Highways and Streetscene and Broadband.**

Reason for decisions

To enable the improved Trans Wilts service to commence and be locally supported for the Department for Transport's minimum three year period prior to being considered for inclusion in the franchise.

94 **Investing in Highways**

Cllr John Thomson presented a report which sought Cabinet approval of a programme of road maintenance to improve the condition of the highway network in Wiltshire. This was very much in keeping with one of the twelve actions in the Council's Business Plan to 'invest additional money between 2014-17 to reduce historic backlog in highways and maintenance.'

Expenditure on highways maintenance had varied enormously over the years. During the 1990s funding for road maintenance reduced nationally, and consequently a backlog of maintenance developed on the nation's highway network. Investment since 2000/01 had improved overall road conditions, but this had still not been sufficient to keep all of the roads and footways in good condition.

The Council acknowledged that the County's roads was important to the public as demonstrated by the results of the Council's People's Voice and the National Highways and Transportation (NHT) surveys.

Cllr Thomson guided members through the report, a comparison of the various options which ranged from maintaining existing conditions and increasing investment to £17 million and £21 million for six years and the financial implications of each option.

The recommended option to increase investment to £21 million for six years would provide a significant improvement to the condition of the network, including improving the condition of the unclassified roads. It would also

improve safety on the classified roads by improving 664 kilometres of road. There would be the opportunity to involve the Area Boards to help identify local priorities for treatment.

Resolved:

That Cabinet approve the following:

- a) **To achieve the objective set out in the Council's Business Plan a project for improving Wiltshire's roads should be undertaken by increasing annual expenditure on road maintenance to £21.000 million for six years from 2014/15.**
- b) **The level of future funding from the Local Transport Plan Maintenance Block Capital Grant is a major risk in the proposed highways road maintenance investment. Not until future year allocations are published will the true financial implications of investments be known. It would be prudent to reassess the financial implications once these are known and during the annual budget setting process.**
- c) **The Area Boards should be involved in helping to set local priorities for roads to be treated, with the details of the process to be agreed by the appropriate Associate Director in consultation with Cllr Thomson, the Cabinet Member for Highways and Streetscene and Broadband.**

Reason for decisions

The county's roads are important to the public, as demonstrated by the results of the Council's People's Voice and the National Highways and Transportation (NHT) surveys, which indicate low levels of public satisfaction with road conditions. In the Council's consultations on budget setting, expenditure on road maintenance is a service where the public consistently wish to see more spent.

The experience of other Authorities who have made substantial investments in highways maintenance recently is that improvements in the condition of the network are apparent, and public satisfaction is increased.

The proposed additional investment in the county's roads would improve those roads in worst condition, especially the minor roads, and would improve road safety.

The project would provide the opportunity for the involvement of the Area Boards in identifying local priorities, which has not been possible previously because of the need to focus expenditure to treat identified safety issues.

A programme of publicity and branding of the project would make it clear to the travelling public, businesses and residents that Wiltshire is improving the condition of its roads.

95 **School Funding Reform: Arrangements for 2014/15**

Cllr Laura Mayes presented a report which updated Cabinet on the outcome of consultation with Wiltshire Schools on proposed changes to the Wiltshire local funding formula for schools and to agree the changes to the formula as recommended by Schools Forum.

The report also outlined why proposals from the Department for Education (DfE) to allow the inclusion of formula factors for mobility and sparsity are not recommended for inclusion in the Wiltshire formula.

As a result, the main elements of the funding formula are left unchanged however there are 3 changes that local authorities could now incorporate within their local funding formula for 2014-15. These were:

1. **Lump sum** – it was now possible to set differential lump sums for primary and secondary schools, with a maximum allowable lump sum of £175,000
2. **Pupil mobility** – a threshold had now been introduced to enable funding to be more targeted
3. **Sparsity** – a new factor could now be used to target funding at necessary small rural schools

The new proposals from DfE for 2014-15 were aimed at supporting schools in rural authorities. Wiltshire Schools Forum had considered the implications of the new proposals to establish whether they should be incorporated in to the Wiltshire local funding formula. Following consideration of the potential financial impact of the proposals the recommendation from Schools Forum was that differential lump sums should be implemented for primary and secondary schools but that the formula should not be amended to include Mobility or Sparsity factors. Schools were consulted on the proposed changes to the lump sum during September and the outcomes of that consultation were considered by Schools Forum on 3 October 2013.

The current Wiltshire funding formula is compliant with DfE requirements however the proposed changes would enable the formula to better reflect the differing requirements of primary and secondary schools.

Resolved:

That Cabinet approve the recommendations of the Schools Forum from its meeting on 3 October 2013 as follows:

- 1. That the lump sum for Primary schools be set at £85,000**
- 2. That the lump sum for Secondary schools be set at £175,000**

Having consulted Maintained schools on the delegation or de-delegation of budgets for central services,

That budgets for central services continue be held centrally with the exception of the elements of the budgets for the Ethnic Minority Achievement Service and the Traveller Education Service which have been delegated to secondary schools in 2013-14.

Reason for decisions

The changes to the lump sum element of the schools funding formula introduced by DfE in 2013-14 had the single biggest impact on school budgets in Wiltshire. The ability to set differential lump sums and therefore recognise the different fixed costs in primary and secondary school will mean that the funding formula can more appropriately reflect the costs of running schools.

The reasons why Schools Forum has not proposed the implementation of a mobility factor or a sparsity factor are detailed within the report.

96 **Business Improvement Districts**

Cllr Fleur de Rhé-Philippe presented a report which invited Cabinet to consider the development of Business Improvement Districts (BIDs) in Wiltshire.

The report also informed Cabinet on the development of BIDs in Wiltshire, and updated Cabinet on the development of the Salisbury BID as the postal ballot was now in progress and the ballot count due to be held on 13 November 2013. The Salisbury BID Business Plan was presented for Cabinet's information.

A BID was a clearly defined commercial area within which extra improvement and management is funded by contributions made by the businesses and public bodies operating within it.

A BID is proposed in consultation with stakeholders within the district, and ultimately voted for by businesses within the defined area for a specific term, which was usually five years. At the end of the term, the BID may either disband, or propose a ballot for a new, subsequent BID. Nationally, the majority of BIDs that have reached re-ballot have continued to a further term.

The BID mechanism provided a way for both public bodies and the business community to invest together in their town centres following an agreed business plan. BIDs can deliver a better environment for Wiltshire's town centres and can boost their economies by supporting and providing additional services to their business communities.

Resolved:

That Cabinet:


- a) **notes and approves Wiltshire Council's participation in the establishment of BIDs in Wiltshire;**
- b) **delegates authority to the Service Director for Finance, in consultation with the Cabinet Member for Economy, Skills and Transport, to cast any votes to which Wiltshire Council is entitled in the event of a BID ballot and**
- c) **that the cost to the Council be capped at £80,000 per annum as gap funding.**

Reason for decisions

BIDs provide a recognised mechanism via which both public sector bodies and the business community can invest in their town centres following agreement of a business plan which must be approved by postal ballot of all eligible businesses and public sector bodies operating within the proposed district boundary. If the ballot results in a 'yes' vote then these organisations must pay a small additional levy on their business rates. The funding that is raised is then ring fenced and used to deliver additional projects and services to those currently provided by Wiltshire Council and other public bodies, directly benefiting the business community within the BID area and boosting the economy of the town centre.

It is now timely to inform Cabinet about BIDs in view of the development and forthcoming ballot of a BID in Salisbury. The Salisbury BID has been in development and its postal ballot commenced on 13 October and the count is scheduled to take place on 13 November 2013.

97 **Enabling the South Wiltshire University Technical College**

 Cllr Toby Sturgis presented a report which sought Cabinet's commitment to enabling the delivery of a University Technical College (UTC) based within Salisbury.

Cabinet was therefore asked to specifically consider the proposed Memorandum of Understanding between this Council, Wiltshire Police, the Wiltshire and Swindon Police and Crime Commissioner (PCC) and the UTC, details of which were presented. This outlined the framework that the aforementioned parties would work within to enable the UTC to be developed on part of the existing Wilton Road Police Station site.

Cabinet was asked to confirm that, in order to enable the delivery of the UTC on this site (and thus drawing down a £7.5million investment by the Education Funding Agency), it wishes officers of Wiltshire Council to undertake all required

work to develop the most cost effective financial package to enable the purchase of the required element of the Wilton Road Police Station site by Wiltshire Council. An independent valuation of this element of the site, jointly commissioned by Wiltshire Council and the PCC, confirmed a suitable purchase price would be in the region of £2 million.

Cabinet was also asked to note that Wiltshire Council officers were working with officers of both the PCC and Wiltshire Police to identify, secure and provide a modern and sustainable Custody Suite to serve Salisbury and the south of the County. Officers would also support Wiltshire Police in the development and delivery of a long term estate plan for the County.

Members were very positive about proposals to provide such a facility in the County.

Cllr John Walsh, local member expressed his delight at the project although did have some concerns on which he needed clarification. The Leader undertook to request the PCC to consider and reflect the views of local members and provide opportunities for local involvement throughout the project to allay any concerns.

Resolved:

That Cabinet:

- a) **approve the proposed Memorandum of Understanding between Wiltshire Council, Wiltshire Police, the Police and Crime Commissioner and the South Wiltshire University Technical College Limited;**
- b) **request officers to develop the most cost effective funding package to enable the delivery of the University Technical College on the Wilton Road Police Station site, delegating this to Corporate Dr Carlton Brand, in consultation with the Solicitor to the Council, the Section 151 Officer and the Cabinet member for Strategic Planning, Development Management, Strategic Housing, Property, Waste and the Cabinet member for Finance, Performance, Risk, Procurement and Welfare Reform and**
- c) **note and support the work being undertaken by officers to support the development and delivery of the Police and Crime Commissioner's and Wiltshire Police's long term estates strategy.**

Reason for decisions

To approve the proposed MoU, confirm the council's position in relation to the proposed purchase of an element of the Wilton Road Police Station site and note the work regarding the police estate that is being undertaken by Wiltshire Council officers. This work and proposal will enable the delivery of the UTC in Salisbury with new educational places for 600 young people, working with the

Army and local business, securing a September 2015 opening and secure an investment of the £7.5million by the Education Funding Agency to deliver this.

98 Local Government Association Adult Social Care Peer Challenge

As explained at the start of the meeting under Leader's announcements (minute no. 89 refers), this item was withdrawn.

99 Urgent Items

There was no urgent business.

Appendix to online minutes

Statement and questions from Cllr Margaret Willmot, Salisbury City Council and response from Cllr Thomson, Cabinet member for Highways and Transport

Correspondence from Mr Kenneth Spencer, Atworth Traffic Action Group and response from Cllr Thomson

(Duration of meeting: 10.30 am - 12.45 pm)

These decisions were published on the 25 October 2013 and will come into force on 4 November 2013.
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CABINET CAPITAL ASSETS COMMITTEE

MINUTES of a MEETING held in COUNCIL CHAMBER - COUNCIL OFFICES,
MONKTON PARK, CHIPPENHAM, SN15 1ER on Tuesday, 23 July 2013.

Cllr Fleur de Rhé-Philippe	Cabinet Member for Economy, Skills and Transport
Cllr Jane Scott OBE	Leader of the Council
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property, Waste
Cllr John Thomson	Deputy Leader and Cabinet Member for Highways and Streetscene and Broadband
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform

Also in Attendance: Cllr Stuart Wheeler
Cllr Ernie Clark
Cllr Richard Gamble

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

80 Apologies and Substitutions

Apologies were received from Carolyn Godfrey.

81 Minutes of the previous meeting

Resolved:

**To approve as a correct record and sign the minutes of the meeting held
on 19 March 2013.**

82 Leader's Announcements

There were no Leader's announcements.

83 Declarations of interest

There were no declarations of interest.

84 **Capital Monitoring Report Outturn 2012/2013**

Cllr Dick Tonge, Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform introduced the report which detailed changes to the budget made since the month 10 monitoring reports and reflected budget transfers into 2013/2014 for committed schemes.

Resolved:

That the Committee:

- 1. Notes the budget movements undertaken to the capital programme in Appendix A of the report presented**
- 2. Notes the budget transfers of £10.389 million into 2013/2014 as shown in Appendix A and B of the report presented**

Reason for decision

To inform Cabinet of the final position of the 2012/2013 capital programme, highlight budget changes and note final budget reprogramming into 2013/2014.

85 **Award of Framework Contracts for Property-related Professional Services**



Cllr Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Property and Waste introduced the report which described the procurement process followed to establish a framework of providers for the delivery of capital building projects. The framework ensured delivery of an ambitious building programme which was high quality, value for money and procedurally robust.

Resolved:

That the Committee authorises the execution of both the framework contract with those companies and organisations who, following the OJEU competition, are selected for appointment to it, and contracts for professional services following mini competitions to be called off by officers in the Transformation team in the manner described in the covering report.

Reason for decision

To ensure that technical capacity and capability is available to the authority to enable the delivery of the Council's ambitious Building Programme, including but not limited to the Campus Delivery Programme and requirements for additional new school places to meet demand.

To ensure a robust and rigorous approach to procuring and managing the services of key technical disciplines in the property sector, that is fully compliant with Council procurement regulations and EU procurement law.

To ensure that delivery mechanisms for Building Projects, enable full alignment with other public sector organisations in Wiltshire, to maximise the opportunity for joint delivery of corporate aims over time in line with the emerging 10 year public sector asset strategy.

86 **Park and Ride, London Road, Salisbury**

Cllr Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Property and Waste introduced the report which requested that authority be delegated to the Service Director for Transformation in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste, to dispose of part of the Park and Ride site at London Road, Salisbury, so long as there is no permanent loss of parking spaces.

The Committee heard that further discussions had taken place which suggested the Council acquired additional land, and then sold this with the flying freehold, thereby creating 40 to 50 extra parking spaces at no extra cost to Wiltshire Council.

A question on improving the footpath in front of the proposed building allowing it to be used by pupils and parents from Laverstock School resulted in confirmation of a cycle path being created, which would allow this. Local members had confirmed their agreement with this.

Resolved:

That the Committee delegates authority to the Service Director for Transformation in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste, to dispose of part of the Park and Ride site at London Road, Salisbury, so long as there is no permanent loss of parking spaces.

Reason for decision

The Council will obtain a capital receipt without any permanent loss of amenity.

87 **New Primary School - North East Quadrant in Tidworth - Update**



Cllr Richard Gamble introduced the report which updated members on the provision of the new 2 Form Entry (420 places) school in Tidworth North East Quadrant and the need for further negotiations with Persimmon Homes to acquire additional land.

Three options were presented for the Committee's consideration. Option 2 represented the preferred option, which entailed entering into further negotiations with Persimmons Homes about the acquisition of the additional land.

Concern was shown over whether the report figures took into account pupil numbers as a result of rebasing. Although a higher than normal pupil yield from the new housing has been anticipated, there had been no confirmation on the location of further family homes. The 2FE design of the school does not allow for it to become a 3 form entry, expansion options were available in other Tidworth Schools. An education group had been set up to look at the provision of education within the Tidworth area.

88 **Urgent items**

There were no urgent items.

89 **Exclusion of the Press and Public**

Having complied with paragraphs 6(a) and 7 of the Local Authority (Executive Arrangements) (Meetings and Access to Information) Regulations 2012 in respect of the intention to take the following items in private,

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 items of business because it is likely that if members of the public were present there would be 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 items in private:

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

No representations had been received as to why the item should not be held in private.

90 **New Primary School - North East Quadrant in Tidworth - Update**



The Committee was advised of ongoing negotiations to secure the acquisition of land for the NEQ school at Tidworth.

Resolved:

That the Committee:

- 1. Confirms its authority to proceed with further negotiations about the acquisition of land adjacent to the school site on the North East Quadrant in Tidworth; and**
- 2. Delegates the completion of necessary legal transactions to effect the acquisition to the Service Director for Transformation in consultation with the Service Director for Schools and Learning, the Cabinet members for Children's Services, Strategic Planning, Development Management, Strategic Housing, property and Waste and the Portfolio holder for Schools, Skills and Youth.**

Reason for decision

Delivery of a new school in Tidworth will enable the Council to meet its statutory duty to provide sufficient school places and will comply with the terms of the NEQ Section 106 agreement. The current site will meet minimum statutory requirements. However, the acquisition of additional land adjacent to the new school site will be preferable to facilitate expansion to 2FE (420 places) from 2016/2017. The availability of land will not affect the Academy provider.

91 **Purchase of Land - Trowbridge**



Cllr Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Property and Waste introduced the report which proposed the purchase of land in Trowbridge as identified in the report presented.

Cllr Ernie Clark spoke in support of the proposal.

Resolved:

That the Committee delegates authority to the Service Director, Economy and Regeneration, in consultation with the Cabinet member for Strategic Planning, Development Management, Strategic Housing, Property and Waste to enter negotiations for the purchase of land in Trowbridge, and acquire the site subject to title and an acceptable purchase price being agreed.

Reason for decision

To allow Cabinet to consider the purchase of the land in question.

(Duration of meeting: 2.00 - 2.38 pm)

These decisions were published on the 26 July 2013 and will come into force on 5 August 2013
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The Officer who has produced these minutes is Kirsty Butcher, of Democratic Services, direct line 01225 713948 or e-mail kirsty.butcher@wiltshire.gov.uk
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CABINET CAPITAL ASSETS COMMITTEE

MINUTES of a MEETING held in COUNCIL CHAMBER - COUNCIL OFFICES,
MONKTON PARK, CHIPPENHAM, SN15 1ER on Tuesday, 24 September 2013.

Cllr Fleur de Rhé-Philippe	Cabinet Member for Economy, Skills and Transport
Cllr Jane Scott OBE	Leader of the Council
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property, Waste
Cllr John Thomson	Deputy Leader and Cabinet Member for Highways and Streetscene and Broadband
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform

Also in Attendance: Cllr Laura Mayes
Cllr Richard Gamble

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

92 Apologies and Substitutions

There were no apologies or substitutions.

93 Minutes of the previous meeting

Resolved:

**To approve as a correct record and sign the minutes of the meeting held
on 23 July 2013.**

94 Leader's Announcements

There were no Leader's announcements.

95 Declarations of interest

There were no declarations of interest.

96 **Capital Monitoring Month 4 2013/14**

Cllr Tonge, Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform introduced the report which detailed changes to the budget made since the 2013/2014 budget was set in February 2013 and reflected the position of the 2013/2014 spend against budget as at period 4 (as at 31 July 2013).

Resolved:

That the Committee

- 1. Notes the general budget additions for grants and revenue contributions of £4.922 million as per Appendix B of the report presented and notes the period 4 position of the Capital Programme in appendix A of the report presented**
- 2. Notes the reprogramming of £23.006 million between 2013/2014 and 2014/2015**

Reason for decision

To inform Cabinet of the position of the 2013/2014 capital programme as at period 4 (31 July 2013), including highlighting of budget changes

97 **A350 Chippenham Pinch Point Scheme**

Cllr Fleur de Rhé-Philippe, Cabinet member for Economy, Skills and Transport introduced the report which noted the Department of Transport's award of 'pinch point' funding towards the dualling of the A350 north of Chippenham.

The Committee heard that the award had to be spent by December 2014. A question on where the council's contributions were coming from confirmed that the funds were already in place and had been secured through Section 106 agreements.

Further updates would be provided to the Committee as the scheme progressed.

Resolved:

That the Committee notes the Department of Transport's award of 'pinch point' funding towards the dualling of the A350 north of Chippenham.

Reason for decision

To inform Cabinet of the current position relating to the bid, and give an update on risk and programme.

98 **Urgent items**

The Leader noted that a late information report had been circulated, which she had agreed to accept due to the need for a decision to be made before the next meeting. Due to the confidential information contained in the report it would be heard under Part II.

99 **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 items of business because it is likely that if members of the public were present there would be 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 or business affairs of any particular person (including the authority holding that information)

No representations had been received as to why these items should not be held in private.

100 **Porton Science Park update**

Cllr Fleur de Rhé-Philippe, Cabinet member for Economy, Skills and Transport introduced the report which provided an update on the Porton Science Park project.

Resolved:

That the Committee

- 1. Confirms its support for the Porton Science Park project, and endorses the approach being taken in delivering the scheme**
- 2. Delegates to the Director for Economy and Regeneration, in consultation with the Cabinet member for Economy, Skills and Transport, the decision to proceed with procurement**

Reason for decision

Developments since the announcement of government funding in October 2012 now warrant an update to Committee.

101 **Urgent item - The development of post-16 facilities at St. Nicholas school, Chippenham**

Cllr Richard Gamble, Portfolio Holder for Schools, Skills and Youth, on behalf of Cllr Laura Mayes, Cabinet member for Children's Services, introduced the report which proposed the purchase of a building as identified in the report presented for the development of post-16 facilities at St Nicholas school, Chippenham.

He confirmed receipt of a £414k grant from the Demographic Growth Capital Fund, noting the time limitations it came with.

Resolved:

That the Committee approve the purchase of the building utilising identified funds to deliver post-16 provision.

Reason for decision

St Nicholas School is full and requires additional space to meet the needs of learners.

(Duration of meeting: 2.03 - 2.35 pm)


These decisions were published on the 30 September 2013 and will come into force on 9 October 2013
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CABINET TRANSFORMATION COMMITTEE

DRAFT MINUTES of a MEETING held in ALAMEIN SUITE - CITY HALL,
MALTHOUSE LANE, SALISBURY, SP2 7TU on Tuesday, 22 October 2013.

Cllr Jane Scott OBE	Leader of the Council
Cllr Jonathon Seed	Cabinet Member for Communities, Campuses, Area Boards, Leisure, Libraries and Flooding
Cllr John Thomson	Deputy Leader and Cabinet Member for Highways and Streetscene and Broadband
Cllr Dick Tonge	Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage & Arts, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services)
Angus Macpherson	Police and Crime Commissioner
Patrick Geenty	Chief Constable, Wiltshire Police
Deborah Fielding	Chief Officer, Wiltshire CCG
Dr Stephen Rowlands	Chair of Wiltshire CCG

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

1 **Apologies and Membership**

There were no apologies received.

2 **Leader's Announcements**

Mrs Scott welcomed everyone to the inaugural meeting of the Committee, explaining it was a move forward progressing the transformation programme with the involvement of key partners

As a committee of Cabinet its purpose was to discharge the executive's responsibility with regard to the transformation programme. Membership may be opened up in the future to include other partner organisations.

As Cabinet Capital Assets Committee retained responsibility for the use of the council's assets, any decision made by the Committee involving assets would be taken by Capital Assets Committee.

3 Declarations of Interest

There were no declarations of interest.

4 Membership and terms of Reference

Cllr Scott, Leader of the Council, presented the Committee's terms of reference for the Committee's information.

Resolved:

That the terms of reference of the Transformation Committee be noted.

5 Principles of the Transformation Programme

Cllr Seed, Cabinet member for Communities, Campuses, Area Boards, Leisure, Libraries and Flooding, introduced a report which detailed the principles, governance structure and outlined the current position of the transformation programme, details of the number of projects managed by the programme office and how they would be managed

Cllr Wheeler, Cabinet member for Hubs, Heritage & Arts, Governance (including information management) and Support Services (HR, Legal, ICT, Business Services and Democratic Services) explained the programme was the base where projects started and noted the use of the Officer Transformation Board as the gateway for new programmes and projects.

Resolved:

That the report be noted.

6 COB progress and timetable

Cllr Seed, Cabinet member for Communities, Campuses, Area Boards, Leisure, Libraries and Flooding introduced a report which detailed the progress to date against the timetable previously set by Cabinet in respect of the campus programme.

The campus programme was community-led, and it was noted that partners found the information useful when considering their contribution to the common aim. As campus proposals developed the next stage would be to bring them to Cabinet.

The Leader commented that it would be mutually beneficial to involve the CCG in early discussions concerning integration of health care facilities within campuses

Deborah Fielding from the CCG explained that the CCG worked closely with both NHS England and the Communities Services estate and offered their help in facilitating discussions at a strategic level and ensuring local engagement. She agreed that the aim would be to provide integrated services in an integrated way.

The Chief Constable, Pat Geenty drew attention to the need to formalise where key services would be located prior to integration, noting that each campus model would be different having regard to the needs of the local communities

It was agreed that a meeting be arranged with the CCG, a NHS England representative, Cllr Wheeler and officers to look at each community area.

Resolved:

That the Committee:

- 1. Noted the current position of the campus programme**
- 2. Receives future programme updates on a quarterly basis**
- 3. Agreed for monthly programme updates to be sent to the CCG**

7 Update on the 3 Hub strategy

Cllr Wheeler, Cabinet member for Hubs, Heritage & Arts, Governance (including information management) and Support Services (HR, Legal, ICT, Business Services and Democratic Services) introduced a report which set out progress to deliver the three hub strategy. He explained that the current refurbishment of County Hall would be completed soon. The reconfiguration from 98 buildings to 3 buildings would embrace the approach to new ways of working and working towards being paperless.

He thanked Julie Anderson-Hill and her small team for the efficient manner in which the moves are being completed, noting that 3000 staff would be relocated shortly.

A decision on car parking had not yet been made but a travel survey had been sent to all staff and this information would be used to model options that would go before the Transformation Board.

Carolyn Godfrey gave an update on the new Multi Agency Safeguarding Hub which was almost complete, with phase 1 was due to go live in January as planned. The Home Office had commented on the facility being a model of what

they would like to see in other areas. Chief Constable Patrick Geenty commented that the facilities were first class and would undoubtedly deliver a first class service.

Resolved:

That the report be noted.

8 Update on Wiltshire Council's systems thinking programme

John Rogers, Head of Systems Thinking and Customer Access introduced a report which detailed the development of the systems thinking forward work programme. He noted the scale and complexity of the programme with the aim of delivering more value for less.

The programme report provides a snapshot of reviews currently in progress; previous reviews across the council means that the programme has already worked with services for our most vulnerable people and with services for all Wiltshire's residents and visitors. The amber status shown on four current reviews were due to local issues.

Systems thinking courses were available to all those wishing to take part. They had been extremely well received with very positive feedback on those who had attended. To date 569 members of staff had undertaken the 3 day course which included 88 Police Staff and 3 senior managers from Swindon Borough Council. The Chief Constable complimented the systems thinking work for the changes he was seeing in Wiltshire Police.

In answer to a query on audits to measure the effectiveness of reviews, it was explained that the evidence of success could be seen in the movement towards more efficient ways of working and benefitting the end customer.

Resolved:

That the report be noted.

9 Standard Programme Template

Iain Baker introduced the report which provided an example for a standard programme template which if agreed would be used as the format to provide a consistent reporting process..

Resolved:

The Committee agreed to use the standard programme template as presented for reporting programme progress.

10 Forward work plan

The Committee discussed themes which would influence the development of the forward work programme.

Resolved:

1. For the following to be standing agenda items:
 - Security
 - Communications
 - Performance of systems thinking reviews
2. For the following items to be reported on a quarterly basis:
 - Campus programme update;
 - 3 hub strategy update; and the
 - Multi-agency safeguarding hub update
3. For the following items to come to the next formal meeting of the Committee scheduled for 17 December 2013:
 - Programme overview for partners
 - Use of hub space for partners
4. To add the joint estate strategy with the police to the forward work plan

11 Urgent Items

There were no urgent items.

(Duration of meeting: 2.00 - 3.05 pm)

These decisions were published on the 28 October 2013 and will come into force on 5 November 2013

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OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 25 JUNE 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Stewart Dobson (Substitute), Cllr Alan Hill, Cllr Jon Hubbard, Cllr Simon Killane (Chairman), Cllr Gordon King, Cllr Jacqui Lay, Cllr Paul Oatway, Cllr Jeff Osborn, Cllr Pip Ridout, Cllr Bridget Wayman and Cllr Roy While (Vice Chairman)

Also Present:

Cllr Richard Gamble, Cllr Nina Phillips, Cllr Jane Scott OBE, Cllr John Thomson, Cllr Dick Tonge and Cllr Stuart Wheeler

103 **Apologies**

Apologies were received from Councillors Peter Hutton, Mark Packard, John Walsh.

Councillor Stewart Dobson replaced Councillor Peter Hutton for this meeting only.

104 **Minutes of the Previous Meeting**

The Minutes for the meeting held on 23 May were approved and signed as a correct record.

105 **Declarations of Interest**

There were no declarations of interest received.

106 **Chairman's Announcements**

There were no Chairman's announcements.

107 **Public Participation**

There was no public participation.

108 **Business Plan Scorecard Year End Report**

The Management Committee considered the Business Plan Scorecard end of year report, prepared for Cabinet, on progress against the targets set for the delivery of the Business Plan.

The Chairman explained that the report had been considered by the Cabinet on 18 June 2013 and the outcome of the discussion at that meeting was reported to the Management Committee. The Committee had the opportunity to comment on key areas for consideration by the Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform.

Councillor Dick Tonge, Cabinet Member for Finance, Performance, Risk and Welfare Reform spoke to the report and in particular mentioned that indicator 1005 'use of in-house foster carers (proportion nights)' had been amended from amber in the original report to red as it was considered to be outside of the 5% target. It was noted that the format of future reports would be amended to reflect the new Business Plan once adopted by the Council.

Members expressed concern that they were unable to scrutinise some areas of performance and that this was an important area especially in the role of policy formation. It was suggested that an on-going Task Group of the Management Committee be set up to look at future targets against performance data. The Leader of the Council, who advised caution at the speed of establishing the Task Group especially as the new performance framework would evolve out of the adopted Business Plan 2013-17 from September 2013. However discussions around developing the new performance framework should involve Overview and Scrutiny.

Resolved:

1. That the progress for the year end 2012/13 be noted
2. That an on-going Task Group be established to look at performance data derived from the new performance framework.

109 **Review of the Business Plan**

The Management Committee considered the draft Business Plan for 2013-2017 which contained the draft priorities of the Executive for adoption by full Council in September 2013 and a covering report from the Corporate Leadership Team.

The Chairman reminded Members of the significance of the development of the Council's new Business Plan which formed the major policy framework document for the next 4 years. He also explained that the Management

Committee was asked to review the Plan's content and report its views to Cabinet at its meeting on 23 July 2013.

The Management Committee heard from the Leader of the Council, who highlighted the main issues detailed in the draft Business Plan and explained that it was, at this stage, a very draft document mainly due to the timing of the local elections. However Cabinet were very keen to have a Business Plan in place early on in their administration and welcomed the views of Overview and Scrutiny in its formation. It was noted that the business plan would be supported by detailed service plans from which a performance structure would be developed.

It was reported that the Children's Services Select Committee at its meeting on 6 June 2013 recommended that the Management Committee request each of the select committees to establish a rapid scrutiny exercise to review relevant sections of the draft Plan for report to Cabinet. Members generally welcomed the proposal for involvement of the Select Committees and felt that this was a vital piece of work to be undertaken. However the Management Committee would need to collate a final report to Cabinet on 23 July 2013. Councillor Hubbard was very concerned at the timescales which he felt were impossibly short for such a piece of scrutiny work to be undertaken in.

Members were reminded that they did not have to scrutinise the detail of the draft Business Plan, as that would be their task over the next 4 years, but to take a high level approach. The Leader referred to the existence of a list of 12 priorities/deliverables arising from the Business Plan and asked that these be made available to Overview and Scrutiny to help in the above process.

Resolved:

That the Select Committees and Management Committee be asked to urgently consider the draft Business Plan 2013-17, based on the 12 priorities/deliverables of the Council, with comments being considered collectively by the Chairs and Vice-Chairs of the Select Committees and Management Committee in order to produce a final report for consideration by the Cabinet on 23 July 2013.

110 Appointment to the Focus Group on the Review of the Constitution

Resolved:

That Councillor Jeff Osborn be nominated as the Committee's representative on the Focus Group on the Review of the Constitution.

111 Forward Work Programme

a) Forward Plan

The Management Committee were reminded that it was responsible for the co-ordination of the single work programme, and had agreed the continuation of the legacy topics for scrutiny from the last Council as reported to the new Management Committee at its first meeting. These were also formally adopted by the select committees at their recent round of meetings and would now be added to the work programme.

Action was underway to hold a series of meetings involving the chairs and vice-chairs of select committees with relevant Cabinet members, portfolio-holders and service directors to discuss service priorities and overview and scrutiny engagement. The outcome of these meetings would recommend topics for the work programme.

The new Business Plan would provide the main focus for future overview and scrutiny activities and it was clear from early discussion between leading councillors and seniors officers that an increased expectation would be placed on the overview and scrutiny function to undertake significant work at policy development and pre-decision stages, much of which would be co-ordinated through the new Executive Office and Transformation.

The Chairman reported that all Councillors had been consulted about providing information on their work and professional experience, areas of interest and availability to undertake overview and scrutiny activities. This also included expressions of interest to join the legacy task groups. This would then form a “database” from which chairs and vice-chairs of select committees could be consulted when making appointments.

Potential topics for scrutiny review identified from councillor induction as reported to the last meeting were being investigated at select committee level. Those that were seen as the direct responsibility of the Management Committee were the subject of a report considered by the Committee.

In considering the two topics (i) Improving the experience of customers making complaints to the Council and (ii) Increasing the public’s trust in politicians and public engagement with local democracy, arising from the Councillor Induction event relevant for this Committee, Members felt that in relation to (i) above, as there were a number of changes taking place in the service a review at this stage would not add value. In relation to (ii) above Members generally felt

that this was not an appropriate area for the Management Committee to look at and that no action be taken on this suggestion.

Resolved:

To note the above report and that no action be taken on the proposed topics arising from the Scrutiny Councillor Induction event.

b) Overview and Scrutiny Councillor Development

Centre for Public Scrutiny Annual Conference

The Management Committee received a report on the Centre for Public Scrutiny national conference. The report highlighted the key messages coming out of the conference and summarised the workshops attended by the Chairman and Vice-Chairman.

Ongoing Development

The Management Committee were informed that feedback had been positive from the overview and scrutiny induction events. The next step identified was to deliver a session on the specific skills needed to operate effectively as a scrutiny member. Following initial discussion with an external provider, it was proposed to target the first session at the newly appointed chairs and vice-chairs of the select committees to help build "the team". This would then be followed-up with roll-out targeted at the wider non-executive membership.

It was noted that this proposal was currently being developed for consultation with the Chairman and Vice-Chairman of the Management Committee before submission to the Councillor Development Group with a delivery target date of September 2013.

Resolved

That the comments on (i) members attendance at the Centre for Public Scrutiny National Conference, and (ii) members ongoing development be noted.

112 **Urgent Items**

There were no urgent items.

113 Date of next meeting

The next meeting of the Overview and Scrutiny Management Committee would take place at 10:30am on Monday 23 September 2013 in the Council Chamber at Monkton Park, Chippenham.

(Duration of meeting: 10.30 am - 12.55 pm)

The Officer who has produced these minutes is Stuart Figini, of Democratic Services, direct line (01225) 718376, e-mail stuart.figini@wiltshire.gov.uk

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OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 5 JULY 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Stewart Dobson (Substitute), Cllr Alan Hill, Cllr Simon Killane (Chairman), Cllr Gordon King, Cllr Jacqui Lay, Cllr Jeff Osborn, Cllr Pip Ridout, Cllr John Walsh, Cllr Bridget Wayman and Cllr Roy While (Vice Chairman)

Also Present:

Cllr Mike Hewitt, Cllr David Jenkins, Cllr Sheila Parker and Cllr Dick Tonge

114 **Apologies**

Apologies were received from Councillors Jon Hubbard, Peter Hutton, Paul Oatway, and Mark Packard.

Councillor Stewart Dobson replaced Councillor Paul Oatway for this meeting only.

115 **Declarations of Interest**

There were no declarations of interest received.

116 **Chairman's Announcements**

There were no Chairman's announcements.

117 **Public Participation**

There was no public participation.

118 **Review of Business Plan Priorities**

The Chairman reminded members that at the Overview & Scrutiny Management Committee on 25 June 2013, it was agreed that the task of scrutinising the Draft Business Plan 2013 – 2017 would be undertaken by the individual select committees and the Management Committee each looking at topics of specific interest to their committee.

The views of each committee would then be considered by the Chairmen and Vice-Chairmen of the Overview & Scrutiny Management Committee and the three select committees on Monday 8 July 2013 and incorporated into one report to go to the Cabinet meeting on 23 July.

It was noted that this meeting was called at short notice in order to meet this very short timescale.

At the meeting of the Overview and Scrutiny Management Committee on 25 June, the Executive indicated that it had identified 12 priorities or 'deliverables' for the Council and provided the list for each select committee and the Management Committee to consider and comment upon along with the draft business plan.

In considering the draft Business Plan and the 12 key deliverables the Management Committee made the following comments:

Section 1

- Concern about the layout of the Business Plan – needed to be more user friendly
- Support for the emphasis on vulnerable people, which included Adult Social Care, Looked After Children and Children in Poverty. However, it would also be important to focus on other area in addition to Adult Social Care.
- Need to communicate to the public the case for raising parish precepts in order to devolve responsibility and services to town and parish councils.
- Need to focus on risk and finance, but money should not be the only factor in making decisions. The Business Plan was an aspirational document.

Section 2

- Page 13/14 of the draft Plan: It was important to focus on reaching hard-to-reach communities as they tended to be more vulnerable
- Procurement: When a service was outsourced the community must understand who was accountable and the focus should be on quality and a user-friendly service, not just the price of the contract.

Section 3

- Environment Select Committee: There was a need to look at the governance of Local Enterprise Partnerships and how they were held to account.

- Environment Select Committee: Need to ensure there was transport infrastructure so people could access employment opportunities.
- Environment Select Committee: Strong support that Overview and Scrutiny become involved in holding partnerships to account, particularly those that received funding from the Council.
- Environment Select Committee: Need to look at how Areas of Outstanding Natural Beauty (AONBs) are managed.

Section 4

- Suggestion to establish a dedicated task group to look at performance.
- Environment Select Committee: Need to look at where other Councils have performed well in a service area and learn from this (and learn from our own mistakes).
- Strong support for Overview and Scrutiny Management Committee to have a role in helping develop the Council's performance framework to enable meaningful monitoring and scrutiny.

General

- Possible need for a dedicated scrutiny task group looking at Housing.
- A need for better communication of good news stories.
- Need to focus on the smaller pockets of deprivation as well as more populated areas.
- Promotion of tourism should be mentioned.

Key deliverables

- More emphasise on the need to lobby for Wiltshire at a national level.
1. Highways maintenance:
Should this aspiration be broadened to include pavements?
 2. Area Boards and Campuses:
Important not give a disproportionate voice to vocal local interest groups. Importance of having a structured approach to problem-solving at a local level.
 3. Agreed
 4. Agreed
 5. The word "support" needed to be defined more here

6. A need to work closely with providers of social housing and to investigate all kinds of affordable housing.
7. Military: Possible question about whether this was a key priority or not.
8. Agreed
9. Agreed
10. Public health: The Council needs to be more involved in decisions about local healthcare.
11. Agreed
12. Councillors should be included in this. Performance management also important.
13. Need an additional Key Deliverable on the promotion of Tourism

The Chairman thanked members for their valuable input and explained that the Chairmen and Vice- Chairmen of the Select Committees and Management Committee would be meeting on 8 July 2013 to consider all the views and comments for submission of a final Overview and Scrutiny report to the Cabinet on 23 July 2013.

Resolved:

That the comments, detailed above, be considered by the Chairmen and Vice-Chairmen of the Select Committees and Management Committee prior to submission of a final Overview and Scrutiny report to the Cabinet on 23 July 2013.

119 Urgent Items

There were no urgent items.

(Duration of meeting: 10.00 - 11.45 am)

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OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

DRAFT MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 8 OCTOBER 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Christine Crisp, Cllr Stewart Dobson, Cllr Alan Hill, Cllr Simon Killane (Chairman), Cllr Jacqui Lay, Cllr Jeff Osborn, Cllr Mark Packard, Cllr Pip Ridout, Cllr John Walsh, Cllr Bridget Wayman and Cllr Roy While (Vice Chairman)

Also Present:

Cllr Allison Bucknell, Cllr Terry Chivers, Cllr Jane Scott OBE, Cllr Jonathon Seed, Cllr Dick Tonge, Cllr Stuart Wheeler and Cllr Chris Williams.

120 **Apologies**

An apology for absence was received from Cllr Gordon King.

121 **Minutes of Previous Meetings**

Resolved:

To approve and sign the Minutes of the meetings held on 25 June 2013 and 5 July 2013.

122 **Declarations of Interest**

There were no declarations of interest received.

123 **Chairman's Announcements**

- Overview & Scrutiny Skills Training
The Chairman announced that there would be some overview & scrutiny skills training for Chairmen and Vice-Chairmen of the Management Committee and the three Select Committees on Tuesday 15 October 2013, which would be held at Shurnhold, Melksham. It was planned that this training would then be made available to all non-executive members of the Council.

- Peer Review Challenge
The Chairman reported that he and other leading overview and scrutiny members had been interviewed by the Peer Review Team at County Hall, Trowbridge. The Team were assessing how we did things and where we could continue to make improvements in the future. In particular, their focus was on how to empower communities to do more for themselves, what more could be done working with our key partners and the Council's plans to manage change and transformation over the next four years. The Chairman stated that he had found the interview to be a positive experience and that the Peer Review Team had been impressed with the work undertaken by the various task groups.

124 **Public Participation**

There were no declarations of disclosable interest or dispensations granted by the Standards Committee.

125 **Approval of the Business Plan 2013-2017**

The Committee was reminded of the process that had taken place for scrutinising the Council's draft Business Plan 2013-2017 culminating in a meeting of the Chairmen and Vice-Chairmen of the Management Committee and the three Select Committees on 13 August 2013. Finalised views and comments were passed to a special meeting of Council held on 3 September 2013 when a revised Business Plan was adopted. The public version of the Plan was launched at Cabinet on 24 September 2013 including a "keepsake" summary and a young people's version. A detailed communications plan had also been developed to support the publication and distribution of the Business Plan.

It was noted that the next stage would be the development of service plans which would facilitate the implementation of the Business Plan and these arrangements together with a timetable were currently being prepared. The Committee was informed that it was likely that the first service plan to be developed for consideration would be highways and it was anticipated that this plan would be ready to be scrutinised in about three to four months' time. This process would have a significant bearing on the development of overview and scrutiny's own work programme and ultimately on how it effectively contributed to the Council in delivering its vision, goals, outcomes and objectives over the next four years.

Resolved:

- (1) **To note the positive contribution made by overview and scrutiny to the development of the Business Plan and its recent public launch.**

- (2) To move forward with engagement in the development of the service plans when further information was known.**

126 **Developing the Overview and Scrutiny Forward Work Programme**

Consideration was given to a report by the Scrutiny Manager, prepared in consultation with the Chairman and the Vice-Chairman which set out the outcome of initial discussions between select committee chairmen and vice-chairmen with the relevant Executive members and directors.

It was pointed out that the potential priorities and topics highlighted would need to be viewed in the context of the Business Plan as agreed by Council on 3 September 2013, legacy items recommended by the previous Committee and endorsed by this Committee on 23 May 2013 and also the current Cabinet forward work plan.

The Chairman explained that he and the Vice-Chairman wished to meet the chairmen and vice-chairmen of the select committees to discuss priorities, approaches, options, capacity & resources etc. with a view to reporting back to the Management Committee at its next meeting on 5 November 2013 with an initial draft single work programme. Emphasis would be given to making strong links to the Business Plan and identifying topics where real value could be added through the overview & scrutiny process. The Chairman went on to stress the importance of allowing space for the addition of committee/individual member requests as new issues arose and priorities might change.

The Chairman also confirmed that he would be pleased for the Management Committee to consider any priority recommendations from select committee chairmen that could not wait for the timetable and gave as examples advance proposals for task groups on financial planning (which was the subject of an item to be discussed later in the meeting) and also a review of area boards.

Cllr Jonathon Seed, the Cabinet Member responsible for area boards, explained that area boards had been evolving since their inception in 2009 and he considered that the time had come for a scrutiny exercise to be carried out, which would include seeking the views of partners and stakeholders. He stressed that area boards were working well but they could benefit from a fresh look at their working for the future. It was noted that terms of reference and topics to be covered had been drawn up in consultation with the Cabinet Member and were as follows:-

- The current role and remit of the Area Boards
- Area Board budgets and grants
- Local service devolution and management
- JSA and community planning/community priorities.
- Contract and commissioning decisions affecting the community area.

- The consultative role of the Boards in local development
- The role of the Area Boards in future campus governance.
- Community area partnership arrangements.
- Area Board meeting management.
- Area Board support, promotion and publicity.
- Area Board staffing and management
- Future service delivery through Area Boards

During discussion the following topics were considered for scrutiny:-

- (i) The desirability of establishing a rapid scrutiny exercise on the Local Enterprise Partnership (LEP). It was noted that, although the LEP was not a political body, a lot of public money had been ploughed into it. Arrangements should be considered for a joint scrutiny of LEP with Swindon Borough Council.
- (ii) The Chairman & Vice-Chairman of the Health Select Committee referred to the considerable number of health issues worthy of scrutiny and considered that despite there being a number of historic issues that could be scrutinised and which needed to be categorised by the Select Committee, priority should be given to refocusing on strategic issues, such as Clinical Commissioning Groups and the Health & Wellbeing Board.
- (iii) Reference was made to the need to scrutinise the 20mph Speed Limit Policy prior to the Cabinet Member approving it under delegated authority. It was noted that the Cabinet Member would be pleased for the Policy to be scrutinised once it was available probably in mid to late November 2013.
- (iv) It was noted that a report on Housing Allocation Policy would be prepared for consideration by this Committee at its next meeting on 5 November 2013 prior to its determination by Cabinet on 21 November. It was suggested that, if feasible, a rapid scrutiny exercise be set up to examine the draft Policy in advance of the meeting on 5 November and that all members of the Management Committee be invited to take part.

Resolved:

- (1) To note the positive outcome of the meetings held between the chairs and vice-chairs of each O&S committee with the relevant Executive members and directors.**
- (2) To endorse further such meetings being held as appropriate.**
- (3) To agree that the Chairman and Vice-Chairman of the Management Committee meets with the chairmen and vice-chairmen of the**

individual select committees to discuss priorities, approaches, options, capacity and resources with a view to reporting back to the O&S Management Committee on 5 November 2013 with an initial draft single overview and scrutiny work programme.

- (4) To note that the establishment of a task group on the Council's financial planning and budget setting arrangements is the subject of a separate paper for consideration at this meeting.**
- (5) To establish a task group to review area board arrangements with the terms of reference of topics to be covered as set out above.**
- (6) To note that a report on Housing Allocation Policy would be considered at the next meeting of this Committee on 5 November 2013 and that if possible a rapid scrutiny exercise be set up to examine the draft Policy in advance and that all members of the Management Committee be invited to take part.**

127 Overview and Scrutiny of Financial Planning and Budget Setting in the Council

The Committee considered a report by the Scrutiny Manager on proposals for the overview and scrutiny of the financial arrangements in the Council including budget scrutiny.

The Vice-Chairman stated that the report had been written following consultation he had held with those with direct responsibilities for financial planning in the Council including the Cabinet Member and the Service Director for Finance. He explained that the discussions which had taken place, along with the direction of the Business Plan, suggested that a new approach was required not only for scrutiny of the revenue budget but encompassing broader and longer-term financial planning. Major external factors such as welfare reform and Central Government policy implications also needed to be taken into account.

After discussion during which the importance was emphasised of interplay with the select committees, to which would be referred selective items for consideration and report back,

Resolved:

- (1) To establish a new standing Financial Planning Scrutiny Task Group of the Management Committee (to replace the legacy Budget Scrutiny Task Group) with the following terms of reference:-**
 - To understand and review the Medium Term Financial Strategy (4 year financial model)**

- To understand and review the approach and robustness of the financial planning regime within the Council
 - To understand and help develop the approach to the annual budget setting cycle
 - To review the specific contribution of overview and scrutiny in the annual budget setting cycle with a focus on outcomes
 - To undertake periodic budget monitoring including reviews of key mid-year trends and developments and to ensure that these are taken into account when updating the Financial Plan
 - To work under the direction and guidance of the Management Committee and report regularly to the Cabinet Member, Management Committee and select committees (as appropriate) on its work and findings and to make any necessary referrals
 - To include a review of performance management
- (2) To appoint the following Members to serve on the Task Group (until the usual annual review of places) and to note that the Task Group will elect a chairman at its first meeting:-

Cllr Glenis Ansell
Cllr Sheila Parker
Cllr Pip Ridout
Cllr Ian Thorn
Cllr Roy While

- (3) To hold the first meeting as soon as is practically possible.

128 Member Request - Staff Morale

The Committee was informed that a request had been received from Cllr Jeff Osborn on 24 September 2013 for a scrutiny review on the following:-

“An objective investigation into the state of morale amongst the non senior staff of Wiltshire Council, in light of recent management restructuring, legal cap on salaries, extra work load and loss of job security.”

It was noted that as a member of the Management Committee, Cllr Osborn was entitled to submit his request under the overview and scrutiny procedure rules in the Council’s Constitution.

Cllr Osborn explained that he had lodged his request as a consequence of informal conversations he had held with staff, their families, friends and neighbours especially in his Division. He also referred to the following draft resolution of the Audit Committee from its meeting on 17 September 2013:-

“To note the latest position regarding the Council’s risks that are identified in the current Corporate Risk Register as detailed in Appendix A of the report, with the inclusion of risks regarding the Voluntary Redundancy Programme and Staff Reorganisation, confirming the status of the high level risks being reported from service areas and that the Risk Management Strategy and the processes associated are to be reviewed to ensure that arrangements are fit for purpose to monitor progress against the new Business Plan.”

Cllr Osborn’s request had been forwarded to Cllr Stuart Wheeler and Cllr Allison Bucknell, as the relevant Cabinet Member and Portfolio Holder for staffing and also to the Service Director for HR & OD for initial comment to help inform the Committee about the issue.

Cllr Osborn explained that he considered that an independent review of staff morale should take place using an external consultant in order to obtain objective evidence.

Cllrs Wheeler & Bucknell informed the meeting that Staffing Policy Committee received detailed quarterly workforce reports and Members examined these closely looking in particular at staff turnover and sickness. In addition staff surveys were carried out usually every two years and, although it was appreciated that the most recent one took place in December 2012, there appeared to be little evidence of a major problem regarding staff morale. It was recognised that as with all large organisations, there was bound to be some staff who were unhappy for varying reasons, but the information received by the Staffing Policy Committee did not indicate that this was a significant problem within Wiltshire Council.

A discussion took place during which it was generally considered that sufficient detailed information was already available to the Council on staff morale and that it would not be a sensible use of sparse Council resources to engage an external consultant to carry out a survey. If there were to be a fall in staff morale then this would be apparent in the quarterly workforce report to the Staffing Policy Committee.

After further discussion,

Resolved:

To ask the Staffing Policy Committee to take a further look at statistical information available which might indicate the level of staff morale and to report that Committee’s findings back to this Management Committee.

129 **Urgent Items**

There were no urgent items of business.

130 **Date of next meeting**

Resolved:

To note that the next meeting was due to be held on Tuesday 5 November 2013 in the Council Chamber at Monkton Park, Chippenham, starting at 10.30am.

(Duration of meeting: 10.30 am - 12.10 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line (01225) 7183763035, e-mail roger.bishton@wiltshire.gov.uk

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CHILDREN'S SELECT COMMITTEE

MINUTES OF THE CHILDREN'S SELECT COMMITTEE MEETING HELD ON 6 JUNE 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Pat Aves, Ken, Cllr Mary Champion, Cllr Mary Douglas, Cllr Sue Evans, Mr J Hawkins, Cllr Jon Hubbard, Cllr Chris Hurst, Cllr Simon Jacobs, Kaylum House, Rev. Alice Kemp, Cllr Jacqui Lay, Cllr Helena McKeown, Cllr Bill Moss, Cllr Helen Osborn, Cllr Ricky Rogers and Cllr Philip Whalley

Also Present:

Cllr Richard Gamble, Cllr Alan MacRae, Cllr Laura Mayes, Cllr Graham Payne and Cllr Anthony Trotman

73 Election of Chairman

Resolved:

To elect Cllr Jon Hubbard as Chairman for the ensuing year.

Cllr Jon Hubbard in the Chair

74 Election of Vice-Chairman

Resolved:

To elect Cllr Jacqui Lay as Vice-Chairman for the ensuing year.

75 Membership of the Select Committee

Resolved:

To note that at its Annual Meeting on 14 May 2013, the Council appointed the following councillors to serve on this Committee for the ensuing year:-

<u>Conservative (7)</u>	<u>Lib. Dem. (4)</u>	<u>Labour (1)</u>	<u>Independent</u>
Cllr M Champion	Cllr P Aves	Cllr R Rogers	Cllr H Osborn
Cllr M Douglas	Cllr J Hubbard		
Cllr S Evans	Cllr C Hurst		
Cllr S Jacobs	Cllr H Mckeown		
Cllr J Lay			
Cllr B Moss			
Cllr P Whalley			

<u>Substitutes</u>			
Cllr A Davis	Cllr D Allen	Cllr J Walsh	Cllr T Chivers
Cllr C Crisp	Cllr N Blakemore		Cllr D Drewitt
Cllr S Parker	Cllr D Jenkins		Cllr R Hawker
	Cllr L Packard		Cllr J Osborn

Council also appointed the following non-elected members to the Children's Select Committee:-

Non-Elected Voting Members
Vacancy

Dr M Thompson

Vacancy

Mrs A Kemp

Mr K Brough

Representing
Church of England

Clifton Diocese RC Church

Parent Governor (Secondary)

Parent Governor (Special Educational Needs)

Parent Governor (Primary)

Non-Elected Non-Voting Members
(Up to Five)

Mrs D Dale

Vacancy

Vacancy

Mr J Hawkins

Mr K House

School, Children and Young People representatives

Further Education Representative

Secondary Schools Headteachers' Representative

Primary School Headteachers' Representative

School Teacher Representative

Children & Young People's Representative

76 **Apologies**

Apologies for absence were received from Dr Mike Thompson.

77 **Minutes of the Previous Meeting**

Resolved:

To confirm and sign the minutes of the previous meeting held on 28 March 2013 as a correct record.

Matters arising:

Min. No. 63: Chairman's Announcements – Teacher Representatives on the Committee

The Vice-Chairman referred to discussions that had taken place at the previous meeting concerning the availability of representatives of Primary School and Secondary School Headteachers to attend meetings of this Select Committee and enquired as to how this matter was being progressed.

The Senior Scrutiny Officer explained that he had written to the Chairmen of the primary and secondary headteachers' associations but to date nothing had been agreed.

After some discussion, during which the input of both primary and secondary headteachers was considered to be very important,

Resolved:

- 1. To ask the Chairman and Vice-Chairman to meet with the primary and secondary headteacher associations and discuss how schools can contribute to the Committee's work when considering relevant issues.**
- 2. To note that the senior scrutiny officer will investigate filling the Church of England representative vacancy on the Committee.**
- 3. To note that in the coming months a process will be run to appoint a new secondary parent governor representative.**

78 **Declarations of Interest**

There were no declarations of disclosable interest or dispensations granted by the Standards Committee.

79 **Chairman's Announcements**

There were no Chairman's announcements.

80 **Public Participation**

There were no members of the public present or councillors' questions.

81 **Executive Response to the Final Report of the Safeguarding Children & Young People Task Group**

The Select Committee received a report which set out the response of the Lead Member for Children's Services to the Final Report of the Safeguarding Children and Young People Task Group which was endorsed by the Committee at its last meeting on 28 March 2013.

It was reported that the Task Group's final report along with an update on the implementation of improvements had been added to the Cabinet Forward Work Programme which would be considered by Cabinet on 18 June 2013.

The report had been presented to the April meeting of the Safeguarding and Adoption Improvement Board, whose independent chairman and also the Department for Education representative had commented favourably on the Task Group's work and recommendations.

Action on the 41 recommendations of the Task Group were set out in Appendix 1 to the report from which it was noted that five of the recommendations had been completed and a further 19 were being progressed with action taken. It was noted that:-

(1) Action on the following 3 recommendations would happen in the future as requested by the Task Group:

R6 Reports on the Safeguarding and Adoption Plan to highlight milestones which are slipping ie: red or amber

R7 "SMART" approach to all reports to the Improvement Board

R28 Safeguarding training for the Safeguarding Children and Young People Panel

(2) The following 4 recommendations were being considered before a decision was made:

R8 Creating a new, permanent 'Safeguarding Peer Liaison' post

R9 Attendance at MAFs by Safeguarding Peer Liaison' post or a social worker – links to R8

R20 Review and optimise the alignment of the various geographical clusters

R41 "Safeguarding considerations" section in all committee and Cabinet reports

- (3) The following 6 recommendations would be subject of future scrutiny:
- R10 Quality assurance of MAFs
 - R12 Social care workforce strategy and key workforce performance indicators
 - R19 Referral and assessment.
 - R29 Mid-term progress and annual report from WSCB
 - R30 WSCB business plan implementation through analysis of minutes of meetings.
 - R34 Rapid Scrutiny exercises will take place

It is also noted that:

- Scrutiny Members would visit teams and services (R31)
- The Safeguarding Children and Young People Task Group would be re-established (R32)
- The Task Group would continue its work for at least 18 months after the Safeguarding Improvement Board had been disbanded and that the group would receive an update on the work of the Safeguarding Improvement Board (SIB), or from the WSCB upon the SIB's demise, at each meeting (R33)

After discussion,

Resolved:

- 1. To note the executive response to the Final Report of the Safeguarding Children and Young People Task Group.**
- 2. To urge the Cabinet Member for Children's Services, and the Cabinet as a whole, to respond positively to Recommendation 41 in the Task Group's Final Report: "All reports to Wiltshire Council committees, including Cabinet, should include a dedicated 'Safeguarding considerations' section", with a trial of this system being considered as a possible option.**
- 3. To request that the executive response document be amended to include details of timescales for implementing the recommendations and that it be circulated to members of the Committee.**
- 4. To note that Recommendation 6, "Any groups scrutinising the delivery of the Safeguarding and Adoption Improvement Plan should be provided with a 'RAG-rated' exception report highlighting which milestones are slipping (i.e. red or amber milestones)", has now been implemented.**

82 **Final Report of the Special Schools & Post-16 SEN Task Group - part 2**

The Select Committee received the final report of the Special Schools & Post-16 SEN Task Group-part 2 for endorsement. It was recalled that this Task Group had brought an initial final report with recommendations to the Select Committee in July 2012 but further work had been requested.

Cllr Graham Payne, Chairman of the Task Group, introduced the report and thanked all members of the Task Group for the work they had undertaken and also Henry Powell for his excellent work in supporting the Task Group. He explained that it had met further on three occasions and had undertaken a number of other evidence gathering activities, the outcomes of which were set out in the report. However, the Task Group had not had the capacity to investigate the following new topics as requested by the Select Committee in addition to its existing work programme:-

- Consideration of the identification of Behavioural, Emotional and Social Difficulties (BSED) in primary school-aged children.
- An investigation to identify out of county resources being used by Wiltshire.
- An examination of mainstream schools to identify the level of SEN provision they make.

Cllr Payne reported that the Task Group had attended meetings of the Special Schools Head's Forum, which was a sub-group of WASSH, and had visited Wiltshire College's Trowbridge campus to experience the provision for post-16 learners with SEN and LDD (Learning Difficulties and Disabilities) as requested by the Select Committee.

Progress had been made with a number of the Task Group's original recommendations and in particular those regarding Larkrise School, Trowbridge and St Nicholas School, Chippenham, details of which were included in the report.

Members also fully supported the Task Group's recommendations regarding services for children with SEN or LDD and their families as a priority within the work programme.

Resolved:

- 1. To endorse the Final Report part 2 of the Special Schools and Post-16 SEN Task Group and refer the recommendations to the appropriate executive bodies for response.**
- 2. To note that a process of developing the Committee's forward work programme would be discussed under a later item, and that these**

discussions were likely to include a consideration of issues relating to children and young people with SEN/LDD and their families.

83 Information Services Review

Consideration was given to a report by Carolyn Godfrey, Corporate Director, which provided an update on the implementation and impact of the changes made to information services for families in Wiltshire from July 2012.

It was noted that the update was requested following a rapid scrutiny exercise in 2012 which had been established to consider the nature of any duplication in the Family Information Service. Following on from this the following changes had taken effect from 1 July 2012:-

- Family Information Service (FIS) focused on information and signposting for general services via a helpline and website. (Cost £120,000 per annum)
- The Early Years Team within Wiltshire Council launched the Childcare Information Service (CIS) and became the single point of contact in relation to childcare. (Cost £40,000 per annum)
- Wiltshire Parent Carer Council (WPCC) became the single hub of information on services relating to Disabled Children. The Special Educational Needs / Disability Information Service (SENDIS) costs £35,000 per annum.
- The Revenue and Benefits Team within Wiltshire Council became the single point of call for queries relating to family finances. The additional work has been absorbed without additional cost.

It was noted that the current contract with Ask was due to terminate on 31 March 2014 and consequently commissioning intentions were currently being developed for service requirements from April 2014.

After some discussion

Resolved:

- 1. To note the update report on the implementation to changes made to information services for families in Wiltshire from July 2012**
- 2. To note that the current contract with Ask for providing the Family Information Service (FIS) was due to end on 31 March 2014.**
- 3. To agree that future discussions regarding the Committee's forward work programme should include consideration of establishing a task group to help shape commissioning intentions for the future provision of this service.**

84 Coalition Changes - Update March to May 2013

The Select Committee received and noted a report by Carolyn Godfrey, Corporate Director, on developments relating to children's services arising from the Coalition Government.

It was noted that the Government had announced a new package of support, totalling £750,000, to help local authorities attract and retain more foster carers from a wider range of backgrounds. Carolyn Godfrey explained that Wiltshire would be competing for a proportion of this funding.

Resolved:

To note the update on the latest changes from the Coalition Government relevant to children's services.

85 Forward Work Programme

Consideration was given to a report by the Senior Scrutiny Officer which provided background information on the topics currently on the Overview & Scrutiny forward work programme relating to children and education and on which the Select Committee was being invited to make a number of decisions regarding future activity.

After discussion,

Resolved:

- 1. To establish the Safeguarding Children and Young People Task Group with the terms of reference proposed and the membership listed as follows (subject to those members' final agreement):**

**Cllr Jon Hubbard
Cllr Andrew Davis
Rev Alice Kemp
Cllr Bill Moss
Cllr Bridget Wayman**

- 2. To reconvene the Further Education in the Salisbury Area Task Group for one meeting only in order to review progress with its recommendations, and to ask the Task Group to report back at the Committee's next meeting. The Task Group will have the following members subject to their final agreement:**

**Cllr Mary Douglas
Cllr Jon Hubbard
Cllr Jacqui Lay**

**Cllr Bill Moss
Dr Mike Thompson**

- 3. To note that the O&S Management Committee has asked scrutiny officers to contact all non-executive members regarding their areas of interest in participating in overview and scrutiny task groups.**
- 4. To authorise the Chairman and Vice-chairman to name members to fill any vacancies on the Committee's task groups as necessary.**
- 5. To support early discussion between the Chairman and Vice-Chairman with Cabinet members, portfolio-holders and service directors to gain a more informed understanding about Executive priorities with a report on findings coming to the Committee's next meeting.**
- 6. That the rapid scrutiny exercise to look at the Wiltshire Adoptions service, which was recommended by the Safeguarding Children and Young People Task Group, is discussed with Cabinet members, portfolio-holders and service directors prior to further consideration at the Committee's next meeting.**
- 7. That the continuance of the Major Contracts Task Group is discussed with Cabinet members, portfolio-holders and service directors prior to further consideration at the Committee's next meeting.**
- 8. To approve the agenda items currently scheduled on the Committee's forward work programme (listed in Table 2 of the report).**
- 9. (a)To note that Cabinet will receive a report on the Review of the Council's Business Plan on 23 July 2013 with a view to recommending to Full Council.**

(b)To recommend that the O&S Management Committee asks each of the select committees to establish a rapid scrutiny exercise to consider the relevant parts of the new Business Plan, prior to its consideration by Cabinet on 23 July 2013.

86 Urgent Items

There were no urgent items.

87 Date of Next Meeting

Resolved:

To note that the next meeting of the Select Committee would be held on Thursday 1 August 2013 at the Council's Offices at Monkton Park, Chippenham, starting at 10.30am.

(Duration of meeting: 10.30 am - 1.00 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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CHILDREN'S SELECT COMMITTEE

MINUTES OF THE CHILDREN'S SELECT COMMITTEE MEETING HELD ON 5 JULY 2013 AT THE PRATCHETT ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Pat Aves, Ken, Cllr Mary Champion, Cllr Sue Evans, Cllr Jon Hubbard (Chairman), Cllr Chris Hurst, Cllr Simon Jacobs, Cllr David Jenkins (Substitute), KaylumHouse, Cllr Jacqui Lay (Vice Chairman), Cllr Helen Osborn, Cllr Ricky Rogers, Dr M Thompson and Cllr Philip Whalley

Also Present:

Lynda Cox, Carolyn Godfrey, Cllr Alan MacRae, Cllr Laura Mayes and Henry Powell

88 **Apologies**

Apologies were received from Cllr Douglas, Rvd Kemp, Cllr McKeown, Cllr Moss and Cllr Rogers.

Cllr McKeown substituted for Cllr Jenkins.

89 **Declarations of Interest**

No declarations of interest were received.

90 **Chairman's Announcements**

There were no Chairman's Announcements.

91 **Public Participation**

There was no public participation.

92 **Review of Business Plan Priorities**

The Chairman reminded those present of the purpose of the meeting and the process to be followed:

At the O&S Management Committee on 25 June 2013, it had been agreed that each of the overview and scrutiny committees would hold extraordinary meetings to consider the relevant areas of the Draft Business Plan 2013-17. The comments of all four committees would then be considered by the chairman and vice-chairman on Monday 8 July, before being submitted to Cabinet for consideration.

At this stage the Committee had been asked to provide a broad and strategic overview focusing on the 12 key deliverables already outlined by Cabinet and included within the agenda. Opportunities for more detailed scrutiny would come once the services plans were available, potentially prior to the Business Plan coming to Full Council should the O&S Management Committee consider this to be the appropriate approach.

The Cabinet Member for Children's Services highlighted the following points:

- The draft Business Plan contained a number of priorities that did not appear to link directly with children's services. However, she would ensure that the impact on children would be considered when addressing all of them.
- Local authorities' role in education had changed significantly due to the academies programme. She suggested this might be a fruitful area for overview and scrutiny to focus on in the future.
- Although the attainment of children in Wiltshire was higher than the national average, the Cabinet Member felt that it could still improve.
- In keeping with Wiltshire's DCA Pathfinder project, in future, the Council would be looking at the 'whole life' needs of people with SEN and LDD.
- The Council's children's services teams may have been isolated from the transformations of ways of working implemented in recent years and this would need to change and would involve making services child- and family-centred.

The Committee worked through the draft Business Plan 2013-17 and made the following comments (the headings within the draft Business Plan are included in **bold** for ease of reference):

"People and Places"

- It should be clarified that the Business Plan is for everyone i.e. people across the age ranges.
- It was suggested that a Young Person's version of the Business Plan be produced.

- There was a need to focus more on the implications of the Academies Programme – the biggest change to the schools system for a generation. How does the Council need to change approach to ensure better engagement with/from schools?
- There was a need to increase young people’s engagement with their communities and democracy.

“People in Wiltshire work together to solve problems locally and participate in decisions that affect them”

- There was a suggestion to add an aspiration to increase young people’s engagement with local decision making (see above).
- Mention the need to attract more higher education provision into Wiltshire.
- The Committee endorsed the aspiration to support “all to achieve their aspirations”, suggested something be added extra regarding helping people caught in an ‘aspiration trap’.
- More could be done to help our gifted and talented young people.
- More focus should be put on encouraging and enabling children and young people to live active, healthy lives by becoming involved in healthy activities – both organised and non-organised. This should include a focus on providing sporting facilities and also addressing the reduction in participation in sporting activities after leaving school.

“Protecting from avoidable harm”

- All Council decisions should include a consideration of the impact on avoidable harm to children and young people.

2. Principles:

- Page 13, point 2: Mention looking at the explicit and hidden financial costs that can prevent young people from engaging with support services (e.g. counselling) and activities.
- Page 13, point 3: The hidden impact on young people should always be assessed when the Council makes decisions.
- Page 13, point 5: Mention the need to ensure children’s voices are heard when decisions are made, particularly through the Youth Area Groups (YAGs).

- Page 13, point 7: Include a mention of also encouraging and developing the leaders of the future (i.e. young people).
- Page 13, point 8: Staff adopting a ‘can-do’ approach must include them thinking about improving accessibility to young people.

“Making it happen”

- Include a mention of developing the Youth Advisory Groups (as well as the Area Boards).

Wiltshire has inclusive communities where everyone can achieve their potential (p. 17)

- Include a mention of assessing the potential impact on young people whenever decisions are made.
- Include a specific mention of supporting young carers.

“People have healthy, active and high quality lives”

- Reducing the cost of participation in sports for young people (e.g. reducing the cost of gym membership) (see above)
- Supporting schools to provide sporting activities in and outside of schools hours
- A mention of promoting sexual health (under Public Health)

Developing Leaders and Managers

- Include aspiration to develop our young community leaders at an early age.

“Working with partners”

- Include school bodies like Wiltshire Association of Secondary School Headteachers (WASSH) and Primary Heads Forum (PHF) on the colour wheel of the Council’s major partnerships.

“Measuring success “

- Include a key performance indicator (KPI) on developing effective YAGs within the first row of the table
- Include a KPI on widening the number of young people engaged with local decision making

- KPIs need to reflect the 'value added' in terms of attainment (each child's academic improvement year-on-year).

“Key Deliverables”

3. This could include a specific mention of young people i.e. YAGs
4. This needs to be more ambitious and better worded.
8. There is a need here to think about the impact of this on young people.

Resolutions:

- 1. To submit the Committee's comments on the draft Business Plan 2013-17 to the chairmen and vice-chairmen of the overview and scrutiny committees to be discussed at their meeting on 8 July 2013.**
- 2. To note that the chairmen and vice-chairmen of the four overview and scrutiny committees will agree a final report containing the committees' comments on the draft Business Plan and will submit this to Cabinet for consideration prior to it receiving the final version on 23 July 2013.**

(Duration of meeting: 12.30 - 2.25 pm)

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CHILDREN'S SELECT COMMITTEE

DRAFT MINUTES OF THE CHILDREN'S SELECT COMMITTEE MEETING HELD ON 1 OCTOBER 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Pat Aves, Ken, Cllr Mary Champion, Cllr Christine Crisp (Substitute), Cllr Andrew Davis (Substitute), Cllr Sue Evans, Mr J Hawkins, Cllr Jon Hubbard (Chairman), Cllr Chris Hurst, Cllr Simon Jacobs, KaylumHouse, Rev. A Kemp, Cllr Jacqui Lay (Vice Chairman), Cllr Helen Osborn, Cllr Sheila Parker, Dr M Thompson and Cllr Philip Whalley

Also Present:

Cllr Richard Gamble and Cllr Laura Mayes

93 **Apologies**

Apologies for absence were received from Miss Sarah Busby and Cllr Alan MacRae.

94 **Minutes of the Previous Meetings**

Resolved:

To confirm and sign the minutes of the previous meetings held on 6 June and 5 July 2013, subject to the following amendment to Minute No 77 of the meeting held on 6 June 2013:-

Min. No. 77 – Minutes of the Previous Meeting – Matters arising – Teacher Representatives on the Committee First sentence to read:-

The *Chairman* referred to discussions that had taken place at the previous meeting concerning the availability of representatives of Primary School and Secondary School Headteachers to attend meetings of this Select Committee and enquired as to how this matter was being progressed.

95 **Declarations of Interest**

There were no declarations of disposable interest or dispensations granted by the Standards Committee.

96 **Chairman's Announcements**

Secondary Parent Governor Representative

The Chairman reminded the Select Committee that in April 2013 the Council had appointed two parent governor representatives to this Committee, namely Revd. Alice Kemp as SEN schools representative and Ken Brough as primary schools representative. Unfortunately no nominations had been received for the secondary school representative and officers had restarted the process to fill this position; they were seeking interested parent governors from maintained secondary schools who would like to play a role in the work of both this Committee and that of the Schools Forum, the deadline for nominations being Friday 4 October.

Teacher Representatives

The Chairman was very pleased to announce that Miss Sarah Busby, Headteacher of St Edmund's School, Salisbury had been nominated to represent secondary headteachers on this Select Committee.

Officers were still investigating the appointment of a primary headteacher representative and were consulting the Primary Heads Forum.

97 **Public Participation**

There were no members of the public present or councillors' questions.

98 **Developing the Forward Work Programme**

Consideration was given to a report by the Chairman and the Vice-Chairman which set out outcomes of the meeting with the relevant Executive members and directors held on 15 August 2013. The purpose of that meeting was to discuss the Council's priorities for children's services and the potential future work priorities of this Committee.

The report proposed some key work priorities for this Committee for discussion, prior to referral to the Overview & Scrutiny Management Committee for endorsement. It also suggested some new ways of working with regard to Committee meetings to help achieve better productivity and add most value to the decision making process.

The Committee considered the proposed key work priorities for this Committee and commented as follows:-

- Safeguarding Children and Young People – a Safeguarding & Young People Task Group was already established.

- Family Placements – this also came under the terms of reference of the Safeguarding & Young People Task Group.
- Special Educational Needs (SEN) and Learners with Learning Difficulties and/or Disabilities (LLDD)
 - SEN in mainstream schools
 - DCA Pathfinder (joined up services for life)
 A task group should be established following a scoping exercise and a report be made back to this Committee at its next meeting.
- Further education in Wiltshire - quality, range and equity of access

A task group should be established following a scoping exercise and a report be made back to this Committee at its next meeting.
- Engaging young people in local decision-making and developing the leaders of the future – Considered to be a priority but further discussion was required with the Executive and appropriate directors before any further action was taken.
- Early intervention – A report would be made to the next meeting of this Committee to help scope O & S activity.

In generally supporting the proposed work priorities, the Committee stressed that a key factor in determining priorities should be where work undertaken could add particularly value to children’s services.

After further discussion,

Resolved:

- (1) To approve the topics proposed within the report as work priorities for the Committee and refer them to the Overview and Scrutiny Management Committee for endorsement, except provision for gifted and talented pupils, to be considered under a later item.**
- (2) To support further discussions between the Chairman and Vice-Chairman with Cabinet members, portfolio-holders and service directors to scope the agreed work priorities further, with an update coming to the Committee’s next meeting.**
- (3) To approve the programme of pre-meeting information briefings to enhance the Committee’s ability to undertake effective overview and scrutiny. Where possible, these should be aligned to items on the agenda.**

- (4) To approve the proposed approach of making greater use of task groups, rapid scrutiny exercises and fact-finding meetings for looking at topics in detail before reporting back to the Committee.
- (5) To approve the proposed approach of limiting Committee agendas to a few key items whenever possible, in order to allow greater time and therefore add more value to each topic considered.
- (6) To ask Cllr Whalley and other interested members to undertake a scoping exercise to investigate where the Committee can add value to the academies programme and report back to the Committee.
- (7) To delegate authority to the Chairman to seek membership for a task group looking at issues affecting children with SEN/LLDD, and to scope where this exercise could add value. A report back to the Committee with proposed terms of reference.
- (8) To establish a rapid scrutiny exercise to look at the quality and equality of access to further education in Wiltshire, with a report back to Committee with outcomes and proposals of where further work is required.
- (9) To request a briefing at the next meeting on Early Intervention.

99 **Executive Response to the Final Report of the Special Schools and Post-16 SEN Task Group - Part 2**

The Select Committee received a report which set out the response of the Lead Member for Children's Services to the Final Report of the Special Schools & Post-16 SEN Task Group – part 2 which was endorsed by the Committee at its meeting on 6 June 2013 and referred to the executive for response.

The Chairman reminded the Committee that the Task Group, chaired by Cllr Graham Payne, had brought an initial final report to this Committee in July 2012 and the executive response was then received in September 2012. The Committee then asked the Task Group to undertake further work and subsequently a second final report containing six recommendations was brought back to this Committee in June 2013.

After discussion,

Resolved:

- (1) To note the executives response to the Final Report of the Special Schools and Post-16 SEN Task Group – part 2.

- (2) **To request the new task group looking at issues affecting children with SEN/LLDD to note the findings of the Special Schools and Post-16 SEN Task Group.**

100 **Review of Short Break Provision for Children and Young People with SEN/LLDD**

The Committee considered a report which summarised the joint review between the Council and NHS Wiltshire Clinical Commissioning Group on overnight short breaks for disabled children and young people in Wiltshire.

The report proposed a change to the service model, including the closure of the NHS-run Hillcote residential facility and to re-invest the money in more family-based care and support services for the families of disabled children.

It was noted that the final decision on the potential closure would be taken at the NHS Wiltshire Clinical Commissioning Group Governing Body meeting in November 2013 following a three month consultation period.

Resolved:

To establish a rapid scrutiny exercise to consider proposals for reviewing the provision of overnight short breaks for children with SEN/LLDD, with authority delegated to the Chairman for seeking membership and for making arrangements to link this exercise with the public meeting currently being arranged.

101 **Support for Gifted and Talented Pupils**

Consideration was given to a report by Carolyn Godfrey, Corporate Director which provided an information briefing in relation to gifted and talented learners. It also set out an overview of the duties, nature and range of provision for gifted and talented learners in Wiltshire.

During discussion it was noted that currently there was no statutory requirement for local authorities to track or offer support specifically for gifted and talented learners. However, schools did continue to identify, track and support such children and young people to ensure that they secured their progression and enabled them to fulfil their potential.

It was suggested that schools be encouraged to make arrangements for the business community to be made aware of these gifted and talented students.

Resolved:

To welcome the report and note its contents.

102 Update on the Provision of Education for Excluded Pupils

The Committee received a report by Carolyn Godfrey, Corporate Director which provided an update on Wiltshire's participation in the three year National Secondary Exclusion Trial (SET) and the development of provision for those pupils permanently excluded or at risk of permanent exclusion since the closure of the Young Peoples' Support Service (YPSS).

It was noted that YPSS completely closed in Wiltshire at the end of August 2013 following which the funding was devolved to schools.

The Committee was informed that the SET was due to finish in July 2014. The original intention of the trial was for the DfE to consider proposing primary legislation to delegate responsibility for permanently excluded pupils from LAs to schools. The DfE had commissioned an independent evaluation of the trial and the final report was due to be published in Spring 2015, this meaning that primary legislation was unlikely to occur before 2016/17.

In these circumstances, Wiltshire secondary schools were planning for further interim arrangements beyond the end of the trial in 2014 and pending any legislation on 2016/17. The LA had indicated that there was no intention to revert to the previous arrangements of providing support for permanently excluded children centrally and had given an undertaking to work with the Wiltshire Association of Secondary & Special School Headteachers (WASSH) to continue the present arrangements by means of a Service Level Agreement.

Resolved:

- (1) To note the update report.**
- (2) To approve the arrangements proposed for continuing the model of devolving funding to secondary schools beyond the end of the exclusion trial in 2014, working with WASSH to revise the SLA.**
- (3) To request a further update report in 12 months' time.**

103 Task Group update

The Select Committee received an update on the activity of the following Task Groups:-

- Safeguarding Children and Young People Task Group
- Further Education in the Salisbury Area Task Group

Resolved:

To note the update on Task Group activity provided.

104 Coalition Changes - Update from Department for Education

The Committee received and noted a report by Carolyn Godfrey, Corporate Director, on developments relating to children's services arising from the Coalition Government.

Resolved:

To note the update provided.

105 Urgent Items

The Chairman informed the meeting that this was the last meeting to be attended by Mrs Stephanie Denovan, Service Director – Schools and Learning as she would be leaving the employment of the Council on 18 October 2013. He paid special tribute to the work she had undertaken for children and young people during her career as a teacher, headteacher and as an education officer culminating in her appointment as Service Director.

These sentiments were warmly endorsed by Mr John Hawkins and other members of the Committee who wished her every success in her future endeavours.

106 Date of Next Meeting

Resolved:

To note that the next meeting of the Select Committee would be held on Tuesday 3 December 2013 at the Council's Offices at Monkton Park, Chippenham, starting at 10.30am but preceded by a pre-meeting information briefing at 9.30am.

(Duration of meeting: 10.30 am - 1.00 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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HEALTH SELECT COMMITTEE

MINUTES OF THE HEALTH SELECT COMMITTEE MEETING HELD ON 2 JULY 2013 AT CIVIC CENTRE, ST STEPHENS PLACE, TROWBRIDGE, BA14 8AH.

Present:

Cllr Mary Champion (Substitute), Cllr Christine Crisp (Chair), Cllr Mary Douglas, Linda Griffiths, Cllr Bob Jones MBE, Cllr Gordon King (Substitute), Cllr Helena McKeown, Cllr John Noeken (Vice-Chair), Cllr Jeff Osborn, Cllr Sheila Parker, Cllr Nina Phillips, Cllr Pip Ridout, Cllr Ricky Rogers, Mr Brian Warwick and Steve Wheeler

Also Present:

Cllr Simon Killane

76 Apologies

Apologies were received from Cllr Peter Hutton.

Cllr Gordon King substituted for the Liberal Democrat Vacancy.
Cllr Mary Champion substituted for Cllr Peter Hutton

77 Minutes of the Previous Meeting

The Minutes of the meeting held 30 May 2013 were presented, and subject to the amendment to Item 62: Apologies, it was,

Resolved:

The minutes of the meeting held 30 May 2013 were signed and approved as a true and accurate record.

78 Declarations of Interest

Cllr Mary Douglas declared that she was a Non Executive Director on the Board of Aster Communities.

Cllr Mary Douglas also declared a non pecuniary interest relating to item 12 on the agenda.

Cllr Helena McKeown declared that she was Vice-Chairman of the Wiltshire Local Medical Committee and a practicing GP.

79 **Chairman's Announcements**

The Chairman outlined that the Overview and Scrutiny (O & S) Management Committee required the Committee to review the draft Business Plan before the Cabinet meeting on 23 July. As a result the Chairman proposed that the Committee scrutinise the Business Plan under urgent items.

The Chairman informed the Committee that the future of the joint Health Overview and Scrutiny Committee (HOSC) for the Great Western Ambulance Service (GWAS), needed to be decided, following the acquisition of GWAS by the South Western Ambulance Service Trust. This will be discussed and agreed under urgent items, informed by an update from Cllr Pip Ridout, who attended a recent meeting of the joint HOSC.

The Chairman stated that the CQC would be in attendance at the September Committee meeting, to report on the follow-up inspection at the RUH. The report from the inspection would be released into the public domain by the end of July 2013.

The Chairman also noted the error on the front of the agenda, detailing membership to the committee, and apologised to Steve Wheeler of Healthwatch for the omission of his name.

80 **Public Participation**

No questions from the public were received.

81 **Royal United Hospital (RUH) inspection update**

James Scott, Chief Executive, RUH gave a presentation to the Committee. He was accompanied by Francesca Thomson, Chief Operating Officer, and Mary Lewis, Director of Nursing, who responded to members' questions. The presentation included a summary of the inspection undertaken by the CQC in February 2013, which was noted as being a responsive visit.

The presentation detailed the numbers of nursing staff at the hospital. The numbers had increased over the past three years, with the number of nurses per bed being 2.44. The Chief Executive stated that there had been some problems retaining healthcare assistants but there were no issues surrounding the recruitment of registered nurses.

The role of agency nurses in regard to the CQC inspection in February was discussed, and it was considered that they were not a substantial causative factor in the outcomes from the February 2013 inspection.

The Chief Executive highlighted how the RUH was co-operating with partners, and outlined the role of the clinical forum that was launched in May 2013. In addition the RUH had appointed a Discharge Development Manager to work

with health and social care partners, and had named safeguarding leads that were now engaging with partners.

The Committee asked questions surrounding A&E pressures during the black escalation period at the time of the inspection in February 2013. It was concluded that more senior consultants had been rostered to the Medical Assessment Unit to manage the admission and discharge of patients.

The Committee discussed care package arrangements available to discharged patients. James Scott confirmed work was being done to integrate domiciliary and acute care into the wider care package available in discharge planning at the admission stage.

The Committee then questioned the discussions the RUH had following the inspection with the wider medical community and, in particular, the Avon & Wiltshire Local Medical Committees. It was confirmed that the RUH had also held discussions with the Wiltshire and BANES CCG's.

The Committee queried the budget development at RUH, and discussed the payment by results tariff. The Chief Executive also outlined the repayment of the Department of Health loan that had been repaid in full in March 2013.

A discussion was held about the use of the Day Surgery Unit to manage inpatients during the escalation period. The Chief Executive stated that there were plans to utilise the day care unit in future for short stay treatment during escalation periods as it was equipped and appropriate to manage this.

82 Changes to health scrutiny regulations

Resolved:

To note the report and the Officer recommendations contained within.

83 Francis Report and implications for health scrutiny

The Committee considered the implications of the recommendations in the report and outlined the importance of these in relation to the business plan.

The Committee discussed the possibility of linking Select Committee members as representatives to acute trusts across the region. The role of Healthwatch was highlighted and the powers at its disposal to 'enter and view'. The possibility of linking with nominated members in this capacity was also considered.

The scrutiny of Quality Accounts (QA) was considered and the Committee outlined the importance of engaging with partners to ensure that the QA process would be effective.

In response to criticism of minute-taking in Staffordshire, it was noted that a verbatim record of the discussions was not required but that if a member of the Committee wished a particular item to be recorded in the minutes, they should request it.

At the end of the discussion it was:

Resolved:

To note the report and the Officer recommendations, and agree the following proposal:

- a) To investigate opportunities to promote the Committee and its work to encourage more public participation;**
- b) In consultation with the communications team, to require officers to monitor local media reports and report any matters of interest to the Committee;**
- c) To require officers to investigate the range of health and social care complaints data available and liaise with Healthwatch Wiltshire and the CQC to agree on how this can be made available to the Committee to best effect;**
- d) To liaise with Healthwatch Wiltshire and the Wiltshire Health and Wellbeing Board to agree roles and responsibilities and develop a paper that outlines supportive arrangements to work towards similar goals.**
- e) To investigate with the acute trusts the possibility of establishing 'link' groups with the Committee to inform the Committee's responses to annual Quality Accounts.**

84 Forward Work Programme

The Committee noted the written update from Harmoni, and received a verbal update from Debbie Fielding, Accountable Officer, Wiltshire CCG, with regard to NHS 111 performance. The Committee highlighted some concern over the performance in this area. Ms Fielding was able to clarify the steady improvement in key performance areas, and stressed that further improvement would still be needed before the system would be launched in full.

Ian Biggs, Area Director, and Reine Corley, Assistant Director Clinical Strategy, represented the Bath, Glos, Swindon and Wiltshire (BGSW) area of NHS England. They provided a brief update on the proposed changes to vascular services in the region. Committee members discussed the proposed hub and spoke model and highlighted concerns over the viability of some services in the region as a result of the proposals. It was confirmed that routine treatment could still be offered in the region, but specialist treatment would be provided at one of the three proposed hubs.

The Committee noted the items on the forward work plan and reviewed the appointments to task groups. The following expressions of interest were received for task group membership;

- Cllr Jeff Osborn and Mr Brian Warwick to the Continence Services Task Group; and,
- Cllr Nina Phillips to the Review of AWP Services Task Group.

Following these discussions it was:

Resolved:

To note the update from Harmoni and the CCG regarding NHS 111; and

To note the vascular services update from NHS England.

85 Urgent Items

The Chairman outlined the Urgent Items for consideration. These were;

2a Consideration of the Business Plan

The Committee agreed that of the '12 deliverables' as identified by the O & S Management Committee on 25 June 2013, two were directly related to Health. These were:

- #5) Support the most vulnerable in our local communities and improve our safeguarding services; and,
- #10) Integrate public health at the heart of all public services.

It was noted that the Business Plan was an 'aspirational document', and that the Council faced a difficult task to balance the plan against financial restraints.

It was stated that it lacked some key information on timeframes, actions and budgets, and it was suggested that it was difficult to envisage how some of the plans could be implemented without this information.

A formal objection was raised in relation to the limited time the Committee had been given to consider the Business Plan.

It was stated that the plan lacked key focus on sustainability, children's health and obesity. It was suggested that impact assessments for children should be conducted on all corporate strategies.

The Committee welcomed the Officer recommendations made in the Francis report and implications for Health Scrutiny report (above) and felt that they should be incorporated into the Committee's response to the Business Plan. The Committee agreed that the Plan needed greater focus on partnership working.

At the culmination of the discussion, it was

Resolved:

- 1) To incorporate the recommendations from the Francis Report and implications for Health Scrutiny report into considerations for the plan.
 - 2) To suggest the inclusion of greater focus on children, sustainable futures and obesity.
- To further consider the Business Plan as the Committee work plan evolves.

2b Future Scrutiny of SWAS

Cllr Pip Ridout explained that the previous GWAS region, covering six local authority areas, was now SWAST (northern region). SWAST covered 14 local authority areas but joint scrutiny arrangements did not exist outside the northern region; SWAST would welcome further joint scrutiny arrangements. The existing joint HOSC had requested that each participating health select committee should consider whether or not it wanted the current joint arrangements to continue, noting that new terms of reference would have to be developed. The 'pros and cons' of continuing the joint HOSC were explained and it was confirmed that scrutiny officer support would be available to members attending the joint HOSC.

Resolved:

To support the continuation of a joint HOSC to scrutinise the SWAST(northern region);

That should the joint HOSC continue, Cllr Pip Ridout or Cllr John Noeken would represent Wiltshire Council at future meetings.

86 Date of Next Meeting

The date of the next meeting was confirmed as **17 September 2013** at **10:30am** in the **Council Chamber, Monkton Park, Chippenham SN15 1ER.**

POST MEETING NOTE

The date of the next meeting was changed to **10 September 2013**. The venue and time remained the same.

87 Exclusion of the Press and Public

Resolved:

To exclude press and public from the next part of the meeting by virtue of Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

88 Help to Live at Home

James Cawley, Service Director for Adult Care & Housing Strategy, presented the report to the committee outlining progress on the Help to Live at Home (HTLAH) programme. This included plans to re-tender the contract for HTLAH in some areas of Wiltshire following the decision of Aster Homes to terminate its contract.

The Committee asked what had been learnt from the failure of the Aster contract and what had been done to ensure this was not repeated in future. It was confirmed that much had been learnt through discussions with providers, including those who had tendered unsuccessfully. Discussions had also been held with sub providers in an attempt to further understand their operational limits.

The Committee supported the plan to welcome tenders from smaller, local providers and questioned the role of large providers and sub-contracting in this sector. The Committee questioned if sub-contracting would form part of the tender criteria and, if so, how it would be evaluated. It was confirmed that whilst the Council could not prevent providers from sub contracting work, this would form part of the scrutiny of future tenders.

The Committee discussed the role of zero hour contracts. It supported any moves that would remove such contracts and called for investment in the service. There was an objection to the use of any zero hour contracts as part of the tender agreement, in the belief that they were dangerous to staff and provided no protection. The Committee was informed that zero hour contracts could not be ruled out, but that the Council was working towards encouraging salaried contracts for care staff. At the end of the discussion it was;

Resolved:

- 1) That adult care be invited to provide further detail on their investigations into improving the HTLAH contracts and their correlation with it and pay structure, and also the associated training and retention for contracted staff; and,**
- 2) For this to be dealt with by a task and finish group later in the year.**

NB Cllr Helena McKeown abstained from voting and asked that this be recorded.

(Duration of meeting: 10.30 am – 1.45 pm)

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HEALTH SELECT COMMITTEE

DRAFT MINUTES OF THE HEALTH SELECT COMMITTEE MEETING HELD ON 10 SEPTEMBER 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Chris Caswill, Cllr Mary Champion, Cllr Christine Crisp (Chair), Cllr Mary Douglas, Cllr Julian Johnson (Substitute), Cllr Bob Jones MBE, Cllr Gordon King, Cllr John Knight (Substitute), Cllr Helena McKeown, Cllr John Noeken (Vice Chairman), Cllr Jeff Osborn, Cllr Nina Phillips and Mr Brian Warwick

Also Present:

Cllr Jemima Milton and Cllr Jonathon Seed

89 Apologies

Apologies for the meeting were received from Steve Wheeler from Healthwatch Wiltshire. Paul Lefever attended the meeting as a representative of Healthwatch Wiltshire.

Keith Humphries, Cabinet Member for Public Health, Protection Services, Adult Care and Housing, sent apologies for the meeting.

Cllr Sheila Parker sent apologies for the meeting. Cllr Julian Johnson attended as a substitute.

Cllr Pip Ridout sent apologies for the meeting. Cllr John Knight attended as a substitute.

Cllr Ricky Rogers sent apologies for the meeting.

The Committee also noted apologies from Justine Button from the Care Quality Commission (CQC) who was due to update the committee on the CQC inspection of the Royal United Hospital Bath (RUH).

90 Minutes of the Previous Meeting

The Minutes of the meeting held on 2 July 2013 were presented, and subject to the amendment to Item 78: Declarations of Interest, and item 88: Help to live at Home Report it was,

Resolved:

The minutes of the meeting held on 3 July 2013 were signed and approved as a true and accurate record.

91 **Declarations of Interest**

Cllr Mary Douglas and Cllr Helena McKeown referenced the declarations of interest made under Item 78 from 2 July 2013.

92 **Chairman's Announcements**

The Chair made the following announcements:

- a) The Committee expressed their thanks to Linda Griffiths of the Wiltshire & Swindon Users Network for the support and input to the Committee.
- b) The Chair invited Kevin McNamara, Head of Communications & Stakeholder Engagement, at Great Western Hospital (GWH) to provide an update on the Trowbridge Birthing Centre. It was stated that additional midwives had been recruited to staff the unit, and that the Birthing Centre was due to re-open at the end of September 2013.

The Committee then expressed some concern over the historical absence figures for midwifery during the winter period. It was agreed that figures for the sickness/absence would be provided to the committee in 6 months.

It was stated that the Workforce Staffing Committee had monitored the sickness/absence figures.

It was;

Resolved:

That the Committee would review sickness/absence figures in midwifery at its meeting in March 2014.

- c) The Chair updated the Committee with the Business Plan 2014-17 developments, and noted the suggestions and recommendations that the committee had made. The Business Plan has since been formerly approved by Council.

- d) The Chair informed the Committee that the Children's Select Committee on 10 October 2013 would be scrutinising a report on overnight stays for disabled children. Members of the Health Select Committee were informed that the Chair of Children's Select had invited any members with an interest in the topic or those who wish to contribute to the discussion, to attend the meeting.
- e) The Chair announced that meetings had been held with key partner agencies including the Chief Executives of the RUH and Salisbury District Hospitals, the CQC and Healthwatch Wiltshire, to identify how organisations can constructively work together to address the recommendations identified in the Francis Report.

Future meetings with GWH, the Royal National Hospital for Rheumatic Diseases, the CCG and the Cabinet Member for Public Health and Adult Social Care have also been planned. An update will be made to the committee following the completion of this round of meetings.

93 Public Participation

No questions were received from members of the public.

94 Update from Care Quality Commission

The Committee noted the apologies from Justine Button (CQC) and the offer to update the Committee at the next meeting.

95 Adults Safeguarding Annual Report 2012/13

The Committee welcomed Margaret Sheather, Independent Chair of the Wiltshire Safeguarding Adults Board, to present the Board's Annual Report.

The Chair invited the Committee to comment on the final draft report before being taken to the Health and Wellbeing Board.

Margaret Sheather outlined the key findings from the report and highlighted areas in the business plan that focus on developing safeguarding practices and awareness throughout the region.

The Committee questioned funding arrangements for partnership working and how funding is organised when partnerships extend beyond the county. Ms Sheather stated that partnership funding arrangements and changes to budgets and cost sharing were due to be discussed at the Health and Wellbeing Board in September 2013.

The Committee scrutinised the reported figures and focussed on the inclusion of domestic violence and abuse with regard to vulnerable adults. It was clarified that figures were included if there were additional safeguarding vulnerabilities

as opposed to those who were vulnerable to domestic abuse. Ms Sheather added that the remit of the Board was to effectively engage safeguarding adults work with; the safeguarding of children, domestic violence, bullying/hate crimes, MAPPA and wider work on community safety.

A discussion took place with regard to Safeguarding alerts, with the rise in figures being attributed to an increased awareness of safeguarding concerns. The Committee discussed the comments and reviews made in the report by the Adults Safeguarding Lead.

The Chair invited Jacqui Chidgey-Clark Director of Quality and Patient Safety at NHS Wiltshire CCG to address the committee. Jacqui Chidgey-Clark addressed the safeguarding shortcomings that had been previously identified and were continuously monitored in monthly clinical quality review meetings. Changes had also been made in new contractual arrangements.

The Committee discussed the findings that outlined the victim's relationship to alleged perpetrator and were concerned that at the number relating to care staff. The Committee agreed that the importance of training and support for care staff was crucial in reducing safeguarding incidents. Margaret reaffirmed that not all safeguarding alerts are substantiated, and that high numbers could be reflective of greater awareness of abuse as opposed to increased abuse.

Ms Sheather stated that all organisations are responsible for training their staff to meet regulatory requirements. Jacqui Chidgey-Clark confirmed that training for child and adult safeguarding is provided to all NHS organisations in the region.

James Cawley, Service Director for Adult Care and Social Housing, stated that at a recent Care Partnership AGM, safeguarding was represented as the number one priority. James Cawley confirmed that Safeguarding is a significant priority for Wiltshire Council also.

Brian Warwick then raised a question over the key plans and objectives for the Safeguarding Adults Board, and questioned the role of the Operations Group. The committee discussed the objectives listed in the report, and the role of SWASFT.

The Committee discussed the role of membership on the Board, and suggested more representation from the voluntary sector. It was explained that the views of many voluntary groups were considered. There are reporting and monitoring groups that report directly to the Board that identify issues specific to particular voluntary groups.

Cllr Jemima Milton spoke and acknowledged the work of Margaret Sheather and George O'Neil, Head of Service for Specialist Commissioning: Mental Health & Substance Misuse.

Irene Kohler, Chair of the Board at SWAN Advocacy commented that the SWAN Annual report had not been included in the Adults Safeguarding Annual Report and highlighted the role advocates have in raising alerts and concerns over representatives at risk. Margaret agreed to include the SWAN Annual Report and recognised the role of advocacy in enablement of 'at risk' adults.

Following the discussion the Committee;

Resolved:

To note the Adults Safeguarding Annual Report 2012/13.

96 Clinical Commissioning Group: Transformation Programme

Lynn Talbot, Interim Director of Community Transformation at Wiltshire CCG, made a presentation to the committee on the CCG's Community Transformation programme. The Transformation Programme focuses on moving care closer to community care.

Ms Talbot outlined the strategy of the programme and the focus on 'at risk' needs and acute care and outlined the differences attributable to various healthcare requirements.

Ms Talbot outlined the pyramid care model, detailing the number of at risk service users and the specialist types of care received. The role of neighbourhood teams in facilitating acute and primary care was also discussed, and it was conveyed that the roles would include discharge support, nursing and care home support, integrated case management and community based re-ablement. Ms Talbot invited the Committee to suggest ideas as to how neighbourhood teams could facilitate community engagement.

Ms Talbot outlined the planned urgent care community response programme that is expected to be used for winter and urgent care. This involves using a simple point of access for information sharing and access.

The Committee raised concerns over how the 23 clusters that have been identified, and how the clusters would interact with the 18 area model used by the Council. Ms Talbot confirmed that engagements with Area Boards would be encouraged and plans to utilise the Councils planned campus model to support the NHS Wiltshire Community Transformation programme would be welcomed.

The Committee raised concern over the level of engagement with older people and requested closer working with adults 'at risk', and questioned how the CCG could work to satisfy older people's needs.

The Committee welcomed the partnership plans and increased home care. Cllr Douglas questioned how cultures would be adjusted to suit the delivery of home care. Ms Talbot stated that there would be a requirement for culture change, and Wiltshire CCG is currently exploring how the voluntary sector and health and social care teams can work together.

The Committee questioned how the Council's campus programme would impact on social care and work with Area Boards.

The Committee also highlighted concerns over the lack of inclusion of GP Practice contributions to the planned service model. Lynne Talbot stated that the model is still under construction and that the CCG were working with Public Health organisations to design a complete model by October 2013. Cllr Caswill highlighted specific concerns over financial liabilities of healthcare at home, and in particular the overlap with social care. James Cawley offered clarity to Cllr Caswill's concerns, outlining differences between social care and healthcare. The Committee then questioned the construct of neighbourhood teams, and highlighted concern that there was a scope for future service delivery by Neighbourhood Teams to be conducted entirely by the private sector.

The Committee discussed monitoring the Integrated Care Fund Budget and Wiltshire's funding eligibility.

Cllr Helena McKeown then questioned how much of the £3.8bn Integrated care fund budget would be available to Wiltshire's Health and Social care providers. The Committee discussed how the fund could support homeless and the frail elderly.

Following discussions, the committee;

Resolved:

To note the update on the Wiltshire CCG Community Transformation Programme.

97 **Forward Work Programme**

NHS 111

The Committee discussed the NHS 111 service in light of the broadcast of the Dispatches: Undercover in NHS 111 television programme. Dr Steve Rowlands (Chair of Wiltshire CCG) was in attendance to answer members questions and provide an update on the service to the committee.

Dr Steve Rowlands clarified that the CCG had set up a rectification task force to monitor the performance of the 111 service, and that the task force worked with the Clinical Governance group to resolve the performance issues. There have been steady improvements in performance of the service, and it is expected

that the service will launch at some point during the autumn, once it is meeting its performance targets. The committee also raised concerns over some of the performance measures, with some concern raised by Cllr McKeown over the time taken to speak to a clinician, not time taken to answer the phone.

Task Groups

The committee noted that Task Groups for Transfers to Care, Continence Services, Clinical Commissioning Group, Review of AWP Services and Air Quality (Joint with ESC) were due to meet after the current meeting, and that updates from each would be available at the next meeting.

98 Urgent Items

There were no urgent items.

99 Date of Next Meeting

The following meeting dates were noted for future reference:

19 November 2013 – Council Chamber, Monkton Park, Chippenham.

(Duration of meeting: 12.40 pm)

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ENVIRONMENT SELECT COMMITTEE

MINUTES OF THE ENVIRONMENT SELECT COMMITTEE MEETING HELD ON 4 JULY 2013 AT COUNCIL CHAMBER, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Rosemary Brown, Cllr Brian Dalton, Cllr Dennis Drewett, Cllr Peter Edge (Vice Chairman), Cllr Peter Evans, Cllr Jose Green, Cllr Alan Hill (Chairman), Cllr Bob Jones MBE (Substitute), Cllr Jacqui Lay (Substitute) and Cllr Bridget Wayman

Also Present:

Cllr Fleur de Rhé-Philipe and Cllr Dick Tonge

69 **Apologies**

Apologies were received from Councillors Magnus Macdonald, Ian McLennan, Horace Prickett, Mollie Groom and James Sheppard.

Councillor Macdonald was substituted by Councillor Bob Jones MBE.

Councillor Prickett was substituted by Councillor Jacqui Lay.

70 **Declarations of Interest**

There were no interests declared.

71 **Chairman's Announcements**

There were no announcements.

72 **Public Participation**

There were no questions or statements submitted.

73 **Review of Business Plan Priorities**

On 25 June 2013 the Overview and Scrutiny Management Committee met to consider the Wiltshire Council Draft Business Plan 2013-17 prior to its

determination at Cabinet on 23 July 2013 and the establishment of the council's strategic direction and priorities for the next four years.

The Management Committee resolved that each Overview and Scrutiny Select Committee should consider the draft Business Plan in turn, reporting its comments on the twelve deliverables of the Business Plan as provided by the Council Executive and included within the agenda pack. The individual committees would then report on their conclusions to the Management Committee ahead of final recommendations to Cabinet.

The Chairman introduced the draft Business Plan and stated deliverables, with comments and assistance on the Plan provided by Cllr Dick Tonge, Cabinet Member for Finance, Performance, Risk, Procurement and Welfare Reform, Cllr Fleur de Rhé-Philipe, Cabinet Member for Economy, Skills and Transport, Dr Carlton Brand (Corporate Director), Alistair Cunningham (Service Director: Economy and Regeneration) and Alissa Davies (Principal Policy Officer).

The Committee then considered the draft business plan and the key deliverables, making points including but not limited to the following:

- The need for responses to climate change to be embedded in the council's policy thinking for the next four years;
- The enhanced role of the Area Boards was a positive intention;
- Given the increased role of Town and Parish Councils with delegated services, a re-evaluation of how they operated might be necessary;
- The need for the Development Service to take into account key deliverable ten with regards public health;
- The aspiration to maintain high standards and develop the skills of the workforce, within the constraints of more limited financing, would be a challenge that would need careful consideration;

The Committee also felt that as the Business Plan was a live document, scrutiny of it should also be ongoing, and that future additions should include examples demonstrating successes the council had achieved, comparisons with and the impact of national policies and events on Wiltshire, and an increased emphasis on how all plans would need to be achieved in the context of deliverable Eleven - "*Doing things differently for less to deliver at least £120m budget cost reductions over the four years*" - perhaps by making it the first key deliverable to inform perception of the remaining points.

The Committee also made points regarding the specific details and wording of the draft plan, to be reported to the Management Committee by the Chairman.

The Chairman thanked members for their valuable input and clarified that the Chairmen and Vice- Chairmen of the Select Committees and Management Committee would be meeting on 8 July 2013 to consider all the views and comments for submission of a final Overview and Scrutiny report to the Cabinet on 23 July 2013.

At the conclusion of debate, it was,

Resolved:

That taking into account the points raised above, the Environment Select Committee:

- 1) AGREED with the twelve key deliverables of the draft business plan with no additions or subtractions required, and**
- 2) Acknowledged the cross cutting themes of the deliverables, but noted that it was felt points in relation to deliverables Four, Five and Ten were outside the remit of the Committee**

The Chairman thanked members for their valuable input and explained that the Chairmen and Vice- Chairmen of the Select Committees and Management Committee would be meeting on 8 July 2013 to consider all the views and comments for submission of a final Overview and Scrutiny report to the Cabinet on 23 July 2013.

74 Urgent Items

There were no urgent items.

75 Date of Next Meeting

The next meeting was confirmed as 27 August 2013 at Salisbury City Hall.

(Duration of meeting: 10.30 - 11.40 am)

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ENVIRONMENT SELECT COMMITTEE

MINUTES OF THE ENVIRONMENT SELECT COMMITTEE MEETING HELD ON 18 JULY 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Rosemary Brown, Cllr Brian Dalton, Cllr Dennis Drewett, Cllr Peter Edge (Vice-Chair, in the Chair), Cllr Peter Evans, Cllr Jose Green, Cllr Jacqui Lay (Substitute), Cllr Magnus Macdonald, Cllr James Sheppard and Cllr Bridget Wayman

Also Present:

Cllr Toby Sturgis and Cllr Dick Tonge

76 Apologies

Apologies for absence were received from Councillors Horace Prickett, Alan Hill, Mollie Groom and Ian McLennan.

Councillor Hill was substituted by Councillor Jacqui Lay.

77 Declarations of Interest

There were no declarations of disclosable pecuniary interests.

78 Chairman's Announcements

That following the Council meeting on 09 July 2013, Councillor Philip Whalley was added to the Committee as a substitute.

79 Public Participation

There were no questions submitted.

A statement was received from Cllr Nigel Carter, Devizes Town Council, on the Future Service Delivery Report for Waste Management, the details of which are attached to these minutes.

80 Future Service Delivery Model for Waste Management

The Committee has a long standing interest in the waste service and is keen to engage with the service over its development. The Committee was made aware that a report on the future delivery of the service was due to go Cabinet

on 23 July and asked that it have the opportunity to scrutinise the report. The report was not available for the Committee's meeting on 11 June and, as the next Committee meeting is not until 27 August, an extraordinary meeting was arranged.

It has been necessary to publish the waste report as a supplement to the agenda, as the report was not available at the time of despatch. The report was made available on the publication of the Cabinet agenda. For the purpose of the Cabinet report, it was requested that it be considered by the full Select Committee rather than a Task Group.

The report was introduced by the Service Director (Waste Management Services) and Cllr Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property, Waste. It detailed the drive to harmonization of council waste services following the unification of district and county councils, and the lack of an option to extend the current contract, requiring new arrangements, with the principal options being to tender a new contract or bring the service in-house.

Following presentation of the report, the Committee considered the recommendation to Cabinet and the issues raised by the report, including but not limited to the following:

- The impact of commercial waste collection was assessed, where it was noted the council is not permitted by law to make a profit from commercial waste collection, and that the council had struggled to meet targets following a raising of the price of collection.
- The long term nature of the last waste contract was noted with concern by some of the Committee, and it was felt a shorter contract enabled greater flexibility. It was stated in reply that longer term contracts were preferred where significant capital investment was required, which would not be the case with the new collection contract, which was expected to be a far shorter length than the 25 year previous contract.
- The need for direct or indirect financial penalties in any contract was debated, and it was confirmed that although there were no direct penalties expected in any tendered contract, the ability to not extend an initial contract should the service be below the standard required, was regarded by the Cabinet Member and officers as a sufficient financial penalty.
- The cost to the council of vehicle purchases in the event of bringing the service in-house was raised in relation to the current climate of austerity and tight budgets, and it was stated that the cost, while additional, was not so great as to make the option unviable.
- With regards recycling waste collection, the possibility of comingled collection was raised, and it was stated that the rejection rate for such an option was higher than at present, although new technology was reducing those rates and would continue to be looked at as a potential future option.
- Impact on landfills to either option were also raised.

- The recommendation to Cabinet was also assessed and the Committee considered the wording unintentionally proscriptive, and suggested alternative wordings to avoid ambiguities.

The Committee also strongly criticised the lack of time and opportunity to conduct a thorough scrutiny exercise into the report, given the timelines as raised above in paragraph one.

At the conclusion of debate, and encompassing all the points considered above, it was,

Resolved:

- 1) **To offer endorsement of the general contents of the report, and**
- 2) **To suggest that the Cabinet recommendation should be amended to recommend the Cabinet invite tenders for the delivery of the waste and recycling collection service (including the chargeable waste collection service) for two options:**
 1. **to include provision of a co-mingled collection of dry recyclable material with separate collection of glass**
 2. **to include provision of a kerbside sort collection of dry recyclable material.**

And upon receiving more details make a determination on whether to deliver services in-house or to pursue the tender further at a future date, bearing in mind that option 1a as presented, if approved by Cabinet, would direct the Council to pursue an important policy direction before the full information with regards to the cost implications was known, as stated in the meeting.

81 **Date of Next Meeting**

The date of the next meeting was confirmed as Tuesday 27 August 2013 at the Alamein Suite, Salisbury City Hall.

82 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 am - 12.15 pm)

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LICENSING COMMITTEE

DRAFT MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON 2 SEPTEMBER 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Desna Allen (Vice Chairman), Cllr Trevor Carbin, Cllr Chris Caswill, Cllr Sue Evans, Cllr Jose Green, Cllr Mike Hewitt, Cllr George Jeans, Cllr Bill Moss (Substitute), Cllr Leo Randall and Cllr Pip Ridout (Chairman)

Also Present:

Cllr Peter Hutton

13 Apologies

Apologies were received from Councillors Nick Blakemore, Allison Bucknell and Simon Jacobs.

Councillor Bucknell was substituted by Councillor Bill Moss.

14 Minutes

The minutes of the meeting held on 18 February 2013 were presented. It was,

Resolved:

To APPROVE as a true and correct record and sign the minutes.

15 Chairman's Announcements

Through the Chair, the Service Director (Public Protection) announced details of the restructure of Licensing Services as a result of the council voluntary redundancy programme and other reviews. It was confirmed that the changes would be operational in nature, and that the role of the Committee itself would not be altered.

The Committee expressed its gratitude to all those staff that were leaving the council, and wished them well for the future. The need to maintain frontline Licensing services was stressed, and the challenge for the team to handle increased workloads noted.

The Cabinet Portfolio Holder for Public Protection, Councillor Peter Hutton, endorsed the comments of the Service Director, stating he had been very impressed by the professionalism of staff toward councillors and the public during challenging times, and reassured the Committee that concerns raised had been noted and would be managed appropriately.

Additionally, an update on statistics relating to Licensing Services was provided.

16 **Declarations of Interest**

There were no declarations.

17 **Public Participation**

There were no questions or statements submitted.

18 **Minutes of the Licensing Sub-Committees**

The draft minutes of all Licensing Sub-Committees between the 18 February 2013 meeting and the current meeting of 02 September 2013 were presented for consideration.

It was,

Resolved:

To **APPROVE** the minutes of the following Licensing Sub-Committee meetings:

Eastern Area

08.04.13 Application for an amendment to the Premises Licence at the Royal Oak, Easterton

15.04.13 Application for a Premises Licence, Ludgershall Development Centre, Ludgershall

Northern Area

12.04.13 Application for a Provisional Statement, SN15, 17a Station Hill, Chippenham

23.05.13 Application for a Variation to a Premises Licence, Reel Cinema, Marshfield Road, Chippenham

04.06.13 Applications for Temporary Event Notices, WOMAD, Charlton Park, Malmesbury

Southern Area

08.04.13 Application for a Premises Licence, Durrington Development Centre, Durrington

17.07.13 Application for a Variation of a Premises Licence, Eastern Chillout, Fisherton Street, Salisbury

Western Area

25.01.13 Application for a Review of a Premises Licence – Trowbridge Cricket & Sports Club, Lower Court, Trowbridge

16.04.13 Application for a Premises Licence; Edington Farm Shop & Three Daggers Brewery Bar, Edington

22.04.13 Application for a time limited Premises Licence by Sunrise Festival 2013 Ltd, Thoulston Park Golf Club, Thoulston, Chapmanslade

19 Review of Wiltshire Council's Statement of Licensing Policy

On 14 September 2012 the Licensing Committee considered a report on the new tools available to the Council when licensing premises in the county. At the time that the report was written the secondary legislation was not available and therefore the new tools could not be considered for inclusion into any subsequent review of the Councils Statement of Licensing Policy.

During the last twelve months three significant consultations have been carried out by the Home Office and the Department for Culture Media and Sports which have had further influence and change on Licensing legislation.

The Public Protection Manager (Licensing) therefore presented a report on the review of the Council's Statement of Licensing Policy. It was noted that government guidance had been reissued seven times since 2009 as part of the legislative changes that needed to be accounted for in the review. It was also stated that Area Boards would be added to the list of consultees for the review, and that where evidence suggested it was necessary, special policies could be created for specific areas, including but not limited to Milford Street in Salisbury as listed in the report.

A discussion followed, where it was confirmed that the Statement of Licensing Policy would need to be completed and approved for adoption by Full Council by November 2014, and that initial consultation was to begin as soon as the Committee approved it. Details were also sought regarding government proposals for licensing fees to be set more locally, and it was stated that for some areas fees might increase, while other area might see a decrease.

At the conclusion of discussion, it was,

Resolved:

To note the report and task Maggie Rae (Corporate Director) to carry out the next steps within the next twelve months as follows:

- **The Council must prepare and publish a new Statement of Licensing Policy before November 2014.**
- **All changes to licensing statute must be considered and included in the preparation of the Councils Statement of Licensing Policy.**
- **In the interest of giving communities a stronger say Area Boards should be added to the list of consultees when the statement has been prepared.**
- **Consideration should be given to the introduction of locally set fees when the statute allows.**
- **Emphasis must be given to the early engagement of applicants with the Licensing Authority and all Responsible Authorities where new Festival applicants are concerned.**
- **Further analysis of the available data and evidence in support of the adoption of a Special Policy for the Milford Street area of Salisbury needs to be carried out and a consultation process completed with all interested parties over a twelve week period.**

20 **Further Harmonisation of Hackney Carriage and Private Hire Licensing**

On 26 May 2010 the Licensing Committee considered and agreed a proposed set of harmonised conditions, administrative and enforcement arrangements for licensing hackney carriages (taxis), private hire vehicles, drivers and operators throughout Wiltshire. Further steps have now been proposed to finalise the process of harmonisation across the county.

The Head of Public Protection presented a report updating arrangements and recommending the introduction of a single zone for Wiltshire Council and one tariff which will apply throughout the single zone. Currently four zones existed, three of which were similar. Informal consultation had begun with taxi licence holders, and formal consultation would begin should the Committee approve it.

Additional proposals were to include a “zero tolerance” policy for alcohol and smoking, including a prohibition on the use of electronic cigarettes by drivers only.

A debate followed, where the enforceability of any “zero tolerance” policy in practical and legal terms was raised, and whether the inclusion could serve as a statement of positive intent at the least. There were discussions regarding

previous recommendations for smokers to utilize electronic cigarettes as a means to quit smoking only for drivers to be banned from using them, as well as the presence of electronic cigarettes undermining enforcement of genuine cigarettes due to the difficulties for officers to determine easily which were being used.

The difficulty of merging the four current zones into one was raised, and it was stated that following two and half years of a unified council area, although not without challenges, the process in harmonising tariffs would be less arduous and indications that those affected would be more receptive.

At the conclusion of debate, it was,

Resolved

That the Licensing Committee agree to:

- 1) The addition outlined in the condition D22 “No Smoking Policy” to include the use by drivers of electronic cigarettes.**
- 2) The inclusion of a “zero tolerance” statement on alcohol use by drivers, and,**
- 3) The principle of the future introduction of a harmonised zone for the whole of the Wiltshire Council area and one harmonised tariff to apply throughout the zone, and that formal consultation with the trade is commenced.**

21 Urgent Items

With the agreement of the Committee, the Chairman suggested that at all future meetings, there should be an agenda item to update Committee members on completed licensing applications, hearings and reviews.

Verbal updates were provided on several licences, including the WOMAD Festival, Sunrise Festival, Chalk Valley and SN15 17A Station Hill Chippenham.

22 Dates of Future Committee Meetings

The dates of the future meetings of the Committee were confirmed as:

2 December 2013

3 February 2014

(Duration of meeting: 10.30 am - 12.25 pm)

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NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 10 JULY 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Chuck Berry (Substitute), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Sheila Parker, Cllr Anthony Trotman (Chairman) and Cllr Philip Whalley

Also Present:

Cllr Howard Greenman

71 **Apologies**

Apologies were received from Councillor Bill Douglas, Councillor Peter Hutton and Councillor Mark Packard.

Councillor Peter Hutton was substituted by Councillor Chuck Berry.

72 **Minutes of the Previous Meeting**

The minutes of the meeting held on 19 June 2013 were presented.

Resolved:

To approve as a true and correct record and sign the minutes, with the amendment that Councillor Desna Allen and Councillor Mark Packard left the room after the first item for urgent business at Chippenham Town Council.

73 **Declarations of Interest**

There were no declarations of interest.

74 **Chairman's Announcements**

There were no Chairman's announcements.

75 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

76 **Planning Appeals**

The Committee noted the contents of the appeals update.

77 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications 7b, 7d and 7e as listed in the agenda pack.

Additional Information 10.07.13

78 **N/13/00755/FUL - Land Adj 2 Box Cottages, Sutton Benger, SN15 4RD**

Public Participation

Mr James Bolton spoke in objection to the application.
Mr Brian Weetch spoke in support of the application.
Mrs Elaine Weetch spoke in support of the application.

The area development manager introduced the application. There had been permission for a single storey dwelling on the site but this had since lapsed. Concern was raised over the size and height of the proposed dwelling.

The committee then had the opportunity to ask technical questions of the officer. There were no questions raised.

Members of the public then had the opportunity to address the committee with their views, as detailed above.

The local councillor, Councillor Howard Greenman highlighted the applicants had been involved in a lengthy process to work with the planning department from the pre-application stage and to address their concerns.

A short discussion took place regarding communication with the planning department, whether this was a suitable proposal for the plot and the want for a clearer drawing of the proposal.

Resolved:

For Application N/13/00755/FUL

Planning Permission be REFUSED for the following reasons:

- 1. The proposed development, by reason of its siting, scale, massing and design, represents an unjustified intrusion into the countryside and would be detrimental to the character and appearance of the site and its**

setting in a Conservation Area. The proposal will also negatively impact upon the residential amenity of neighbouring properties and therefore fails to accord with Policies C3, NE15, HE1 and H3 of the adopted North Wiltshire Local Plan 2011 and Sections 7, 11 and 12 of the National Planning Policy Framework.

2. In the current absence of a Section 106 Legal Agreement in respect of the relevant off-site financial contributions, the proposal also conflicts with Policies H6 and CF3 of the adopted North Wiltshire Local Plan 2011.

79 **N/13/00011/FUL and N/13/00012/CAC - Hazelwood Farm, Sutton Benger, SN15 4RX**

Public Participation

Mr Michael Sideras spoke in objection to the application.

Mr Groves spoke in support of the application.

Miss Sophia Thorpe spoke in support of the application.

The development control team leader introduced the application. The application had been brought back from the previous planning committee meeting to provide the additional information requested regarding the capacity of Seagry Brook and the situation with regards to M4 drainage. It was clarified that the proposed development would reduce the existing surface water discharge rate into Seagry Brook by 50% and M4 water did not affect the brook.

The committee then had the opportunity to ask technical questions of the officer. This covered whether the road surfaces in the proposal would be permeable, which could not be guaranteed.

Members of the public then had the opportunity to address the committee with their views, as detailed above.

The local councillor, Councillor Howard Greenman commented the information provided by the Environment Agency was inadequate and he requested the detailed capacity of the brook before the M4 was constructed and in the present day.

A short discussion took place regarding the site not being in a major flood risk area, whether the proposed development was considered suitable in terms of its nature and location, maintenance of the brook and links proposed with the former chicken factory site .

Resolved:

For Application N/13/00011/FUL

Planning Permission be delegated to the Area Development Manager to be GRANTED, subject to completion of the Section 106 Agreement for the following reason:

The proposed development, by reason of its siting, layout, access, design and materials, will not harm the character or appearance of the site or its setting in a Conservation Area. The proposed drainage and ecological mitigation measures are adequate, as is the level of S106 provision. As such, the proposal accords with Policies C3, NE11, HE1, H3, H6 and CF3 of the adopted North Wiltshire Local Plan 2011 and Sections 7, 10, 11 and 12 of the National Planning Policy Framework.

Subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

3 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

4 No part of the development hereby permitted shall be first brought into use until the access (road width at entrance to site 5.5m width), and layout have been completed in accordance with details shown on the approved plans ITB6118-GA-006 Revision B 'Proposed Site Access

Arrangements'. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

5 No part of the development hereby permitted shall be first brought into use and parking spaces have been completed in accordance with the details shown on the approved plans (drawing ITB6118-GA-010 Revision A titled 'Proposed Parking Arrangements' and parking schedule included in Table 1 of the Technical Note – Post Application Matters). The areas shall be maintained for those purposes at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

6 No part of the development shall be first occupied until the visibility splays shown on the approved plans have been provided with no obstruction to visibility as detailed on drawing ITB6118GA-009 Revision B 'Proposed Site Access Arrangements'. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

7 The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway. In line with (Drawing 'Service Margin Provision' numbered ITB6118-GA-12 Rev B).

REASON: To ensure that the development is served by an adequate means of access.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area and mitigate against flood risk.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting that Order with or without modification, no extensions,

fencing, walls, outbuildings, sheds, greenhouses or any other type of building shall be erected, no orchards or other extensive planting, and no raising of ground levels, shall be permitted within Flood Zone 3, as delineated on the Flood Map in Appendix D and the Site Layout Plan in Appendix E of the Flood Risk Assessment.

REASON: To ensure that there will be no increased risk of flooding to other land/properties due to impedance of overland flood flows and/or reduction of flood storage capacity and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions.

10 No materials, including spoil arising from the excavation of the conservation ponds, shall be deposited (either permanently or temporarily) within Flood Zone 3 as delineated on the Flood Map in Appendix D and the Site Layout Plan in Appendix E of the Flood Risk Assessment during the course of development.

REASON: To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.

11 No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details of how the scheme shall be maintained and managed after completion. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

12 No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: To ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

13 The development hereby permitted shall not be first occupied until the approved sewage disposal works proposed have been completed in accordance with the submitted and approved details.

REASON: To ensure that the development is provided with a satisfactory means of drainage.

14 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment shall be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

15 Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

(i) Full details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls / walls, service routes, surface water outfall, visibility splays, accesses, carriageway gradients, driveway gradients, car parking and street furniture, including

timetable for provision of such works unless an alternative timetable is agreed in the approved details;

(ii) Submission of a Landscape and Ecological Management Plan, to include details of pre and post-construction measures together with monitoring details; and

(iii) Full details and samples of all external materials.

The works shall be carried out in accordance with the approved details.

REASON: In the interests of the character, appearance, amenity and highway safety of the area.

16 Notwithstanding the approved drawings, the development hereby permitted shall not be first occupied until details of the following have been submitted to and approved in writing by the Local Planning Authority:

(i) Full details of the improvements to Public Footpath 8 (including specification details and in line with drawing titled 'Indicative Footpath 8 Improvements' numbered ITB6118-GA008 Revision A); and

(ii) Full details of the Seagry Road traffic calming measures including specification details (in line with drawing titled 'Potential gateway feature and visual narrowing on Seagry Road' numbered ITB6118-GA-007 Revision C).

The 10th (tenth) dwelling shall not be first occupied until the Seagry Road traffic calming measures have been provided in accordance with the approved details;

The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

17 Finished floor levels shall be set no lower than 55.305 metres above Ordnance Datum.

REASON: To reduce the risk of flooding to the proposed development and future occupants.

18 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

(iii) the parking of vehicles of site operatives and visitors;

(iv) loading and unloading of plant and materials;

(v) storage of plant and materials used in constructing the development;

- (vi) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vii) wheel washing facilities;
- (viii) measures to control the emission of dust and dirt during construction;
- (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- (x) measures for the protection of the natural environment.
- (xi) hours of construction, including deliveries; and
- (xii) demolition works and disposal of demolition materials

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

19 The development hereby permitted shall be carried out in accordance with the following approved plans:

121207-HF-TPP rev A-AM - Tree Protection Plan

Received 21 December 2012

- 1117.11 A - House Type 'B': Plot nos. 15, 16, 17, 20 & 21**
- 1117.12 A - House Type 'C1': Plot nos. 1 & 9**
- 1117.13 A - House Type 'C2': Plot nos. 2 & 3**
- 1117.14 A - House Type 'E': Plot nos. 8 & 13**
- 1117.15 A - House Type 'F1': Plot no. 19**
- 1117.16 A - House Type 'F2': Plot no. 14**
- 1117.17 A - House Type 'G1': Plot no. 18**
- 1117.18 A - House Type 'G2': Plot no. 12**
- 1117.20 A - Garages to Plot nos. 13, 14 & 19**

Received 11 February 2013

MWA 1117.22 - Garden Stores: Typical Design

Received 27 February 2013

274/P4 rev B - Landscape Strategy

Received 11 March 2013

1117.10 B - House Type 'A': Plot nos. 6 & 7

1117.19 B - House Type 'D': Plot nos. 4, 5, 10 & 11

Received 19 March 2013

**1117.06 H - Proposed Site Plan
1117.21 C - Proposed Site Plan**

Received 15 May 2013

**ITB6118-GA-006 Revision B - Proposed Site Access Arrangements
ITB6118-GA-010 Revision A - Proposed Parking Arrangements
ITB6118-GA-009 Revision B - Proposed Site Access Arrangements
ITB6118-GA-008 Revision A - Indicative Footpath & Improvements
ITB6118-GA-007 Revision C - Potential gateway feature and visual
narrowing on Seagry Road**

Received 21 June 2013

REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES:

1 Any alterations to the submitted and approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

2 The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

3 There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.

4 Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws the prior written consent (Flood Defence Consent) of the Environment Agency is required for any proposed works (permanent or temporary) or structures (including any surface water drainage outfall)

in, under, over or within 8 metres of the top of the bank of the Sutton Benger Brook, designated a 'main' river. The need for this consent is over and above the need for planning consent. The applicant is advised to contact Daniel Griffin on 01258 483421 to discuss the scope of the Environment Agency's controls.

Resolved:

For Application N/13/00012/CAC

Conservation Area Consent be GRANTED, for the following reason:

The proposed development, by virtue of the extent, type and quality of buildings to be demolished and prospect of a suitable replacement, will not harm the character or appearance of the Conservation Area or its setting. As such, the proposal accords with Policies C3 and HE2 of the adopted North Wiltshire Local Plan 2011 and Section 12 of the National Planning Policy Framework.

And subject to the following conditions:

1 The works for which Conservation Area Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 No building operations shall commence on site until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area and neighbouring amenities.

3 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

(xiii) the parking of vehicles of site operatives and visitors;

(xiv) loading and unloading of plant and materials;

(xv) storage of plant and materials used in constructing the development;

(xvi) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

(xvii) wheel washing facilities;

(xviii) measures to control the emission of dust and dirt during construction;

(xix) a scheme for recycling/disposing of waste resulting from demolition and construction works; and

(xx) measures for the protection of the natural environment.

(xxi) hours of construction, including deliveries; and

(xxii) demolition works and disposal of demolition materials

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

4 The development hereby permitted shall be carried out in accordance with the following approved plans:

Red Line Plan

Received 21 December 2012

1117.21 C - Proposed Site Plan

Received 15 May 2013

REASON: For the avoidance of doubt and in the interests of proper planning.

80 **N/12/03816/FUL - Land Adjacent 57c Kington St Michael, SN14 6JE**

The area development manager introduced the application. He described the site as an undeveloped one that appeared prime for development. Permission for a dwelling had been granted in the past but this had since lapsed. The proposal was for a 4 or 5 bedroom property with a detached garage and the area development manager believed this proposal to be too much build for the site.

The committee then had the opportunity to ask technical questions of the officer. There had been no calculations regarding the footprint of the proposal in comparison to neighbouring properties, although the plans did give a rough guide.

There were no comments from members of the public.

The local councillor, Councillor Howard Greenman stated there may be room for negotiation with regards to the size of the dwelling.

Resolved:

For Application N/13/00755/FUL

Planning Permission be REFUSED for the following reason:

1. The proposed scale and design of the dwelling would not preserve and / or enhance the character and amenity of the conservation area of the residential character of the locality. The proposed dwelling by virtue of its scale in relation to plot size would not provide adequate usable private amenity space and would therefore not secure an acceptable level of private amenity space. The proposal is therefore contrary to policies C3 and HE1 of the North Wiltshire Local Plan 2011.

2. The proposed development does not make any provision for securing a contribution to affordable housing or public open space. No information has been submitted to justify why policies C2, H6 and CF3 of the Local Plan have not been complied with. In the absence of an agreement to secure such contributions or information justifying why such contributions should not be sought, the application fails to comply with policies C2, H6 and CF3 of the North Wiltshire Local Plan 2011.

81 **N/13/00622/FUL - The Annexe, 6 Elm Hayes, Corsham, SN13 9JW**

Public Participation

Mr Peter Davis spoke in support of the application.

Mrs Irene Simpkins spoke in support of the application.

Mr Marc Willis spoke in support of the application.

The development control team leader introduced the application. The site had an annexe and the proposal was for this to be made into an independent dwelling. There would be little change in terms of visual impact and the main concern was the relationship between the existing dwelling and the proposed independent one. It was confirmed in an amendment to the report that the applicant was content to contribute towards the provision of off-site public open space.

The committee then had the opportunity to ask technical questions of the officer. It was confirmed the building had initially been allowed as it was tied to the original property.

Members of the public then had the opportunity to address the committee with their views, as detailed above.

The local councillor, Councillor Philip Whalley then spoke in favour of the application. He underlined that the building already existed and had been occupied for six years without any problems. It was a small and modern dwelling that could be put to good use adapted as it was for a disabled person with its own pedestrian access and vehicular access.

A short discussion took place regarding the amenity space of the properties concerned and the need to bring unused properties back into use. Concern was raised regarding setting a precedent in the neighbourhood.

Resolved:

For Application N/13/00622/FUL

Planning Permission be DELEGATED to the area development manager to put in suitable conditions, including for boundary design and for any vegetation to be native species, and in addition to remove permitted development rights.

82 **N/13/01090/S73A - Dominos, 119 The Pippin, Calne, SN11 8JQ**

The area development manager introduced the application. Dominos pizza in Calne proposed to increase sales from the unit to be able to operate until 12 midnight with the addition of delivery sales until 1.00am on Friday and Saturday nights only. Letters had been received regarding anti-social behaviour, however the environmental health department did not object to the proposal.

The committee then had the opportunity to ask technical questions of the officer. It was confirmed the change in hours could be agreed for a temporary period and then not be brought back to the committee, but delegated for an officer to agree or otherwise.

The local councillor, Councillor Howard Marshall highlighted the Town Council were strongly opposed to changing the hours, however licenses of nearby comparable businesses suggested there were not grounds for refusal.

Resolved:

For Application N/13/00755/FUL

The area development manager introduced the application. There had been permission for a single storey dwelling on the site but this had since lapsed. Concern was raised over the size and height of the proposed dwelling.

The committee then had the opportunity to ask technical questions of the officer. There were no questions raised.

Members of the public then had the opportunity to address the committee with their views, as detailed above.

The local councillor, Councillor Howard Greenman highlighted the applicants had been involved in a lengthy process to work with the planning department from the pre-application stage and to address their concerns.

A short discussion took place regarding communication with the planning department, whether this was a suitable proposal for the plot and the want for a clearer drawing of the proposal.

Resolved:

For Application N/13/01090/S73A

Planning Permission be GRANTED

Subject to the following conditions:

1) The variation of hours contained within condition 2 of this permission shall be discontinued and the hours of operation returned to those approved under planning permission 12/00198/S73A on or before 30th July 2014 with a review in 12 months by the area development manager and the application not to be brought back to the committee, unless called in by the local councillor.

Reason: To allow monitoring of the revised opening times

2) The use hereby permitted shall be for the sale of pizzas only and no other hot food takeaway. There shall be no cooking or sale of pizzas outside the hours of 09:00-24:00 on any day except Fridays and Saturdays when cooking and delivery of pizzas shall be permitted until 01:00 hours.

Reason: To protect the amenity of the local residents.

3) Any fixed plant associated with the proposed development shall be so sited and designed as to not exceed the following criteria: 45dBA_{3q}(1hr) and noise rating (NR) curve 40dBA, when measured at 1m from any residential window.

Reason: To protect the amenity of nearby residents.

4) The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Plans: Location plan dated 10th April 2013.

REASON: For the avoidance of doubt and in the interests of proper planning.

83 **Urgent Items**

There were no urgent items.

The Officer who has produced these minutes is Alexa Smith, of Democratic Services,
direct line (01249) 706610, e-mail alexa.smith@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 31 JULY 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Desna Allen (Substitute), Cllr Glenis Ansell (Substitute), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Peter Hutton (Vice-Chair), Cllr Mark Packard, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Anthony Trotman (Chairman) and Cllr Philip Whalley

Also Present:

Cllr Howard Greenman, Cllr Simon Killane, Cllr Linda Packard and Cllr Fred Westmoreland

84 **Apologies**

Apologies were received from Cllrs Marshall and Douglas.

Cllr Marshall was substituted by Cllr Ansell.
Cllr Douglas was substituted by Cllr Allen.

85 **Minutes of the previous Meeting**

The minutes of the meeting held on 10 July were presented.

Resolved:

To approve as a true and correct record and sign the minutes.

86 **Declarations of Interest**

Cllr Sturgis declared an interest in agenda item 7c, 13/01174/FUL – The Forge, High Street, Malmesbury. He declared he would participate in the debate and vote with an open mind.

87 **Chairman's Announcements**

The Committee gave its thanks to Rosemary Lansdowne, Senior Planning Solicitor for her work over the past two years and wished her well in her new role.

88 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

89 **Planning Appeals**

The Committee noted the contents of the appeals update.

90 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications **7b** and **7c** as listed in the agenda pack.

91 **13/01483/FUL - 1 Chestnut Road, Chippenham, Wiltshire SN14 0EY**

Public participation

Charles Manning spoke in support of the application.
Cllr John Scragg spoke in objection to the application

The officer introduced the report which recommended planning permission be delegated to the Area Development Manager to approve subject to the completion of a Section 106 agreement.

He explained that after negotiation the external finish had been amended so as to be predominately painted render, in keeping with the neighbouring property, No. 5 Chestnut Road. The Committee's attention was drawn to the known intermittent parking problems on Chestnut Road, and it was explained that planning proposals can only address the direct impacts of development and cannot be expected to remedy a pre-existing situation. The proposal made adequate provision to meet the needs of the development proposed for off street parking against the Council's adopted standards.

There were no technical questions asked.

Members of the public then had the opportunity to address the committee as detailed above.

The local member, Cllr Linda Packard spoke in objection to the application, noting the lack of a bay window being out of character and appearance with other properties in the area and the revised driveway arrangements resulting in a loss of a parking space.

In the debate that followed the Committee noted that there were other one off developments near the proposal and that the design was to the satisfaction of the officer.

Resolved:

To DELEGATE authority to the Area Development Manager to grant the application, subject to completion of a Section 106 legal Agreement, for the following reason:

The proposed development, by virtue of its location, siting, scale, massing, design and materials, is acceptable in principle and will not harm the character or appearance of the site or its setting.

The proposal will not result in detriment to residential amenity or highway safety and as such accords with Policies C3 and H3 of the adopted North Wiltshire Local Plan 2011 and Sections 6 and 7 of the National Planning Policy Framework.

And subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been inspected on site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: In the interests of visual amenity and the character and appearance of the area.

- 3. The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.**

REASON: In the interests of highway safety.

- 4. No part of the development hereby permitted shall be first occupied until the access and parking spaces have been completed in**

accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

5. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

6. The development hereby permitted shall be carried out in accordance with the following approved plans:

**788/CAM/2013/1 rev A – Proposed Plans and Elevations
Received 16 July 2013**

REASON: For the avoidance of doubt and in the interests of proper planning.

92 **13/01147/FUL - Glen Echo, Lower Kingsdown Road, Corsham SN13 8BB**

Public participation

Mr Downes and Mr Stuchbury spoke in objection to the application.

Mr Stevens spoke in support of the application.

Cllr Pauline Lyons, Box Parish Council spoke in objection to the application.

The officer introduced the report which recommended planning permission be granted subject to conditions, and drew attention to the late observations tabled at the meeting. He highlighted the issues as being the principle of the development in the green belt, the impact on the openness of the green belt, the impact on the visual amenity of the street scene, the impact on the area of outstanding natural beauty, the impact on neighbouring amenity and land stability. He noted that the existing dwelling was in a poor state of repair and explained that the proposed building had been re-orientated by approximately 15 degrees which allowed for views down the valley and meant that no windows looked directly into the neighbouring property's lounge room. The Committee was reminded of paragraph 60 of the NPPF which stated that 'decisions should not attempt to impose architectural styles and they should not stifle innovation, originality or initiative. It is, however, proper to seek to promote local distinctiveness.'

The Committee then had the opportunity to ask technical questions of the officer during which the 4m hedge height was queried and it was confirmed that this

could be added as an informative or to the landscape management plan. The issue of subsidence was raised and it was explained that although there was no policy for it within the plan, the science was feasible, achievable and correct. Confirmation was given that the Council's Building Control Officers had reviewed the proposals and considered them to be sound based on the available information.

Members of the public then had the opportunity to address the committee as detailed above.

The local member, Cllr Sheila Parker spoke in objection to the application, noting that the increase in volume of 25% would have an impact on the openness of the green belt; the design was not in keeping with others and raised concern over destabilisation.

In the ensuing debate the Committee noted that the existing building was in a poor state of repair being an insurance write off and that a 25% increase in volume was acceptable.

Resolved:

To GRANT planning permission for the following reason:

The proposed development will not be materially larger than the dwelling it will replace and will preserve the openness of the Green Belt. The proposal would have a contemporary design but would not cause harm to the area or the landscape character of the Area of Outstanding Natural Beauty. The proposal would also not result in the loss of neighbouring residential amenity.

The proposal therefore accords with Policies C3, H4, NE1, NE4 and NE14 of the adopted North Wiltshire Local Plan 2011 and Sections 7, 9 and 12 of the National Planning Policy Framework.

Subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2. No development shall commence on site until samples and full details of the stone, timber and sedum roofs to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY- C3.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B and E shall take place on the dwelling house(s) hereby permitted or within their curtilage.

REASON: In the interests of protecting the Green Belt from Inappropriate Development.

POLICY: National Planning Policy Framework.

4. No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work – Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

POLICY- NE14.

- 5. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:**
- a) the parking of vehicles of site operatives and visitors;**
 - b) loading and unloading of plant and materials;**
 - c) storage of plant and materials used in constructing the development;**
 - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
 - e) wheel washing facilities;**
 - f) measures to control the emission of dust and dirt during construction;**
 - g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and**
 - h) measures for the protection of the natural environment.**
 - i) hours of construction, including deliveries;**

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

POLICY – C3.

6. The development hereby permitted shall be carried out in accordance with the following approved plans:

Design and Access Statement – Received 19 April 2013.

Location/Block Plan 316.01 B – Received 19 April 2013.

Existing Floor Plans 316.02 B – Received 19 April 2013.

Existing Elevations 316.03 B – Received 19 April 2013.

Proposed Upper and Lower Ground Floor Plans 316.04 B – Received 19 April 2013.

Proposed First Floor Plan and Roof Layout 316.05 B - Received 19 April 2013.

Proposed Elevations 316.06 B - Received 19 April 2013.

Proposed Site Sections 316.07 B - Received 19 April 2013.

Shared Access/Parking Cross Sections 316.08 A – Received 21 May 2013.

Land Stability Report – Received 6 June 2013.

Email from applicant – Received 12 July 2013.

REASON: For the avoidance of doubt and in the interests of proper planning.

POLICY- C3, H4, NE1, NE4 and NE14

To delegate to the Area Development Manager to add an informative for maintaining the hedge line at 4m.

93 **13/01174/FUL - The Forge, High Street, Malmesbury, Wiltshire SN16 9AT**

Public participation

Ms Phillips spoke in objection to the application.

Mr McAleavy and Mr Andrew Poynton spoke in support of the application.

The officer introduced the report and drew attention to the late observations which recommended planning permission be delegated to the Area Development Manager to grant subject to the completion of a Section 106 agreement and conditions. He confirmed that the site was not within the town centre and not considered a retail unit. The applicants had worked with officers to maintain a more industrial style frontage and submitted revised plans which maintained the parapet wall at its current level.

The Committee then had the opportunity to ask technical questions of the officer. There were no questions raised.

Members of the public then had the opportunity to address the committee as detailed above.

The local member, Cllr Simon Killane noted the clarification over the change of use and confirmed that further discussions with Malmesbury Town Council on both this and the work done to mitigate privacy concerns had resulted in the removal of any objections.

A short discussion took place regarding evolving buildings and accepting alternate uses for properties.

Resolved:

To DELEGATE to the Area Development Manager to grant planning permission subject to the completion of a Section 106 Agreement for the following reason:

The proposed development, by virtue of its design and revised appearance, will not harm the character or appearance of the host dwelling or its setting in a Conservation Area and will not in any case result in the loss of residential amenity. The proposal therefore accords with Policies C3, H3, CF3 and HE1 of the adopted North Wiltshire Local Plan 2011 and Sections 7 and 12 of the National Planning Policy Framework.

Subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.**

REASON: In the interests of visual amenity and the character and appearance of the conservation area.

POLICY- C3 and HE1 of the North Wiltshire Local Plan 2011.

- 3. No development shall commence on site until a sample wall panel, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.**

REASON: In the interests of visual amenity and the character and appearance of the conservation area.

POLICY- C3 and HE1 of the North Wiltshire Local Plan 2011.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B, C, D and E shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

POLICY- C3 and HE1 of the North Wiltshire Local Plan 2011.

5. The development hereby permitted shall be carried out in accordance with the following approved plans:

Design and Access Statement - Received 18 April 2013.

Site Location and Block Plan - Received 18 April 2013.

Plan View Existing - Received 18 April 2013.

Plan View Proposed - Received 18 April 2013.

Existing Elevations - Received 18 April 2013.

Section Plan - Received 9 June 2013.

Revised Proposed Elevations - Received 11 June 2013.

Email from applicant - Received 12 June 2013

REASON: For the avoidance of doubt and in the interests of proper planning.

POLICY- C3, H4, BD2 and HE1 of the North Wiltshire Local Plan 2011

94 **13/01254/FUL - Garages at Stubbs Lane, Kington St Michael, Chippenham, Wiltshire SN14 6HX**

Public participation

Mr Watt-Jones spoke in objection to the application.

Mr and Mrs Labouchere and Mr Richards spoke in support of the application.

The officer introduced the report which recommended planning permission be refused. He noted the site benefits from consent for a dwelling, however the approved scheme was not well supported. He explained that the proposal's scale, bulk, mass and especially height did not respect characteristics and

constraints of the location. Additional information had been submitted by the applicants at the start of the meeting regarding the drainage and flooding matters however there had been no time to review and therefore this could not be commented on. The ecologist had signed off the approved scheme however as the proposal now included a basement element this information would need to be updated. He acknowledged that he had not asked the applicants to submit further information due to the costs involved and that refusal was also recommended around the design and character and the lack of a Section 106 Agreement.

The Committee then had the opportunity to ask technical questions of the officer and it was noted that examples of materials shown was a preferred option to ensure appropriateness.

Members of the public then had the opportunity to address the committee as detailed above.

The local member, Cllr Howard Greenman spoke in support of the application, recognising the lack of support for the existing scheme and noting the proposal was more sympathetic to its surroundings. He drew the Committee's attention to their decision on a previous application heard at this meeting and urged them not to be inconsistent with their decision-making.

A debate followed, during which concerns were raised over the scale of the proposal and materials used. The Committee noted that there was a variety of properties within the village that were made out of a variety of materials including Bradstone. It was noted that the parish council and villagers were in support of the application and the design was in keeping with other two storey properties in the village. Concerns were raised over the use of aluminium windows in a conservation area, the need to see sample panels of the materials used, the risk of flooding and the effect on the water voles.

A motion to move the officers recommendation was seconded. A vote was taken and lost.

Resolved:

To DELEGATE authority to the Area Development Manager in consultation with the Chairman of Northern Area Planning Committee to grant the application for the following reason:

The development is considered to respect the character of the locality, to preserve the character and appearance of the conservation area and will not have a harmful impact upon the setting of the Grade II* listed Church of St Michael and its Grade II listed lychgate. The proposal complies with Policies C3, H3, HE1 and HE4 of the adopted North Wiltshire Local plan and the National Planning Policy Framework.

Subject to:

- i. The submission of satisfactory assessments and information to resolve the outstanding matters relating to flood risk and ecology;**
- ii. Conditions to be drafted by the Area Development Manager in consultation with the Chair of the Northern Area Planning Committee to include approval of sample materials; and**
- iii. Completion of a legal agreement to secure the contribution of £26,000 contribution towards affordable housing and £7,400 towards improvement to the Kington St Michael Recreation Ground.**

95 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.01 - 8.25 pm)

The Officer who has produced these minutes is Kirsty Butcher, of Democratic Services, direct line 01225 713948, e-mail kirsty.butcher@wiltshire.gov.uk

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NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 21 AUGUST 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Christine Crisp, Cllr Bill Douglas, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Peter Hutton (Vice-Chair), Cllr Simon Killane (Substitute), Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Anthony Trotman (Chairman), Cllr Nick Watts (Substitute) and Cllr Philip Whalley

Also Present:

Cllr Alan MacRae and Cllr Jane Scott OBE

96 Apologies

Apologies were received from Cllrs Howard Marshall and Mark Packard.

Cllr Marshall was substituted by Cllr Killane.

Cllr Packard was substituted by Cllr Watts.

97 Minutes of the previous Meeting

The minutes of the meeting held on 31 July were presented.

Attention was drawn to the following points:

13/01147/FUL – Glen Echo, Lower Kinsdown Road, Corsham SN13 8BB

The minute referred to the local member as being Cllr Linda Packard – this was incorrect and it was agreed that the minutes be amended to read Cllr Sheila Parker.

13/01174/FUL – The Forge, High Street, Malmesbury SN16 9AT

Councillor Sturgis declared a non-pecuniary interest in this item which had not been reflected in the minutes and it was agreed that the minutes be amended to reflect this.

13/01254/FUL – Garages at Stubbs Lane, Kington St Michael, Chippenham SN14 6HX

The Committee's attention was drawn to a query that had been received over the accuracy of the minutes and in particular the wording on page 11 of the agenda.

Resolved:

To approve as a true and correct record and sign the minutes, subject to the amendments detailed above.

98 **Declarations of Interest**

Councillor Sturgis declared a non-pecuniary interest in agenda item 7b – 13/00746/FUL – Hardenhuish Comprehensive School, Hardenhuish Lane SN14 6HR as Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste. He declared he would participate in the debate and vote with an open mind.

99 **Chairman's Announcements**

There were no Chairman's announcements.

100 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

101 **Planning Appeals**

The Committee noted the contents of the appeals update.

102 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications **7a** as listed in the agenda pack.

103 **13/01198/FUL & 13/01226LBC Buildings and Land at Hartham Park, Corsham, SN13 0RP**

The Committee's attention was drawn to the need for two votes on the item, both the planning permission and the listed building consent; and the additional information tabled at the meeting.

Public Participation

Mr Webb, Mrs Webb and Peter Rouse spoke in objection to the application.

Tim Gent, Christie Slade and Allan Bosley spoke in support of the application. Cllr Ashley Juniper, Biddestone Parish Council, spoke in objection to the application.

The officer introduced the report which recommended that, subject to all parties entering into a legal agreement under S106 of the Act, permission be delegated to officers to grant planning permission subject to conditions. He noted several components involved in the design including an art barn, pavilion, maintenance building, gas house / interpretation centre, teaching accommodation, lecture theatre and energy centre; and drew attention to the similarity in design to the existing proposal.

He confirmed that there would be 600 students and 60 teachers, and 365 parking spaces, with 200 reserved for Bath Spa University.

He highlighted the main issues as being the generation of traffic, especially around Hartham Lane, including the junctions at either end of the lane, and in Biddestone.

The Committee's attention was drawn to the existing permission, the late observations, the improvements of the junction with the A4 that were embedded in the permission and the installation of passing places in Hartham Lane.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that the number of parking places, being 365 in the proposal, was the same as available now and in the existing permission. The amount of additional traffic was seen as small, and a transport assessment found that a significant majority would turn south to the A4. The Committee was informed that an advisory could be added to suggest traffic turning onto Hartham Park Lane a left turn only.

Members of the public then had the opportunity to address the committee as detailed above.

As the application affected two divisions, two local members addressed the Committee. Cllr Jane Scott OBE, local member for By Brook, explained that she had looked at it from two perspectives. As Leader of Wiltshire Council she acknowledged the importance of the scheme, noting how it would lead to richer communities. Being the representative for Biddestone for many years she drew attention to the need to protect it given its location in the Cotswold Area of Outstanding National Beauty, and stressed the need to work together in order to both protect and make progress. She raised concern over delivery traffic coming through the village, requesting that suppliers were closely worked with to ensure this did not happen and that construction traffic was directed all off the A4 and not given an exit off Hartham Park Lane, with strong monitoring being in place to enforce this. She confirmed that she would like to see the exit on to Hartham Park Lane as no left turn, or changes made to the exit to make the left

turn difficult and hoped that the establishment of the code of conduct for students would be done in conjunction with Biddestone Parish Council.

Cllr Alan Macrae, local member for Corsham Pickwick drew attention to the restaurant on the site which had previously been closed but was now open and adding to the traffic. He noted the importance of the proposal to the surrounding areas and supported Cllr Scott's request for construction traffic to come from the A4. He drew attention to the sewage problems suffered by Hartham hamlet over the past 20 years, seeing the proposed drainage strategy as an advantage to residents, and noted the additional capacity to look at more passing places if required.

During the debate that followed the Committee discussed the need to consult with Biddlestone Parish Council and Corsham Town Council when establishing the code of conduct for students. The location of Sainsburys and Macdonalds in Cepen Park South was highlighted as potentially being attractive to students and this should also be addressed within the code of conduct. Concern was raised over the both delivery and construction traffic and the proposal of a construction method statement was welcomed.

Resolved:

In the matter of 13/01198/FUL:

Subject to all parties entering into a legal agreement under s106 of The Act in respect of

- 1. Improvements of the Hartham Lane/A4 junction**
- 2. Provision of passing places on Hartham Lane, together with arrangements for performance monitoring and provision of additional passing places should unacceptable delays be identified.**
- 3. Provide and operate a 40 person capacity low carbon (electric/hybrid) bus link between the site and central Corsham in perpetuity (including provision of alternative, in the event of a breakdown),**
- 4. Creation, agreement, implementation and regular review of car parking management plan.**
- 5. Establishment, agreement and implementation of a code of conduct for students and staff in relation to travel to the site and car parking, with defined disciplinary measures for any students not complying with management arrangements. Such a code of conduct shall have been drawn up in consultation with Corsham Town Council, Biddestone and Slaughterford Parish Council and shall specifically set out measures to avoid students and staff making use of the Sainsbury's and McDonalds car parks at the Western edge of Chippenham,**
- 6. Establishment, agreement and implementation of a travel plan for the entire site (and all uses taking place), with the principal**

objective to reduce car trips to the site at all times during the academic year

7. Control of access to the site

Then:

To delegate to Officers for Planning Permission to be GRANTED for the following reason:

The proposed D1 educational development is considered to suitably co-exist and reinforce existing business activities at Hartham Park. Although greater in scale than development previously permitted at the site which is situated away from identified settlements, the use of suitably worded planning conditions and planning obligations, are considered to successfully mitigate against the generation of unacceptable levels of traffic upon the surrounding highway network and potential adverse impacts upon highway safety. As such, the proposal is considered to comply with the provisions of Policies C3, NE4 and NE9 of the adopted North Wiltshire Local Plan 2011, as well as meeting the dimensions and principles set out within the National Planning Policy Framework. In other respects the proposal is considered to preserve the special historic interest of the listed buildings and, subject to the imposition of suitably worded planning conditions, not to present an unacceptable impact upon the ecological value of the site nor the amenities of neighbouring residential properties in accordance with Policies C3 and HE4 of the North Wiltshire Local Plan 2011.

Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans and documents subject to such minor amendments to the development as may be approved in writing under this condition by the local planning authority.

Plans

SAV01 Site Location Plan
AP(0)05E Proposed Site Plan
AP(0)07H Proposed Lower Ground Floor Plan
AP(0)08H Proposed Ground Floor Plan
AP(0)09H Proposed First Floor Plan
AP(0)10D Proposed Roof Plan

AP(0)11G Proposed Elevations
AP(0)12G Proposed Elevations
AP(0)13G Proposed Elevations
AP(0)20B Proposed Pavilion
AP(0)22 Proposed Art Barn
AL(0)05I Proposed Energy Centre Plans
AL(0)06G Proposed Energy Centre Elevations
AL(0)40A Existing and Proposed Sticke Court
202.01M Landscape Masterplan
202.02G Landscape Drawing
202.05D Landscape Proposals
AL(0)82 Condition Wall Condition Survey (1)
AL(0)83 Conditional Wall Condition Survey (2a)
AL(0)84 Conditional Wall Condition Survey (2b)
AL(0)85 Conditional Wall Condition Survey (b)
AL(0)91A Condition Survey Sticke Court
AL(0)101 Gas House Condition Survey

IMA-13-010 Plan 12A A4 Hartham Lane Proposed Junction Improvements
IMA-13-010 Plan 14 – Proposed Passing Place
IMA-13-010 Plan 15 – Proposed Passing Place at PV access
IMA-13-010 Plan 16 – Passing Places / Highway Works along Hartham Lane
IMA-13-010 Plan 17 – Passing Places / Highway Works along Hartham Lane
IMA-13-010 Plan 18 – Highway Works – North of Hartham Park
IMA-13-010 Plan 19 – Passing Places along Hartham Lane Inter-visibility

Documents

Design and Access Statement (revision C, July 2013)
Heritage Statement prepared by Mitchell Taylor Workshop
Sticke Court Photographic Record (May 2013) prepared by Mitchell Taylor Workshop
Hartham Park Sticke Court Schedule of Works Rev A prepared by Mitchell Taylor Workshop
Hartham Park Gas House and Works Schedule of Works Rev A prepared by Mitchell Taylor Workshop
Planning Statement prepared by Savills
Transport Assessment incorporating Travel Plan prepared by IMA
Landscape and Visual Appraisal prepared by the Landscape Agency
Statement of Community Involvement prepared by Grayling
Drainage Strategy
Hartham Park, Corsham Updated Ecological Appraisal prepared by Waterman (document reference E12338-100-R-1-2-1-SP)

Building Inspection and Bat Survey Report prepared by Soltys Brewster (document reference E1345601/Doc01)

All dated 18th July 2013 unless otherwise indicated

REASON: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

- 3. No development shall commence until details of the proposed and existing levels across the site (including details of the finished floor levels of all buildings hereby permitted) have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details so approved.**

REASON: In the interests of securing a satisfactory form of development that minimises impact upon the locality and listed buildings.

- 4. The detailed landscaping around the new buildings and parking area shall be carried out in accordance with the detailed landscape proposals (shown on Landscape Agency drawing 202-05D).**

This approved, detailed landscaping scheme shall be implemented within one year of either the first occupation or use of the development, whether in whole or in part, or its substantial completion, whichever is the sooner, and shall be maintained thereafter for a period of not less than five years. The maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 5. A phased landscaping scheme and implementation programme for the site is to be submitted to the Local Planning Authority within one year from first occupation of the development and is to be agreed in writing with the Local Planning Authority. Unless otherwise agreed in writing, this strategy is to be in accordance with the approved Landscape Masterplan (The Landscape Agency drawing 202-01 rev M) and Landscape Concept (The Landscape Agency drawing 202-02 rev G).**

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

6. All development shall be carried out in accordance with the Section 3 of the submitted Bat Survey Report (Soltys Brewster, Ref. E1345601) and all mitigation measures therein implemented in full.

REASON: In the interests of securing development that does not adversely impact upon the ecological value of the area.

7. Renovation works to Sticke Court shall only be carried out between the months of October-November or March-April inclusive, unless supervised by a bat licensed ecologist.

REASON: In the interests of securing development that does not adversely impact upon the ecological value of the area.

8. No lighting shall be installed on any building (or on the site in connection with the development hereby approved) until details of a phased lighting scheme including lux plan shall be submitted to and approved in writing by the local planning authority. The approved scheme shall demonstrate how current light levels in the vicinity of Sticke Court, Tying Wood and the 'ice house' (as shown on Figure 1 of the submitted Ecology Appraisal; Watermans, Ref. E12338-100-R-1-2-1-SP) will be maintained or how any increase will be minimised. The lighting shall be installed in accordance with the details so agreed and shall remain in that condition thereafter.

REASON: In the interests of securing development that does not adversely impact upon the ecological value of the area.

9. Prior to commencement of development a scheme for the protection of all areas of calcareous grassland (as shown on Figure 1 of the submitted Ecology Appraisal; Watermans, Ref. E12338-100-R-1-2-1-SP) is submitted to and approved by the local planning authority. All construction works shall be carried out in strict accordance with the approved protection scheme.

REASON: In the interests of securing development that does not adversely impact upon the ecological value of the area.

10. Unless otherwise agreed in writing, the external walls and roofs of the proposed buildings shall be constructed and finished in accordance with the materials shown on the approved drawings.

REASON: For the avoidance of doubt and to secure a suitable form of development that respects the character and appearance of the listed buildings and surrounding locality.

11.No raw materials, finished or unfinished products or parts, crates, materials, waste, refuse or any other item shall be stacked or stored outside any building on the site without the prior approval in writing of the local planning authority.

REASON: For the avoidance of doubt and to secure a suitable form of development that respects the character and appearance of the listed buildings and surrounding locality.

12.Other than those windows shown on the plans hereby approved, no further windows shall be inserted into the western elevation of the office building unless otherwise agreed in the form of a specific planning permission in that regard.

REASON: In the interests of neighbour amenity.

13.The proposed repairs and enhancement to the Gas House and Walls will be carried out in accordance with the Gas House and Courtyard Walls Schedule of Work (reference RM/BT/2717 rev A, June 2013) and drawings 2717/AL(0)82, 2717/AL(0)83, 2717/AL(0)84, 2717/AL(0)85 and 2717/AL(0)101. The works will be completed before first occupation of any part of the development hereby permitted.

REASON: To secure the future of the listed buildings on the site.

14.The proposed repairs and enhancement to the Sticke Court will be carried out in accordance with the Sticke Court Schedule of Works (reference RM/BT/2717 rev A, June 2013) and drawing 2717/AL(0)91A. The works proposed to the fabric of the building (1-38 and 45 - 47 in the above schedule) shall be completed and a specification and timetable for the works to the floors and balconies will be agreed within 1 year of first occupation of any part of the development hereby permitted.

REASON: To secure the future of the listed buildings on the site.

15.Prior to the commencement of development, a surface water drainage scheme for the site (which shall include full details for its management and maintenance in perpetuity), based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, in accordance with the submitted 'Drainage Strategy / Statement', shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in complete accordance with that approved drainage scheme unless otherwise agreed in the form of a separate planning permission in that regard.

REASON: In the interests of securing a form of development that is adequately drained.

16.The development hereby approved shall not be first brought into use until that part of the service road, which provides access to it, has been constructed in accordance with the approved plans, and all parking places for use only by users of the permitted development, and bus waiting area and approach routes have been clearly marked, in accordance with a scheme which shall have been submitted to and approved in writing by the Local Planning Authority beforehand.

REASON: To ensure that the development is served by an adequate means of access, parking and passenger transport service.

17.Prior to the first use of the development hereby permitted, a bus stop area within the site shall be constructed, together with a connecting footpath, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The details for the bus stop shall include a shelter.

REASON: To provide adequate amenity for the bus users, in the interests of sustainable transport.

18.Prior to the first use of the development hereby permitted, a covered and secure cycle stand for not less than 10 cycles shall be constructed, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority beforehand.

REASON: To provide adequate amenity for the cycle users, in the interests of sustainable transport.

19.Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), the proposed development shall remain used for the planning use classes permitted (substantively D1 non-residential institution) and there shall be no change of use unless otherwise agreed in the form of a separate planning permission in that regard.

REASON: So as to allow consideration of any proposed change of use and assessment of its suitability for the locality.

20.No development shall take place, including any works of demolition, until a Construction Method Statement has been

submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. the routing of all traffic associated with the construction phase and measures to be employed so as to avoid its routing through Biddestone village

REASON: In the interests of neighbour amenity and so as to minimise disturbance associated with the construction phase of development.

Informatives

- The applicant is advised of the need to submit plans, sections and specifications of the proposed retaining wall for the approval of the Highway Authority in accordance with Section 167 of the Highways Act 1980. (For information, this relates to retaining walls which are wholly or partly within 4 yards (3.65metres) of a street and which is at any point of a greater height than 4'6"(1.40 metres) above the level of the ground at the boundary of the street nearest that point.) Works within the highway will be subject to the requirement for a s278 agreement with the highway authority.
- Attention is drawn to the Legal Agreement relating to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Section 111 of the Local Government Act 1972, Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 or other enabling powers and the Deed of Variation dated 21/06/2011.
- That the developer be advised that where any species listed under Schedules 2 or 4 of the Conservation (Natural Habitats etc.) Regulations 1994 is present on the site in respects of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place to the Gas House or to building 36 (as described in the Building Inspection and Bat Survey

Report completed by Soltys Brewster (July 2013)) in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the local planning authority.

In the matter of 13/01226/LBC:

Resolved:

To delegate to Officers for Listed Building Consent to be GRANTED for the following reason:

The proposed works of repair and rehabilitation, will enhance the essential architectural and historic character of the building and bring it back into beneficial use, in accordance with S.16(2) of Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 12 of the National Planning Policy Framework.

Subject to the following conditions:

- 1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.**

REASON: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2. The works hereby permitted shall be carried out in accordance with the following documents (including plans) incorporated into this decision:**

Design and Access Statement (revision C, July 2013)

Heritage Statement prepared by Mitchell Taylor Workshop

Sticke Court Photographic Record (May 2013) prepared by Mitchell Taylor Workshop

Hartham Park Sticke Court Schedule of Works Rev A prepared by Mitchell Taylor Workshop

Hartham Park Gas House and Works Schedule of Works Rev A prepared by Mitchell Taylor Workshop

AL(0)82 Condition Wall Condition Survey (1)

AL(0)83 Conditional Wall Condition Survey (2a)

AL(0)84 Conditional Wall Condition Survey (2b)

AL(0)85 Conditional Wall Condition Survey (b)

AL(0)91A Condition Survey Sticke Court

AL(0)101 Gas House Condition Survey

All dated 18th July 2013

REASON: To ensure that the works are implemented in accordance with this decision in the interests of the listed building.

3. No development shall commence until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
 - i. Large scale details of proposed alterations to the balcony to the sticke court (1:10 elevation, 1:2 sections)
 - ii. Large scale details of the reinstated chimney stack to nursery offices (1:5 section).
 - iii. A detailed specification of repairs (including, where appropriate, a schedule of proposed internal finishes to walls, ceilings and floors) to all structures included in the quinquennial report.
 - iv. Full details of proposed alterations to existing walls, including any structural works associated with the new development; and of proposed new walls, fences and other means of enclosure.
 - v. Large scale details of internal and external joinery (including any metal windows, doors and screens) to former gas works, and glazed link to reception building (1:10 elevation, 1: 2section, including vertical and horizontal cross-sections through openings).
 - vi. Large scale details of external joinery (including any metal windows, doors and screens) to the interpretation centre (1:10 elevation, 1:2 section).
 - vii. Large scale details of any proposed access steps, ramp and railings to interpretation centre.
 - viii. Large scale details of eave and verge to reception building
 - ix. Full details of proposed flues and means of providing ventilation

The works shall be carried out in accordance with the details so approved. The precise extent of repair works set out in s.3.3 above shall be agreed on site and in writing with the Local Planning Authority prior to commencement of works.

REASON: In the interests of the listed building.

104 **N/13/00746/FUL - Hardenhuish Comprehensive School, Hardenhuish Lane, Chippenham, SN14 6HR**

Public Participation

There were no speakers registered for this item.

The officer introduced the report which recommended that permission be granted subject to conditions. He drew attention to 2 errors within the report, firstly that the local member had been incorrectly named as Cllr Nina Phillips, and this should be corrected to Cllr Nick Watts, and secondly within section 2 – Main issues it referred to Section 106 contributions and he confirmed that no Section 106 contributions were being sought.

He highlighted the condition limiting deliveries and collections to a two hour time slot which addressed concerns over the impact of additional vehicle movements and confirmed that environmental health had no concerns over noise nuisance.

The Committee was then given the opportunity to ask technical questions of officers and it was understood that the noise would be similar to that of a gas boiler and result in no increase in background noise.

No member of the public registered to speak.

The local member, Cllr Nick Watts spoke in support of the application.

During the debate that followed the committee discussed the collection of ash and whether it was unreasonable to restrict collections to the specified times.

Resolved:

To GRANT planning Permission for the following reason:

The proposed development, will not harm the setting of the adjacent Grade II* listed building or the amenity of adjoining residential dwellings. The proposal therefore accords with Policies C3, NE9, NE16, CF1 and HE4 the adopted North Wiltshire Local Plan 2011 and Sections 10 and 12 of the National Planning Policy Framework.

Conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence on site until samples of the timber cladding to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY- C3

3. The biomass boiler plant shall at all times achieve a Rating Level of 35 dB(A) at the boundary contiguous with the school and the neighbouring residential properties. Measurements and assessment shall be carried out in accordance with BS4142:1997.

REASON: In the interests of neighbouring amenity.

POLICY: C3.

4. No deliveries of fuel in connection with the development hereby approved shall take place outside of the hours of 16.00hrs – 18.00hrs on weekdays. No deliveries of fuel shall take place at weekends or bank holidays.

REASON: In the interests of residential amenity.

5. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan – Received 8 March 2013
2888(L) H041 – Received 8 March 2013
2888(L) H051 – Received 8 March 2013
2888(L) H010A Rev A – Received 1 May 2013
Supporting Statement – Received 16 June 2013

REASON: For the avoidance of doubt and in the interests of proper planning.

POLICY – C3, NE9, NE16, CF1 and HE4.

105 **13/01636/FUL Stonewell House The Street Burton Wiltshire SN14 7LU**

Public Participation

Mr Leat spoke in support of the application
Cllr David Pearce, Nettleton Parish Council spoke in objection to the application.

The officer introduced the report which recommended that planning permission be granted subject to conditions. He drew attention to the upper floor design which was set in from the ground floor and therefore further away from the boundary with the neighbour. He explained that there was no adverse impact on the street scene or neighbouring properties.

Member then had the opportunity to ask technical questions of officers and it was confirmed that the stone used would be the same as the existing stone.

Members of the public then had the opportunity to address the committee as detailed above.

The local member, Cllr Jane Scott, then addressed the committee and confirmed that whilst the parish council held strong views about overdevelopment in her view the applicant had listened to advice. She drew attention to the many extensions in the area and cottages that had only courtyard gardens and whilst accepting the parish council's view she felt the application was in an acceptable form.

In the debate that followed it was confirmed that permission for extensions could be granted by officers but would come to committee if called in.

Resolved:

To GRANT planning permission for the following reason:

The proposal by means of its location, design, limited scale and use of materials sits comfortably with the host dwelling and area in general, conserving the natural beauty of the Cotswolds Area of Outstanding Natural Beauty in which it is located. The proposal will not have an unacceptable detrimental impact on the amenities currently enjoyed by the occupants of the neighbouring residential properties. The proposal is therefore considered to accord with the aims of policies C3, H8 and NE4 of the North Wiltshire Local Plan 2011.

Subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans:**

Site location plan 1:1250 received on 7 June 2013

Drawing number D.DL.13/02/01A received on 7 June 2013

REASON: For the avoidance of doubt and in the interests of proper planning.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

REASON: In the interests of visual amenity and the character and appearance of the area.

4. The natural stonework to be used externally on the proposed development shall match that of the existing building in terms of type, colour, size, dressing and bedding of stone, coursing, type of pointing and mortar mix, unless otherwise agreed in writing by the Local Planning Authority prior to works commencing.

REASON: In the interests of visual amenity and the character and appearance of the area.

106 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.03 - 7.50 pm)

The Officer who has produced these minutes is Kirsty Butcher, of Democratic Services, direct line 01225 713948, e-mail kirsty.butcher@wiltshire.gov.uk

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NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 11 SEPTEMBER 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Christine Crisp, Cllr Bill Douglas, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Howard Marshall, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Anthony Trotman (Chairman), Cllr Nick Watts (Substitute) and Cllr Philip Whalley

Also Present:

Cllr Jane Scott OBE

107 Apologies

Apologies were received from Cllr Mark Packard

Cllr Packard was substituted by Cllr Watts.

108 Minutes of the previous Meeting

The minutes of the meeting held on 21 August 2013 were presented.

Resolved:

To approve as a true and correct record and sign the minutes.

109 Declarations of Interest

Cllrs Douglas, Hutton and Watts declared an interest in agenda item no. 7b being members of Chippenham Town Council. They declared they would participate in the debate and vote for the item with open minds.

Cllr Whalley declared an interest in agenda item no. 7b being a member of Corsham Town Council. He declared he would participate in the debate and vote for the item with an open mind.

110 **Chairman's Announcements**

There were no Chairman's announcements.

111 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

112 **Planning Appeals**

The Committee noted the contents of the appeals update.

113 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications **7b** as listed in the agenda pack.

114 **13/01495/FUL - Land East & West of Hill Hayes Lane, Hullavington, Chippenham, Wiltshire**

Public Participation

Don Queen and Dave Martin spoke in objection to the application.

Michael Armstrong spoke in support of the application.

Cllr Maggie Bawden, Hullavington Parish Council spoke in objection to the application.

The officer introduced the report which recommended that permission be granted subject to conditions. He confirmed that there were no issues with archaeology and that the access track would be permanent for the lifetime of the installation. The Committee's attention was drawn to the proposed landscaping to mitigate the visual impact and the design of the panels, being on spikes, giving it relatively easy reversibility. He noted the work done on the construction traffic route and the conditions around materials and construction.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that although estimates varied it was expected to generate power for approximately 2000 households. Clarification was sought on the cumulative visual impact and it was confirmed that at present there were no further similar applications coming and that each application would be considered on its individual merit. As the site connected straight to the grid there was no issue with upgrading of equipment. Issues around construction route traffic would be reported to enforcement officer and proposed measures included surveys of route and repair of damage which included the decommissioning phase

Members of the public then had the opportunity to address the committee as detailed above.

The local member, Cllr Jane Scott explained that whilst supportive of renewable energy, there was concern over both the visual impact of the site to the west and the proposed construction traffic route. She noted the closure of Pig Lane until new year for Network Rail work, and questioned whether Norton Parish Council had been consulted over the proposed route. She also highlighted the proximity of the airfield and queried whether discussions had taken place with the army who flew from there. She drew attention to the stubble in the current field and asked for a condition to seed the field with meadow grass prior to installation. The Committee's attention was also drawn to the ongoing negotiations around a local payment and how their negotiation powers would be affected should the Committee decide to grant the application.

In the debate that followed the need to understand the visual impact by way of a site visit was necessary in order to make a decision. It was confirmed that both the Ministry of Defence and the Civil Aviation Authority had been consulted on the proposal. Concern was raised over the impact on the local payment negotiations and it was suggested that Wiltshire Council should consider a future policy change which would allow the Council to give guidance to parish councils in this area. The establishment of seeded grass in the field was considered critical to allow the land to remain agricultural. Concern was raised over the type of fencing panel used being alien to the site and it was suggested that stock fencing would be more appropriate. The Committee felt it important to consider the Parish Council's views when making a decision.

In order to assess visual impact it was proposed that the application be deferred to enable a site visit to take place.

Resolved

To DEFER the application for Committee members to undertake a site visit to consider the visual aspect and impact and the scale and design of the proposed fencing.

115 **13/01018/FUL - Land Adjacent Focus DIY/A350 West Cepen Way, Methuen Park, Chippenham, Wilts**

Public Participation

Dr Bret S Palmer spoke in objection to the application,
Jonathan Adams spoke in support of the application

The officer introduced the report and drew the Committee's attention to the late observations which detailed the recommendation that permission be delegated to the Area Development Manager to grant subject to the signing of a Section 106 Agreement and subject to conditions. He noted that objections from consultees had been removed after revised plans had been submitted. He explained that the site was located in a prominent and important position being one of the key gateways into the town. The section 106 agreement would fund the relocation of slow worms and grass snakes, and noted the timing issues

around this. The Committee's attention was drawn to the significant design alterations made which reduced the visual impact. The employment and economic benefits arising from the development were highlighted and reference was made to the Council's recently adopted business plan and its priorities in this regard

The Committee then had the opportunity to ask technical questions of officers and it was explained that there was no such thing as precedent in the planning system, and as a consequence the height of the office building would be a material consideration in relation to other proposals in the locality if approved but that all applications must be considered on their own merits taking into account all such material considerations. Corsham and Chippenham Town Councils had not been specifically consulted over the colour scheme revisions including alternate coloured materials as they had not specifically objected on that matter. It was confirmed that the number of parking spaces had been looked at by Highways and considered appropriate for all uses on the site. There had been no concern raised over the impact of reflection from the Sun on drivers approaching from the south and the panels used were non-reflective.

Members of the public then had the opportunity to address the committee as detailed above.

As the application affected two divisions, two local members addressed the Committee. Cllr Philip Whalley, local member for Corsham Town welcomed the employment opportunities the proposal would generate and acknowledged the changes made in design to temper the appearance. He explained that the height of the building was unacceptable and should not exceed the height of the adjacent buildings. He also raised concern over the impact of queuing traffic as this was already a common problem. He asked the Committee to refuse the application on the grounds that the design, height and visual mass was unsuitable.

Cllr Peter Hutton, local member for Chippenham Cepen Park and the Derriads addressed the committee and explained he represented the residents affected. He raised concern over whether the design could be classed as 'landmark' and whether it would be a building residents could be proud of, given its location on an important and highly visibly gateway from Chippenham to the South West.

In the debate that followed a motion was moved and seconded to refuse the application on the grounds of scale and impact, quoting policies C4-3, C3-1 and 3, NE14 and NE8 paragraph 6.8.

The Committee's attention was drawn to the need to be precise as to the reasons for refusal and the relevant policy basis given the risk of an appeal with the potential award of costs. Whether the building was a 'landmark' building was considered subjective and the danger of refusal based on a subjective matter was highlighted. The Committee were reminded of need to give weight to the business plan and other strategies, and in particular the second key action being to stimulate economic growth which all members had supported. Another

material consideration was the core strategy being based on jobs and employment before housing. The building was described as distinctive, meaning it could be a landmark and its height was lower than the height previously indicated by a planning inspector as acceptable. Attention was drawn to the fact that buildings would be more visible during the winter months.

The legal officer present advised that planning inspectors on appeal would be unlikely to uphold a refusal of planning permission on the basis of the subjective opinion of the committee.

After consideration the motion to refuse was withdrawn.

A motion to grant in accordance with the officers report with a condition to restrict plant and machinery on the roof of the office building was proposed and seconded.

Cllr Hutton voted against the motion.

Resolved:

To delegate to the Area Development Manager to GRANT planning permission subject to the signing of the Section 106 Agreement.

Subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY-C3

- 3. Development of the B1 Office and A3/A5 Retail Units hereby permitted shall not commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning**

Authority. Development shall be carried out in accordance with the approved details prior to the development being brought into use.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY-C3

4. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

POLICY-C3

5. No development shall commence on site until the trees on the site which are protected by a Tree Preservation Order have been enclosed by protective fencing, in accordance with British Standard 5837 (2012): Trees in Relation to Construction. Before the fence is erected its type and position shall be approved with the Local Planning Authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s).

REASON: To enable the Local Planning Authority to ensure the protection of trees on the site in the interests of visual amenity.

POLICY-C3

6. No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved

details. In particular, the method statement must provide the following: -

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;
- A specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2012
- A schedule of tree works conforming to BS3998.
- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
- Plans and particulars showing the siting of the service and piping infrastructure;
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access road, bridge and exit road;
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
- Details of all other activities, which have implications for trees on or adjacent to the site.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

POLICY-C3

7. A pre-commencement site meeting shall be held and attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Authority to discuss details of the proposed work and working procedures prior to any demolition, site clearance and any development. Subsequently and until the completion of all site works, site visits should be carried out on a weekly basis by the developer's arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required shall be submitted to and approved in writing by the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the

construction works and to ensure that as far as possible the work is carried out in accordance with current best practice.

POLICY-C3

8. (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- (c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the local planning authority to ensure the retention of trees on the site in the interests of visual amenity.

POLICY-C3

9. No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all

landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

REASON: To ensure the proper management of the landscaped areas in the interests of visual amenity.

POLICY-C3

10. The A350 access shall be used for the purpose of "Entry Only" and the A4 access shall be used for "Exit Only". No development shall commence on site until details of signs restricting the use of the access as above, have been submitted to and approved in writing by the Local Planning Authority. Those signs shall be erected prior to the development hereby permitted being first brought into use and maintained at all times thereafter.

REASON: In the interests of highway safety.

POLICY C3

11. No part of the development hereby approved shall be first brought into use until the parking areas shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. Those areas shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

POLICY C3

12. The development hereby permitted shall not be first brought into use until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

POLICY C3

13. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- (a) The means of access to the site during each stage of construction;
- (b) the parking of vehicles of site operatives and visitors;
- (c) loading and unloading of plant and materials;
- (d) storage of plant and materials used in constructing the development;
- (e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (f) wheel washing facilities;
- (g) measures to control the emission of dust and dirt during construction;
- (h) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- (i) measures for the protection of the natural environment.
- (j) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

POLICY-C3

14. All building services plant and machinery shall be so sited and designed in order to achieve a rating Level of -5dB below the lowest measured background noise level, determined at the nearest noise sensitive receptor. Measurements and assessment shall be carried out in accordance with BS4142:1997

REASON: In the interests of amenity.

POLICY C3

15. Any proposals for external lighting at the site shall be subject to a lighting scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The lighting scheme shall comply with Environmental zone E2: Low district brightness areas, rural, small village, or relatively dark urban locations. The scheme should comply with guidance issued by the Institution of Lighting Engineers.

REASON: In the interests of amenity.

POLICY C3

16. Suitable ventilation and filtration equipment shall be installed to suppress and disperse any fumes and/or smell created from the cooking operations on the premises. Details of the equipment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All equipment shall be installed in accordance with the approved details and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.

REASON: In the interests of amenity.

POLICY C3

17. Prior to the premises being brought into use, a scheme providing for the adequate storage of refuse shall be submitted to and approved by the Local Planning Authority. The scheme shall then be carried out in accordance with the approved details, prior to the commencement of use, and shall be maintained at all times.

REASON: In order to minimise nuisance and safeguard the amenities of the area in which the development is located.

POLICY C3

18. There shall be no raising of existing ground levels on the site.

REASON: In the interests of visual amenity.

POLICY-C3

19. The development hereby permitted shall achieve a BREEAM (Building Research Establishment Environment Assessment Method) rating of 'very good'. The development shall not be first brought into use/occupied until the post-construction stage assessment and subsequent BREEAM Certificate certifying that 'very good' status has been achieved has been issued and a copy of the same submitted to the Local Planning Authority.

REASON: In the interests of the conservation of energy resources.

POLICY-C3

20. The mitigation measures – Translocation of Grass Snakes and Slow Worms - detailed in the approved Ecological Assessment Michael Wood Associates Dated 05/4/2013 shall be carried out in full prior to

the first bringing into use and/or in accordance with the approved timetable detailed in the Ecological Assessment.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

POLICY: National Planning Policy Framework paragraph 118.

21.No development shall commence on site until an ecological management plan, to include measures to enhance on site ecological features and site biodiversity, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details, before the development is first brought into use; or in accordance with the approved timetable detailed in the approved scheme.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

POLICY: National Planning Policy Framework paragraph 118.

22.The development hereby permitted shall not be commenced until such time as a scheme to mitigate flood risk has been submitted to, and approved in writing by, the local planning authority.

Such a scheme to detail:

- 1. Flood plain compensation calculations on a level for level basis.**
- 2. Details of the bridge soffit level to be set no lower than around 59.1 metres AOD, to include indicative cross and long sections with levels.**

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

23.The development permitted by this planning permission shall only be carried out in accordance with the approved Site Plan Drawing SUB 2.0 Rev L dated 20.08.2013 by COUGAR and the following mitigation measures detailed within the FRA:

- 1. Provision of 3.6m field access gates to provide access for watercourse maintenance machinery**
- 2. A minimum 5.0m buffer zone from the watercourse to facilitate safe access**

24. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To allow safe access of watercourse maintenance machinery and prevent the increased risk of flooding.

25. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

26. The scheme shall also include:

1. Details of how the scheme shall be maintained and managed after completion.
2. Details of the culvert connected to the drainage ditch to the south of the A4 Bath Road.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

27. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- 1006/6995/1B Topographical Survey 1:500@ (A1)
- 1006/6995/1B Topographical Survey 1:200@ (A1)
- SUB 1.0 Location Plan 1:1250 @ (A1)
- SUB 2.0 Site Plan 1:500 @ (A1) L
- SUB 3.0 B1/A3/A5 Ground Floor Plan 1:100 @ (A1) E
- SUB 4.0 B1 First Floor Plan 1:100 @ (A1) E
- SUB 5.0 B1 Second Floor Plan 1:100 @ (A1) E
- SUB 6.0 B1 Third Floor Plan 1:100 @ (A1) E
- SUB 7.0 B1 Mezzanine Floor 1:100 @ (A1) E
- SUB 8.0 B1/A3/A5 Roof Plan 1:100 @ (A1) E
- SUB 9.0 A3-Drive-thru Plan 1:100 @ (A1) E
- SUB 10.0 A3-Drive-thru Roof Plan 1:100 @ (A1) E
- SUB 11.0 Existing Elevation 1:100 @ (A0) F
- SUB 12.0 B1/A3/A5 West Elevation 1:100 @ (A1) F
- SUB 13.0 B1/A3/A5 East Elevation 1:100 @ (A1) F
- SUB 14.0 B1/A3/A5 North/South Elevation 1:100 @ (A1) F
- SUB 15.0 A3 Drive-through Elevations + Sections 1:100 @ (A1) B
- SUB 16.0 B1/A3/A5 Cross Section 1:100@ (A0) E

SUB 17.0 B1/A3/A5 Long Section 1:100 @ (A0) E
SUB 18.0 Site Section 1 1:100 @ (A0) E
SUB 19.0 Site Section 2 1:100 @ (A0) E
SUB 20.0 Site Section 3 1:100 @ (A0) E
SUB 21.0 Visual Impact -1
SUB 22.0 Visual Impact -2
SUB 23.0 CGI – Site view from entrance - 3
SUB 24.0 CGI – Site view from exit - 4
SUB 25.0 3D studies A
Design & Access Statement + Addendum

REASON: For the avoidance of doubt and in the interests of proper planning.

POLICY-C3

28.A condition to restrict plant and machinery on the roof of the B1 office building, the wording of which to be delegated to officers.

INFORMATIVES:

- 1. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.**
- 2. The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.**
- 3. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.**
- 4. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.**
- 5. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent**

does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

6. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws the prior written consent (Flood Defence Consent) of the Environment Agency is required for any proposed works (permanent or temporary) or structures (including any surface water drainage outfall) in, under, over or within 8 metres of the top of the bank of the Pudding Brook, designated a 'main' river. The need for this consent is over and above the need for planning consent. The applicant is advised to contact Daniel Griffin on 01258 483421 to discuss the scope of our controls.
7. There must be no interruption to the existing surface water and/or land drainage arrangements of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.
8. There must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.
9. Drainage to soakaway from car parking areas for >50 spaces should be passed through an oil interceptor before discharging to ground. The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to groundwater.
10. Storage of domestic oil in above ground tanks >3500 litres must be undertaken on site in accordance with the Control of Pollution (oil storage) (England) Regulations 2001. Storage of domestic oil in above ground tanks <3500 litres must be undertaken in accordance with Approved Document J of the Building Regulations.
11. Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found

116 13/01191/FUL - Peterborough Arms, Dauntsey Lock, Chippenham, Wiltshire, SN15 4HD

Public Participation

Ms Kath Hatton and Mr Andrew Chapman spoke in objection to the application. Richard Cosker and Lloyd Stephens spoke in support of the application.

The officer introduced the report which recommended that planning permission be refused. He noted Policy R6 of the adopted North Wiltshire Local Plan 2011 (Existing Local Shops and Services) being the primary policy consideration. The property had been included on the Community Assets Register and regard should be paid to the prospective viability of an alternative community-led arrangement.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that reasonable time frame for an alternative community-led arrangement would be six months.

Members of the public then had the opportunity to address the committee as detailed above.

The local member, Cllr Toby Sturgis then spoke in objection to the application.

In the debate that followed the Committee noted the need to support rural inns and pubs and agreed that an alternative community-led arrangement should be explored.

Resolved:

To REFUSE Planning Permission for the following reason:

On balance, the proposed development will result in the detrimental loss of a local service with a realistic prospect of viable community use and therefore conflicts with Policies R6 of the adopted North Wiltshire Local Plan 2011, CP49 of the emerging Wiltshire Core Strategy and Paragraph 28 of the National Planning Policy Framework.

117 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.03 - 8.40 pm)

The Officer who has produced these minutes is Kirsty Butcher, of Democratic Services, direct line 01225 713948, e-mail kirsty.butcher@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 2 OCTOBER 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Desna Allen (Substitute), Cllr Glenis Ansell (Substitute), Cllr Christine Crisp, Cllr Bill Douglas, Cllr Howard Greenman (Substitute), Cllr Mollie Groom, Cllr Chris Hurst, Cllr Sheila Parker, Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

Also Present:

Cllr Jane Scott OBE and Cllr John Thomson

118 **Apologies**

Apologies were received from Cllrs Hutton, Marshall and Packard.

Cllr Hutton was substituted by Cllr Greenman.

Cllr Marshall was substituted by Cllr Ansell.

Cllr Packard was substituted by Cllr Allen.

119 **Minutes of the previous Meeting**

The minutes of the meeting held on 11 September 2013 were presented.

Resolved:

To approve as a true and correct record and sign the minutes.

120 **Declarations of Interest**

Cllr Greenman declared an interest in agenda item no. 7c, being the local member. He declared he would participate in the debate and vote with an open mind.

121 **Chairman's Announcements**

There were no Chairman's announcements.

122 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

123 **Planning Appeals**

The Committee noted the contents of the appeals update.

124 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of application 7b as listed in the agenda pack.

125 **13/00477/FUL and 13/00478/LBC - The Horse and Jockey, Gosditch, Ashton Keynes, Wiltshire, SN6 6NZ**

Public Participation

Mr J Hughes, Miss Pears and Mr Nigel Whitehouse spoke in support of the application.

The officer introduced the report and drew attention to the item being deferred at the 29 May meeting to obtain further information from the applicant and an independent review of the information submitted on marketing and viability.

The conclusion in section 9 of the report detailed the findings of the independent report and noted that the development was in line with adopted and emerging policies and strategy. It was found to be unviable as a pub, and there had been no further expressions of interest.

There were no technical questions asked.

Members of the public then had the opportunity to address the Committee as detailed above.

The local member was not present.

The Committee noted that the other hostelry in the village was owned on a community basis and no-one had come forward to purchase it as a community facility.

Resolved:

In respect of 13/00477/FUL:

To delegate authority to the Area Development Manager to grant planning permission, subject to the signing of a Section 106 agreement; and

subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

- 2. No development shall commence on site until sample panels of stonework for the walling to the house and boundaries, not less than 1 metre square, have been constructed on site, inspected and approved in writing by the Local Planning Authority. The panels shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved samples.**

REASON: In the interests of the listed building, it's setting, visual amenity and the character and appearance of the area.

- 3. No development shall commence on site until a sample panel of the render to be used on the external walls not less than 1 metre square, has been made available on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.**

REASON: In the interests of the listed building, its setting, visual amenity and the character and appearance of the area.

- 4. Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:**
 - (i) Large scale details of all external joinery including metal-framed glazing (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;**
 - (ii) Large scale details of all internal joinery (1:5 elevation, 1:2 section);**

- (iii) Full details of proposed rooflights, which shall be set in plane with the roof covering;
- (iv) Large scale details (1:5) of new chimney stack;
- (v) Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
- (vi) Full details of proposed meter and alarm boxes;
- (vii) Large scale details of proposed eaves and verges (1:5 section);
- (viii) Full details of proposed internal service routes;
- (ix) Full details of rainwater goods which shall be in cast metal;
- (x) Full details of external decoration to render, joinery and metalwork; and
- (xi) Full details and samples of all external materials;
- (xii) Large scale details (1:10) of the boundary wall.

The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the architectural and historic interest of the listed building and its setting.

5. The works shall be carried out in accordance with the approved Outline Specification of Work Rev. 17 April 2013.

REASON: In the interests of preserving the architectural and historic interest of the listed building and its setting.

6. Prior to the first use or occupation of the development hereby permitted all external signage, lighting, aerials and other commercial paraphernalia shall be removed from the buildings and their curtilage.

REASON: In the interests of the listed building, it's setting, visual amenity and the character and appearance of the area.

7. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;

- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;

REASON: To ensure a satisfactory landscaped setting for the listed building and the protection of the character and appearance of the conservation area.

8. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the listed building and the protection of the character and appearance of the conservation area.

9. No part of the development hereby permitted shall be first brought into use/occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The parking and turning area shall be properly consolidated and surfaced (not loose stone or gravel). The areas shall be maintained for those purposes at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

10. Any gates shall be erected to open inwards only, in perpetuity.

REASON: In the interests of highway safety.

11. The development hereby permitted shall be carried out in accordance with the following approved plans:

Outline Specification of Work dated 17 April 2013;
 Location plan and 12.10.14, .15, .16 & .17 all dated 14 February 2013;
 Site plan 12.10.19B dated 29 April 2013;
 12.10.20D, .21D, .22C & .23D all dated 07 May 2013.

REASON: For the avoidance of doubt and in the interests of proper planning, the listed building and its setting.

In respect of 13/00478/LBC:

That listed building consent is delegated to the Area Development Manager as works include those consequent upon the change of use.

Reason for granting Permission:

The proposed works of rehabilitation and extension, will enhance the essential architectural and historic character of the building and its setting and bring it back into beneficial use, in accordance with S.16(2) of Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 12 of the National Planning Policy Framework.

Subject to the following conditions:

- 1. The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.**

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2. Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:**
 - (i) Large scale details of all external joinery including metal-framed glazing (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;**
 - (ii) Large scale details of all internal joinery (1:5 elevation, 1:2 section);**
 - (iii) Full details of proposed rooflights, which shall be set in plane with the roof covering;**
 - (iv) Large scale details (1:5) of new chimney stack;**
 - (v) Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;**
 - (vi) Full details of proposed meter and alarm boxes;**
 - (vii) Large scale details of proposed eaves and verges (1:5 section);**
 - (viii) Full details of proposed internal service routes;**
 - (ix) Full details of rainwater goods which shall be in cast metal;**
 - (x) Full details of external decoration to render, joinery and metalwork; and**

- (xi) Full details and samples of all external materials;
- (xii) Large scale details (1:10) of the boundary wall.

The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the architectural and historic interest of the listed building and its setting.

- 3. No works shall commence on site until sample panels of stonework for the walling to the house and boundaries, not less than 1 metre square, have been constructed on site, inspected and approved in writing by the Local Planning Authority. The panels shall then be left in position for comparison whilst the works are carried out. The works shall be carried out in accordance with the approved samples.

REASON: In the interests of the listed building and its setting

- 4. No works shall commence on site until a sample panel of the render to be used on the external walls not less than 1 metre square, has been made available on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the works are carried out. The works shall be carried out in accordance with the approved sample.

REASON: In the interests of the listed building and its setting.

- 5. The works the subject of this consent shall be carried out in accordance with the following approved plans:

Outline Specification of Work dated 17 April 2013;
Location plan and 12.10.14, .15, .16 & .17 all dated 14 February 2013;
Site plan 12.10.19B dated 29 April 2013;
12.10.20D, .21D, .22C & .23D all dated 07 May 2013.

REASON: For the avoidance of doubt and in the interests of the listed building and its setting.

126 **12/03809/FUL and 12/03810/LBC: 36 High Street, Sherston, Malmesbury**

Public Participation

Simon Roper-Pressdee and Elizabeth Breakspeare spoke in support of the application.

The officer introduced the report which recommended refusal due to the scale and size dominating the listed building. He noted the work done between the applicant and officers to address all other issues.

The Committee then had the opportunity to ask technical questions of officers and it was clarified that the proposed extension would be built onto an existing party wall, resulting in the removal of guttering and tiles. It was acknowledged that this could be dealt with by condition should the Committee be minded to approve. The size and scale of the two storey rear extension affected the size and simplicity, and lost the relationship with the outbuilding. The air source heat pump shown on one of the presentation slides was confirmed as not being part of the proposed scheme.

Members of the public than had the opportunity to address the Committee as detailed above.

The local member, Cllr John Thomson noted that the proposal had both his and the parish council's full support. He urged the Committee to support the proposal which delivered the needs of the family, allowing them to stay in the village, and would restore the adjoining building and tidy up poor pipe work.

In the debate that followed the Committee noted the late observations tabled at the meeting which confirmed the support of the parish council. The existing extension was not deemed as suitable and the proposal was a quality build. The Committee understood the need for it to be usable.

Resolved:

In respect of N/12/03809/FUL and N/12/03810/LBC:

That authority is delegated to the Area Development Manager to approve both applications subject to conditions to be prepared by Officers and to include a condition relating to the submission and agreement of details in respect of the guttering arrangement with the neighbouring property at 38 High Street, Sherston. This condition to be worded:-

Prior to the commencement of development hereby permitted details in respect of the proposed works affecting existing gutters on 38 High Street, Sherston and proposals for the provision of new and re-arranged guttering shall be submitted to the Local Planning Authority and agreed in writing.

REASON: In the interests of providing appropriate and adequate surface water drainage and the protection of the historic fabric of the Listed Building.

N/12/3809/FUL approved as the proposed two storey extension would result in an overall enhancement to the character of the listed building, would not cause significant harm to the architectural and special historic quality of the building, adjacent dwellings and the character and appearance of the Conservation Area; and the proposal would be a sustainable form of development meeting the accommodation requirements of local residents. The development is in accord with

Section 12 of the National Planning Policy Framework, S66(1) and S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies C3, HE1, & HE4 of the North Wiltshire Local Plan 2011 and Core Policies 57 & 58 of the Wiltshire Core Strategy Pre Submission Draft.

12/03810/LBC approved as the proposed development would not be significantly detrimental to the architectural and historic interest of the listed building, adjacent listed dwelling or cause harm to these heritage assets. The proposals are in accordance with S.16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 12 of the National Planning Policy Framework.

127 **13/01363/FUL: Newlands, Sutton Lane, Sutton Benger, Chippenham, SN15 4RR**

Public Participation

Barry Heath spoke in support of the application.

The officer introduced the report which recommended that permission be delegated to the Area Development manager to grant permission subject to the signing of a Section 106 agreement with conditions. Attention was drawn to the mixed character of the locality meaning the proposal was not harmful enough to refuse

No objections had been received from highways with the existing private access and there were no concerns over the extra generation of movements.

Initial concerns resulted in revised proposals to give the character more accord with the locality and windows had been removed to avoid overlooking.

There were no technical questions asked.

Members of the public then had the opportunity to address the committee as detailed above.

The local member, Cllr Howard Greenman noted the revised proposals but felt the proposal's height and imposition made the nearby cottages subservient. He was concerned over highways with there being a recent accident in the area and complaints received over parking outside the cottages. He asked for clarification over how conditions can be imposed on land that may not belong to the applicant.

In the debate that followed it was confirmed that conditions can be imposed on land not under the applicant's control, called grampian conditions, and work could not proceed unless these are met. Confirmation was given that the hedge would not be removed, as seen on the submitted plans. The Committee noted that the applicant had taken consideration of overlooking in their revised proposals. Noting the design of the building with the eaves meeting the small

windows, the size of the plot and given the mix of houses in the locality the Committee found no reason to say it was out of character.

Resolved:

To delegate authority to the Area Development Manager to grant planning permission subject to the signing of a S106 Agreement and the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans:**

Revised Dwg No: EVA/801/PL/09/13/001/C Rev C Dated 16th September 2013

Revised Dwg No: EVA/801/PL/09/13/SK1/B Rev B 16th September 2013

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3. No development shall commence on site until details and samples of the materials to be used for the external walls of both the house and the boundary wall as well as house roofs have been made available on site and the details submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: In the interests of visual amenity and the character and appearance of the area.

- 4. No development shall commence on site until details of the external stonework, including type, dressing, coursing and bedding of the natural stone, type of pointing and mortar mix, have been submitted to and approved in writing by the Local Planning Authority. The external stonework shall be constructed in accordance with the approved details.**

REASON: In the interests of visual amenity and the character and appearance of the area.

- 5. No development shall commence on site until a sample panel of stonework, not less than 1 metre square, has been constructed on**

site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: In the interests of visual amenity and the character and appearance of the area.

6. No development shall commence on site until a sample panel of the render to be used on the external walls not less than 1 metre square, has been made available on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: In the interests of visual amenity and the character and appearance of the area.

7. No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys and vents have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

8. No development shall commence on site until details of the design and external appearance of the stone boundary wall, any fences and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

REASON: In the interests of visual amenity and the character and appearance of the area.

9. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-
 - Location and current canopy spread of all existing trees and hedgerows on the land;
 - Full details of any to be retained, together with measures for their protection in the course of development;

- A detailed planting specification showing all plant species, supply and planting sizes and planting densities including that for extending the yew hedge;
- All hard and soft surfacing materials;

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

10.All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

11.No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012. Trees in Relation to Design, Demolition and Construction - Recommendations”; has been submitted to and approved in writing by the Local Planning Authority, and;

2012: “Trees in Relation to Design, Demolition and Construction - Recommendations”; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or

lopping approval shall be carried out in accordance British Standard 3998: 2010 “Tree Work – Recommendations” or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

12.No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) The parking of vehicles of site operatives and visitors;
- b) Loading and unloading of plant and materials;
- c) Storage of plant and materials used in constructing the development;
- d) Wheel washing facilities;
- e) Measures to control the emission of dust and dirt during construction;
- f) A scheme for recycling/disposing of waste resulting from demolition and construction works; and
- g) Measures for the protection of the natural environment.
- h) Hours of construction, including deliveries;
- l) Measures for the protection of the access road during construction.

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the east and west elevations above ground floor ceiling level of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

INFORMATIVES:

1. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

2. This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990.
3. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this

consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced [ecologist](#) and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's [website](#) for further information on protected species.

4. All species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding and planning consent does not override this statutory protection. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. The season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits. In the event of uncertainty you should seek the advice of a suitably qualified and experienced ecologist. Please see Natural England's [website](#) for further information on protected species.
5. There is a risk that reptiles could occur on the application site. These species are legally protected from harm and planning permission does not provide a defence against prosecution. In order to minimise the risk of these species being harmed during site clearance works, the developer is advised to clear vegetation affected by the development during the winter, remove all waste arising from such clearance and maintain vegetation as short as possible. If these species are found during the works, the applicant is advised to stop work and seek the advice of a suitably qualified and experienced ecologist. Please see Natural England's [website](#).

128 Urgent Items

There were no urgent items.

(Duration of meeting: 6.04 - 7.20 pm)

The Officer who has produced these minutes is Kirsty Butcher, of Democratic Services, direct line 01225 713948, e-mail kirsty.butcher@wiltshire.gov.uk

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EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 1 AUGUST 2013 IN THE THE ASSEMBLY ROOM - DEVIZES TOWN HALL, DEVIZES, SN10 1BN.

Present:

Cllr Stewart Dobson, Cllr Peter Evans, Cllr Nick Fogg, Cllr Richard Gamble, Cllr Charles Howard (Chairman), Cllr Jerry Kunkler and Cllr Paul Oatway

Also Present:

Cllr Jemima Milton and Cllr Philip Whitehead

58. Apologies for Absence

Apologies were received from Cllr Mark Connolly

59. Minutes of the Previous Meeting

The minutes of the previous meeting 20 June 2013 were signed and approved as a true and accurate record.

60. Declarations of Interest

There were no declarations of interest made by the Committee.

61. Chairman's Announcements

The Chairman announced that Items 7b and 7d were suggested for deferral and requested that members agree to this.

62. Public Participation and Councillors' Questions

No questions had been received from members of the public.

63. Public Right of Way Applications

63.a CM09489 - Proposed Diversion of Part of Pewsey Bridleway 62 at West Wick House, West Wick, Pewsey

Public Participation

Mr Ken Bryant spoke in objection of the application.

Mr Richard Anstis (Agent) spoke in support of the application.

Mr Andrew Brown spoke in support of the application.

Mr Gerard Griffin (Applicant) spoke in support of the application.

Local member Cllr Jerry Kunkler agreed with part of the objection raised by Mr Bryant, but ultimately supported the applicants request for privacy. Cllr Kunkler stated that a condition should be placed on the application, that the current route should not be closed until the proposed diversion was complete and approved by the Council.

The Rights of Way Officer outlined the report which recommended the item be referred to SoSEFRA for determination with the recommendation that it is approved. The Rights of Way Officer then outlined the key considerations for the committee including S119 of the Highways Act 1980 which gives Councils the power to make orders to divert public paths. Such orders may be made if they are in the land owners' interest, and can only be confirmed if the new route is not substantially less convenient to the public, having regard to the effect the diversion will have on the enjoyment of the path or way as a whole.

Committee members were then given the opportunity to ask technical questions of the item.

Cllr Dobson asked if the proposed diversion included any stiles, and questioned the surface of diversion. IT was confirmed that the diversion would mostly consist of a hard compacted surface, and would not include any limitations.

Members then entered into debate on the item, discussing the legal responsibility for maintenance of the proposed diversion, the impact on public enjoyment of the new route, the quality and usability of the proposed diversion and impact on land owners privacy and interest. At the end of the debate it was;

Resolved:

To approve the application and recommend that the order dated 18 October 2012 be forwarded to the Secretary of State for Environment Food and Rural Affairs for confirmation.

64. **Planning Applications**

65. **E/2012/01444/FUL - Manor Farm Allington**

Public Participation

Mr Andrew Potts spoke in objection to the application.

Mr Jonathan Marston spoke in objection to the application.

Mr John Martin spoke in objection to the application.

Mr Richard Cosker (Agent) spoke in support of the application.
Mr Andrew Oram (applicant) spoke in support of the application.
Mr Andrew Fell spoke in support of the Application.

Mr John Kirkman from the Campaign to Protect Rural England spoke in objection to the application.

Cllr Phillip Whitehead, the local member, spoke in support of the Application stating that the applicants had taken into consideration the concerns and objections raised by residents and had sought to rectify these issues.

The Planning Officer introduced the report which recommended the application be granted planning permission and outlined the late item to be circulated (a list of representations received). Details of the application were summarised by the Officer, who also outlined the areas of key consideration. These were the balancing of economic, social and environmental factors that influence a sustainable development.

Members had the opportunity to ask technical questions of the committee, and a question was asked by Cllr Dobson around the use of specific colours in conditions. This was clarified, as specific colours are difficult to enforce, and are best left as being 'sympathetic' to surrounding area.

The debate of the item followed and amendments were proposed to the officer recommended conditions for conditions 4, 9, and 10. Additional conditions were proposed to limit the audible sound level emitted from air compression units.

The Planning Officer also provided further summary on the ecologist surveys on the biodiversity impact. The issues of the sites proposed position and financial viability of the development were also discussed.

Cllr Fogg outlined his disapproval of the application stating its impact on the AONB as a key reason for his opposition.

Cllr Gamble summarised the application of the NPPF and highlighted the conflict of protecting the AONB and promoting sustainable developments and the diversification of the Agricultural industry. The overarching theme of the document is in favour of sustainable development, and as a result was in favour of the application.

Councillor Dobson outlined concerns over the colour of the structure, the use of less favourable trees to disguise the development and the potential use of the structure should the venture fail.

A motion was proposed to add an informative on the guidance to usage of dark colours for the structure, and to the size of planted trees around the structure, and was approved. At the culmination of the debate it was;

Resolved:

To APPROVE planning permission for the application subject to the following conditions:

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence on site until details of the materials for the walls, curtains, roof, bulk milk tank and feed silo to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY: PD1 of the Kennet Local Plan 2011

3. No development shall commence on site until additional landscaping details, to augment or amend the submitted Landscape Proposals and Management Strategy relating to the following matters have been submitted to and approved in writing by the Local Planning Authority:

- a) details of the management and enhancement of the existing belt of Ash trees to the north of the site, which shall include a survey and report of the condition of all specimens, together with measures for the treatment, augmentation or replacement of the trees with new species, and a schedule of maintenance for existing and new planting, and
- b) the replacement of references to *Fraxinus excelsior* (ash) in parts B and C of the Landscape Proposals and Management Strategy, and figures 1, 2 and 2a therein, with references to other native species trees.

Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY: PD1 and NR6 of the Kennet Local Plan 2011.

4. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

POLICY: PD1 and NR7 of the Kennet Local Plan 2011.

5. The development hereby permitted shall not be first brought into use until the first seven metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

POLICY: PD1 of the Kennet Local Plan 2011.

6. Any gates shall be set back 7 metres from the edge of the carriageway, such gates to open inwards only, in perpetuity.

REASON: In the interests of highway safety.

POLICY: PD1 of the Kennet Local Plan 2011.

7. Prior to the commencement of the development hereby permitted access details shall be submitted to and approved in writing by the Local Planning Authority, which shall show the provision of entrance radii to either side of the southern access of 5 metres, without kerbs, and measures to prevent the discharge of surface water from both access points onto the public highway. The development shall be completed in accordance with these details. .

REASON: In the interests of highway safety.

POLICY: PD1 of the Kennet Local Plan 2011

8. No development shall commence within the site until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

POLICY: PD1 of the Kennet Local Plan 2011

9. No internal or external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

POLICY: PD1 of the Kennet Local Plan 2011.

10. The development hereby permitted shall be carried out in accordance with the following approved documents and plans, except insofar as amended by the requirements of condition 3 above:

Application form received at Wiltshire Council on 21.11.12;

Design and access statement and planning statement received at Wiltshire Council on 21.11.12;

Ecological Appraisal received at Wiltshire Council on 21.11.12;

Landscape and Visual Impact Assessment received at Wiltshire Council on 21.11.12;

Landscape proposals and management strategy received at Wiltshire Council on 21.11.12;

Drawing referenced 3636/SK100 received at Wiltshire Council on 21.11.12;

Soakage calculations received at Wiltshire Council on 21.11.12;

Location plan received at Wiltshire Council on 21.11.12;

Longitudinal and lateral sections drawing received at Wiltshire Council on 18.04.13;

Amended block plan and elevations received at Wiltshire Council on 18.04.13;
Assessment of noise impact received at Wiltshire Council on 18.04.13;
Odour management plan received at Wiltshire Council on 18.04.13;
Transport statement received at Wiltshire Council on 18.04.13;
Existing yard use statement received at Wiltshire Council on 18.04.13, and
Email from RCC Town Planning Consultancy received at Wiltshire Council 31.07.2013

REASON: For the avoidance of doubt and in the interests of proper planning.

POLICY: PD1 and NR7 of the Kennet Local Plan 2011.

11. Prior to the first use of the building hereby permitted the air compression equipment and enclosure which are to be installed on the western façade of the unit shall be completed in accordance with a design of construction (which shall have been submitted to and approved in writing by the Local Planning Authority) that ensures that the sound level emitted from the housing does not at any time exceed 65dB(A) at a distance of 1 metre from the installation.

REASON: To protect the amenity of nearby residents, and of the character of the locality

POLICY: PD1 of the Kennet Local Plan 2011

12. INFORMATIVE The attention of the applicant is drawn to the contents of the attached letter from Wiltshire Fire and Rescue Service dated 10.12.12

13. INFORMATIVE The attention of the applicant is drawn to the contents of the attached letter from the Environment Agency dated 19.12.12

14. INFORMATIVE It is expected that trees to be planted in accordance with the conditions relating to the approved landscaping above (conditions 3, 4 and 10) shall be of standard size, to offer maximum screening for the development at the earliest opportunity.

66. E/2012/1216/FUL - Land to the rear of Wilcot Road, Pewsey, SN9 5EL

This item was deferred by the Committee.

67. **E/2013/0122/FUL - New Inn, Winterbourne Monkton, SN4 9NW**

Public Participation

Mr Patrick Blake-Kerr (Agent) spoke in support of the application.

Mrs Stella Hall spoke in support of the application.

Mr Nigel Fielder spoke in support of the application.

Mr Bill Buxton (Chairman of Winterbourne Monkton Parish Council) spoke in support of the application.

The Planning Officer introduced the report which recommended the item be granted planning permission. Details of the application were then summarised by the officer. The planning officer outlined the key policies for consideration including PD1 of the Kennet Local Plan 2011 and section 7 of the National Planning Policy Framework. The considerations were summarised as being the visual impact and the affect on amenities in the area.

Committee members were given the opportunity to ask technical questions of the application.

Members of the public were given an opportunity to address the committee and state their views on the application.

Cllr Jemima Milton, local member spoke in support of the application, and raised the point that whilst the application had been brought to committee, it was broadly supported by local residents, providing that the adjoining pub was re-opened, and not converted. The confusion behind this, was the reason it had been called to committee, and Cllr Milton welcomed comments regarding proposed conditions.

The Planning Officer stated that it was reasonable to condition the application to ensure the future of the village pub in accordance with Policy ED29 of the Kennet Local Plan, which seeks to retain the existing range of social and community facilities in the rural areas.

A brief discussion was then had by members who raised the point that future planning applications would be required to convert the pub into a bed and breakfast, which would also go towards safeguarding the future of the pub in the village. Cllr Kunkler and Cllr Fogg both then spoke in support of the application. At the end of the debate it was;

Resolved:

That planning permission be GRANTED subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2) The bed and breakfast accommodation hereby permitted shall not be first brought into use until the public house has re-opened.

REASON: To safeguard the use of amenities in the local area in accordance with Kennet Local Plan Policy ED29.

3) No development shall commence on site until details and samples of the materials to be used for the external walls and roofs of the extension have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

4) The development hereby permitted shall be carried out in accordance with the following approved plans:

- **Location map & block plan, received on 15th March 2013;**
- **Existing floor plans, received on 4th January 2013;**
- **Existing elevations - main building; received on 29th January 2013;**
- **Proposed floor plans - main building; received on 15th March 2013;**
- **Proposed elevations - main building, received on 15th March 2013;**
- **Annex: Existing elevations, floor plans & roof plans, received on 15th March 2013, and**
- **Annex: Proposed elevations, floor plans & roof plans, received on the 15th March 2013.**

REASON: For the avoidance of doubt and in the interests of proper planning.

68. E/2013/0238/FUL - Land adjacent to Chute Forest Cottage

This item was deferred by Committee.

69. Urgent items

There were no urgent items to discuss.

(Duration of meeting: 6.00 - 8.45 pm)

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EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 22 AUGUST 2013 IN THE WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Liz Bryant (Substitute), Cllr Mark Connolly (Vice-Chair), Cllr Stewart Dobson, Cllr Peter Evans, Cllr Nick Fogg, Cllr Charles Howard (Chairman) and Cllr Paul Oatway

70. Apologies for Absence

Apologies were received from;

- Cllr Richard Gamble (substituted by Cllr Liz Bryant)
- Cllr Jerry Kunkler

71. Minutes of the Previous Meeting

The minutes of the previous meeting held 1 August 2013 were signed and approved as a true and accurate record of the meeting.

72. Declarations of Interest

Cllr Mark Connolly declared a non pecuniary interest in item 6d.

73. Chairman's Announcements

No announcements were made.

74. Public Participation and Councillors' Questions

No questions had been received from members of the public.

75. Planning Applications

76. 13/01003/FUL - Land to North of Tidworth between A338 (Pennings Road) and A3026 (Ludgershall Road), Tidworth, Wiltshire

Public Participation

There were no public speakers on this item.

The Local Member Cllr Mark Connolly spoke in support of the application and raised the possibility of placing working time restrictions on the development to ensure that the local community were not adversely affected during the construction period.

The Planning Officer introduced the report and outlined an amended recommendation to defer and delegate planning permission subject to the completion and satisfactory findings of the outstanding Biomass Survey. A late item received from Cllr Richard Gamble (the portfolio holder for Schools and Youth) was then presented to the committee which contained a summary of comments on the proposed application.

A letter was also received from Public Protection, outlining the position on Biomass and the ongoing discussions surrounding this. The Area Development Manager advised that this matter was capable of resolution. The Area Development Manager outlined the key areas for consideration namely PD1 HC19 and HC37 of the Kennet Local Plan. These were summarised as being the development and design of the plan, and the adequate provision of schooling in the area.

The Area Development Manager also outlined the impact on character and amenity of the local area and summarised surveys that had been commissioned including Biomass, flood plain and parking. These were all relevant considerations for the committee.

Committee members were given the opportunity to ask technical questions of the application.

Cllr Stewart Dobson raised a question over parking provision and asked why parking had not been incorporated for parents. The Area Development Manager answered that the constrictive size of the site was a contributing factor, as was the proximity of the school to the surrounding area of housing.

A number of questions were asked about the development of a travel plan by the school, and it was clarified that governance arrangements of the school had only recently been agreed, and that it would be unreasonable to expect such a detailed plan in place at this stage.

Cllr Charles Howard questioned the use of school buses and cycling stands. It was clarified that the school would not be expected to provide bus services as its catchment area would most likely be served within walking distance, but that cycling stands would be installed.

A discussion was had by members and Cllr Liz Bryant raised the possibility of dual use of facilities with the local community.

At the end of the debate it was;

Resolved

That the decision to grant planning permission be DELEGATED to the Area Development Manager subject to the satisfactory resolution of the concerns relating to the biomass facility and to any conditions recommended by the Environment Agency considered necessary to enable the development to proceed and to the following conditions.

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

3 No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

4 Any gates across the vehicular access to the site shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only, in perpetuity.

REASON: In the interests of highway safety.

5 The Green Travel Plan Framework for Primary School accompanying the application shall be implemented following first occupation of the school. The results of its implementation and monitoring shall be made available to the local planning authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

6 The new playing field and pitches shall be constructed and laid out in accordance with standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, May 2011), before they are first brought into use.

REASON: To ensure the quality of pitches is satisfactory and they are available for use.

INFORMATIVE: The Natural Turf for Sport document can be obtained from the Sport England website: www.sportengland.org .

7 No external flood lighting of the games courts or playing fields/pitches shall be installed until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

8 The development hereby permitted shall be carried out in accordance with the following approved plans:
Tidworth Primary School Design and Access Statement (and appendices) dated 28/05/13
Drawing no. 275928 Site P 02 P05 (location plan in context) dated 31/05/13
Drawing no. 275928 Site P 202 T3 (site plan) dated 12/07/13
Drawing no. 275928 P 0 202 P02 (ground floor plan) dated 31/05/13
Drawing no. 275928 P 1 202 P02 (first floor plan) dated 31/05/13
Drawing no. 275928 P R 200 T06 (roof plan) dated 15/07/13

Drawing no. 275928 E 200 P03 (elevations- school) dated 31/05/13
Drawing no. 275928 S 200 T03 (general sections) dated 16/07/13
Drawing no. 275928 E 203 P01 (elevations - nursery) dated 31/05/13
Drawing no. 275928 Site P 203 (proposed fence types) dated 28/06/13
Drawing no. 275928 E 201 T02 (elevations in context) dated 28/06/13
Drawing no. 275928 E 202 T02 (elevations in context) dated 28/06/13
Drawing no. 275928 Site P 210 T02 (site plan - landscape areas) dated 28/06/13
Drawing no. P148-1693 (external lighting) dated 28/05/13
Drawing no. C-01 P3 (drainage strategy) dated 21/05/13

REASON: For the avoidance of doubt and in the interests of proper planning.

9 The development hereby permitted shall not be first brought into use, until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

10 No external construction or demolition works shall be carried out before 0800 on weekdays and on Saturdays nor after 1800 on weekdays and 1300 on Saturdays, nor at any time on Sundays or Bank Holidays.

REASON: In the interests of residential amenity.

77. **13/00707/FUL - Rushall Church of England Aided School, Pewsey Road, Rushall, SN9 6EN**

Public Participation

Mr Colin Gayle spoke in objection to the application.

Ms Alma Fowle spoke in support of the application.

Cllr John Rogers spoke on behalf of Rushall Parish Council

The Area Development Manager introduced the report which recommended the application be granted temporary planning permission. A late item received from Cllr Richard Gamble (portfolio holder for schools and youth) was also presented to the committee outlining Cllr Gamble's comments on the application.

The Area Development Manager outlined key areas for consideration including PD1 of the Kennet Local Plan. This being: the impact on character and appearance of the application on the local area and highway matters.

Committee members were given the opportunity to ask technical questions of the application.

Cllr Stewart Dobson questioned the planned use of a particular colour for the building and asked if the committee could specify a colour. It was clarified that the committee could not suggest specific colours but could consider using a sympathetic colour scheme that complimented the local area.

Cllr Liz Bryant questioned the anticipated population growth in the area and asked if a temporary building was the correct solution. It was clarified that the permanence of the population bulge in the area would be clarified in future years as this would give a more accurate picture of future data. The temporary solution was proposed to deal with the bulge in short term whilst a longer term solution could be debated.

Cllr Paul Oatway then raised concerns over access to the school; and building as a result of inflated class sizes.

Following the questions from the committee, members of the public were given the opportunity to address the committee.

Following submissions from the public, the committee entered into a debate on the application. The committee questioned the suitability of existing highways arrangements to manage an increase in class size, and the impact on the surrounding community. At the end of the debate, it was;

Resolved

To GRANT planning permission for the application, subject to the following conditions;

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The mobile classroom hereby permitted shall be removed and the land restored to its former condition on or before the expiry of 5 years from the date of this planning permission, in accordance with a scheme of work submitted to and approved in writing by the local planning authority.

REASON: This permission is granted solely to meet the needs of the present applicant and because the site is in a location where the permanent retention of a building of temporary construction is considered to be inappropriate.

3 The windows in the west elevation of the mobile classroom shall be glazed with obscure glass only prior to the first occupation of the development hereby permitted and shall be permanently maintained as such in perpetuity.

REASON: In the interests of residential amenity and privacy.

4 The development hereby permitted shall be carried out in accordance with the following approved plans: 1316-01, 1316-02 and 1316-05 received 16/05/13

REASON: For the avoidance of doubt and in the interests of proper planning.

78. E/2012/1566/FUL - Marlborough College, Marlborough, Wiltshire, SN8 1PA

Public Participation

Mr John Ivory Spoke in objection to the application.

Mr Philip Wood spoke in objection to the application.

Ms Jayne Norris spoke in support of the application.

Ms Sarah Kendall spoke in support of the application.

Mr Julian Beckett spoke in support of the application.

The Senior Planning Officer outlined the report which recommended planning permission to be approved for the application. The Senior Planning officer outlined a number of late items received including a copy of the lighting plan and requirements and five letters of support for the application from sports clubs user groups.

The Senior Planning Officer outlined key areas for consideration including PD1 of the Kennet local plan, NR6 and NR7 which are designed to safeguard rural and countryside amenity. The Senior Planning Officer also suggested changing recommended condition 5 of the application, stating that goalmouth practice should be restricting hockey activity only.

Committee members were then given the opportunity to ask technical questions of the application.

Cllr Bryant clarified that the existing floodlighting on one of the two pitches had no restrictions and this was confirmed by the Senior Planning Officer.

Members of the public were then given an opportunity to address the committee.

Following submissions, the application was opened for debate and a discussion was held on the impact of noise levels in relation to hockey activity.

Cllr Stewart Dobson stated that the facilities were important not just to Marlborough residents and questioned the need to restrict floodlighting any more tightly than that recommended in the proposed planning conditions.

Cllr Nick Fogg stated that he was in support of the application but suggested that using floodlighting until 22:00 as suggested in the recommended conditions would impact negatively on local residents amenity and it was proposed that the lighting be restricted to 20:00. Following discussion this was amended until 21:00.

At the end of the discussion it was;

Resolved:

To GRANT planning permission for the application subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The floodlights for the Milford (eastern) Pitch hereby approved shall not be illuminated outside the hours of 08:00 and 21:00 from Mondays to Sundays inclusive.

REASON: To minimise the impact of the floodlights upon the amenities of the area.

3. Following installation of the floodlights hereby approved to the Milford (eastern) Pitch, this pitch shall not be used for the playing of hockey matches or hockey training outside the hours of 08:00 and 20:00 from Mondays to Sundays inclusive.

REASON: The playing of hockey outside of these hours would be likely to give rise to concerns over residential amenity

4. Prior to the first use of the floodlights hereby approved to the Milford (eastern) Pitch, goal backboards at the eastern end of the pitch and the base of the pitch fence along the boundary closest to the

dwellings and either side of the goal up to the height of where balls rise, shall be lined with resilient rubberised material in accordance with details which have first been submitted to and approved in writing by the local planning authority. These linings shall thereafter be permanently maintained in accordance with the approved details.

REASON: To absorb sound energy to help reduce peak noise levels in the interests of preserving the amenities of neighbouring residents.

5. Following installation of the floodlights to the Milford (eastern) Pitch, no goal mouth practice sessions shall take place within the eastern half of the pitch when the pitch is illuminated.

REASON: To minimise the impact upon neighbour amenity of additional usage facilitated by the approved floodlighting.

6. The development hereby permitted shall be carried out and maintained in accordance with the following approved plans: Site Location Plan, Christy Lighting Ltd Pages 1 and 2 showing horizontal and vertical illuminance levels respectively, 05a-a12-0112594 and photographs confirming appearance and angle of lights, Lux Standards sheets x 4 and lighting specification report provided by Vector Design all received on the 27th December 2012.

REASON: For the avoidance of doubt and in the interests of proper planning.

NB: Cllr Stewart Dobson requested that his vote against the application be publicly recorded.

79. E/2013/0238/FUL - Land adjacent Chute Forest Cottage, Chute Cadley, Andover, SP11 9EB

Public Participation

Mr John Holroyd spoke in objection to the application.

Mr Jim Haines spoke in objection to the application.

Ms Lisa Jackson spoke in objection to the application.

Mr Eric Potter spoke in support of the application.

Mr David Close spoke on behalf of Chute Forest Parish Council.

The Area Development Manager outlined the report which recommended planning permission be approved for the application. The key considerations for

the committee were also outlined. These being: HC24, NR6 and NR7 of the Kennet Local Plan. The key considerations were summarised as being the preservation of the character and appearance of the conservation area; , the impact on setting of nearby listed buildings and highways access to the site.

Committee members were then given the opportunity to ask technical questions of the application.

Cllr Stewart Dobson questioned if a building had been on the land previously. It was clarified that a modest building appeared on a map in the 19th Century, but was no longer visible on the site and was not a relevant planning consideration..

Members of the public were then given the opportunity to address the committee.

As the local member Cllr Charles Howard then spoke and summarised the objections made against the application including the impact on the conservation area, the cramped appearance of the planned development, and contradiction to the village conservation statement.

Following public submissions the application was opened for debate

The Area Development Manager first clarified the relevant planning considerations for the committee following submissions from the public.

Cllr Liz Bryant sought clarification on the site and its relation to the Kennet Local Plan. The Area Development Manager clarified that HC24 of the Kennet Local Plan allowed for suitable infill developments.

A debate was held on the application's suitability as an infill development and the impact on the surrounding conservation area.

It was proposed to approve the development subject to the conditions outlined in the officer report, but this was defeated.

A motion was raised to refuse the application as it was contrary to PD1 and, HC24 of the Kennet Local Plan and contrary to Para 56 and 132 of the National Planning Policy Framework.

The motion was opened to debate.

Cllr Mark Connolly stated that the application was suitable for development under HC24 and opposed the refusal of planning permission.
Cllr Liz Bryant and Cllr Paul Oatway both expressed concerns against the proposed application.

Following debate it was;

Resolved:

To REFUSE planning permission for the application for the following reasons:

- 1 The proposed development would harm the character and appearance of the Lower Chute and Chute Cadley Conservation Area by virtue of the loss of an important sylvan character identified in the Conservation Area Statement and would create a cramped appearance in the conservation area. The proposal is therefore contrary to policies PD1 and HC24 of the Kennet Local Plan 2011.**
- 2 The proposed development would fill a natural green gap that creates the loose knit and sporadic built nature of this part of the village which is characterised by dwellings set within spacious plots as identified in the Chute Village Design Statement. The proposal is therefore contrary to policies PD1 and HC24 of the Kennet Local Plan 2011 and paragraphs 56 and 132 of the NPPF.**
- 3 The proposed development cannot achieve a safe and satisfactory highway access and cannot achieve the necessary visibility splays that would accommodate the stopping distances required to ensure safe egress from the access point and is therefore contrary to policies PD1 and HC24 of the Kennet Local Plan 2011.**

80. 13/00038/FUL - Land at Hare Street, Manningford Bruce, Wilts.

Public Participation

Ms Maria Gravina Coles spoke on behalf of Ms Andrea Atkins in objection to the application.

Ms Jacqui Burgess spoke in objection to the application.

Mr David Benest spoke in objection to the application.

Mr Purdy spoke in support of the application.

The Senior Planning Officer outlined the application which was recommended for approval. The key policy considerations for the committee were outlined as PD1 NR6 and NR7. These were summarised as the impact of the proposal on the landscape of this part of the area of outstanding natural beauty.

Committee members were given the opportunity to ask technical questions of the application.

Councillor Stewart Dobson questioned the positioning of the barn and the rental/ownership status of other available land to the applicant.

Members of the public were given an opportunity to address the committee.

Councillor Paul Oatway spoke as the local member for the application and stated that there was a need for a barn for the land owner to store equipment and tools securely.

The reason for the positioning of the barn was clarified as due to the nature of the land in this location and the fact that better quality land would be lost if the barn was to be placed elsewhere. There was also better existing landscaping in the proposed location.

Following submissions the application was opened for debate, and the members discussed the impact of the barn on local residents' amenity. The Senior Planning Officer clarified that no protection was afforded in law for a land owners 'right to a view', and so this would not be a suitable reason for refusal.

Members debated the height of the structure and it was agreed that it was sufficient to allow for the storage of equipment and materials.

At the end of the debate, it was;

Resolved:

To Grant Planning permission for the application subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The building hereby approved shall be used for agriculture only and for no other purpose as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

3 No development shall commence within the proposed development site, nor shall any underground cabling or servicing be installed (including cable runs to serve the solar PV panels) until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis,

publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

4 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To protect the character and appearance of the area.

5 Notwithstanding the submitted details, the PV panels hereby approved shall be installed with a 'black' coloration with each panel having a factory finished black surround, and shall thereafter be maintained in accordance with these details.

REASON: To minimise the impact of the panels on the visual amenities of the area and preserve the scenic beauty of this Area of Outstanding Natural Beauty.

6 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

7 The development hereby permitted shall be carried out in accordance with the following approved plans: [Location Plan, Site Plan (excluding the annotation of 'proposed concrete track' both received on the 10th May 2013 and the amended plans 'Plan and Elevations' clarifying the orientation of the building received on the 22nd July 2013.

REASON:

For the avoidance of doubt, and in the interests of proper planning.

81. Urgent items

There were no urgent items for consideration.

82. Exclusion of Press and Public

Resolved:

To exclude members of the press and public (from Item 9: E/2010/0250/ENF on this agenda) in accordance with Section 100A(4) of the Local Government Act 1972 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A of the aforementioned act.

83. E/2010/0250/ENF - Untidy land at, Rum Jungle, Snails Lane, Castle Grounds, Devizes, Wiltshire SN10 1DB

The Area Development Manager outlined the Officers Report and summarised the history and occupancy status of the land.

The Area Development manger outlined the representations that had been made against the application and summarised the actions taken to date. A summary of the goods, materials and equipment stored on the land was made and the dwelling conditions were also outlined.

The committee discussed the options for enforcement and it was;

Resolved:

To authorise the Area Development Manager to take direct action to ensure full compliance with the Section 215 'Untidy Site' Notice served in relation to the site.

To place a legal charge on the land and to take any other action as may be necessary to recover the cost of the Council's reasonable expenditure

(Duration of meeting: 6.00 - 9.20 pm)

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SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 4 JULY 2013 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Richard Britton, Cllr Richard Clewer, Cllr Brian Dalton, Cllr Christopher Devine (Vice-Chair), Cllr Jose Green, Cllr George Jeans, Cllr John Noeken, Cllr Ian Tomes and Cllr Fred Westmoreland (Chairman)

Also Present:

Cllr Mary Douglas

48 **Apologies for Absence**

Apologies were received from Councillors McLennan and West.

49 **Minutes**

The minutes of the meeting held on 23 May 2013 were presented.

Resolved:

To approve and sign the minutes of the meeting held on 23 May 2013 as a correct record subject to the removal of the following words from the reasons for granting the planning application for Land adjacent to Springvale, Tidworth Road, Allington, Salisbury:

‘In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.’

50 **Declarations of Interest**

Councillor Clewer declared a personal interest in relation to the planning application for St Francis Church, Beatrice Road, Salisbury as he was a member of the Area Board that had considered grant applications from the

Church. He declared that he would consider the application on its merits and debate and vote with an open mind.

51 **Chairman's Announcements**

The Chairman explained the meeting procedure to the members of the public.

Site visits were requested should the following applications come to committee:

- The Grange, Gaters Lane, Winterbourne Dauntsey
- The Co-Op application in Amesbury
- Possible supermarket on Southampton Road, Salisbury

52 **Public Participation and Councillors' Questions**

The committee noted the rules on public participation.

1. Councillor Green reported that she had attended a recent Parish Council meeting where it was explained that Parish and Town Councils would not receive notification of tree works taking place in their area. Councillor Green asked for confirmation of this decision.
2. Councillor Jeans reported that he had heard that trees subject to Tree Preservation Orders required permission each year to be trimmed. Councillor Jeans also asked for confirmation of this decision.

The Chairman asked officers to report further on the above issues.

53 **Planning Appeals**

The committee received details of the appeal decisions as detailed in the agenda.

It was reported that application S/2012/0815 – Land North West of the Avenue, Salisbury should be amended to read S/2012/0815 – Land North West of the Avenue, Wilton.

Resolved:

That the appeal decisions be noted subject to application number S/1012/0815 being amended to read Wilton instead of Salisbury as detailed above.

54 **Land at The Grange, Gaters Lane, Winterbourne Dauntsey.**

The Chairman explained that this report had been withdrawn by the Planning Officers so that members could hold a site visit prior to the next meeting of the Committee on 25 July 2013.

55 **Planning Applications**

56 **13/00202/FUL - Land at Wet Lane, Mere, Wiltshire, BA12 6BA**

Public Participation:

- Mr Mitchell, applicant, spoke in support of the application
- Mr Hazzard, Mere Parish Council, spoke in support of the application

The Planning Officer introduced the report which recommended refusal. He explained that the planning application was for the removal of a barn, the clearing of an area of land and the construction of a detached four bed dwelling and a detached car port. Members noted that since the preparation of the report an additional four letters of support for the application had been received.

Members of the Committee were informed that the application site did not fall within any areas identified for growth in Core Policy 1 of the South Wiltshire Core Strategy. It was noted that south Wiltshire currently had a 17 year supply of sustainable housing sites and as the application site was in a location that was in the countryside and unsustainable as defined in the National Planning Policy Framework it was considered not to demonstrate an exceptional need and therefore contrary to paragraph 49 of that Framework.

Members of the public then had the opportunity to address the Committee with their views, as detailed above. It was noted that the Committee had visited the site earlier on the day of the meeting.

The local member, Councillor George Jeans, then spoke to the application. In particular he raised issues relating to the noise currently being generated by the logging company on the site and the effect the business had on neighbours. He also mentioned the overwhelming support from neighbouring properties for the development.

The Committee then considered the application and debated a number of issues. A concern was raised about the unsustainability of the site, as defined in the National Planning Policy Framework, and the other countless locations where housing sites were supported. It was felt that the Housing Boundary Policy should be protected and there were no special circumstances in favour of constructing a dwelling on this site.

The Local Member, Councillor Jeans, asked if the applicant could withdraw the application if his motion to grant the application was lost once a vote was taken. This was confirmed by the Planning Officer.

Resolved:

The applicant withdrew his application after the vote to grant the application had been lost.

57 **13/00005/FUL - St Francis Church, Beatrice Road, Salisbury, Wiltshire, SP1 3PN**

Public Participation:

- Mr Leslie, member of St Francis Church, spoke in support of the application
- Mr Taylor, Vicar of St Francis Church, spoke in support of the application

The Area Team Leader introduced the report which recommended refusal. He explained that the planning application was for an extension to St Francis Church.

Members of the Committee were informed that the proposed extension to the south side of the church would significantly harm the character of the listed building, and it was not considered that the public benefits arising from the proposal outweighed this harm when more acceptable alternatives were available. The Area Team Leader felt that the proposal would be contrary to Local Plan Policy CN3 (as saved within the adopted South Wiltshire Core Strategy) and guidance contained within the National Planning Policy Framework – Chapter 12.

Members then raised a number of technical issues in relation to the materials used for the roof and the walls of the extension.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The local member, Councillor Mary Douglas, then spoke to the application. In particular she explained that there were no letters of objection, all the neighbours were supportive of the application and spoke about the public benefit of approving the extension. She stated that in accordance with the NFFP the functionality of the church with its extension outweighed the architectural value of the listed building.

The Committee then considered the application and debated a number of issues. A concern was raised that the extension was not in keeping with the design of the listed building, however it was understood that the community benefit of the extension was an factor in making a decision.

Resolved:

That planning permission be granted for the application contrary to officers recommendation for the following reason –

The proposed single storey extension by reason of it's positioning size and appearance is considered to be an acceptable form of development fulfilling as it does the needs of the church and as such it is considered that the community

benefits derived from the development outweigh any potential harm the extension may do to the listed building and therefore the proposal is considered to comply with local plan policy CN3 (as saved within the adopted South Wiltshire Core Strategy) and relevant guidance contained within the NPPF.

Subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) The development shall only be undertaken in accordance with the following approved plans:

Plan Ref....5255-047-P2...	Dated....27.03.13....
Plan Ref....5255-049-P2...	Dated....27.03.13....
Plan Ref....5255-053-P1...	Dated....27.03.13....
Plan Ref....5255-057-P3...	Dated....27.03.13....

Reason: For the avoidance of doubt.

- 3) The external brickwork for the development hereby permitted shall be constructed to match that of the existing building in terms of its colour, texture, face bond, size, jointing and pointing.

Reason: In the interests of the character and appearance of the listed building.

- 4) No development shall commence on site until a sample panel of brickwork, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

Reason: In the interests of the character and appearance of the listed building.

58 Urgent Items

There were no urgent items.

(Duration of meeting: 6.00 - 7.40 pm)

The Officer who has produced these minutes is Stuart Figini, of Democratic Services, direct line (01225) 718376, e-mail stuart.figini@wiltshire.gov.uk

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SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 25 JULY 2013 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Richard Britton, Cllr Brian Dalton, Cllr Christopher Devine (Vice-Chair), Cllr George Jeans, Cllr Ian McLennan, Cllr John Noeken, Cllr Ian Tomes, Cllr Bridget Wayman (Substitute), Cllr Fred Westmoreland (Chairman) and Cllr Ian West

Also Present:

Cllr Mike Hewitt

59 Apologies for Absence

Apologies were received from Councillors Clewer and Green.

Councillor Wayman replaced Councillor Green for this meeting only.

60 Minutes

The minutes of the meeting held on 4 July 2013 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 4 July 2013 as a correct record.

61 Declarations of Interest

The following declarations were made:

1. Councillor Devine declared that in relation to agenda item 7 – Land at The Grange, Gaters Lane, Winterbourne Dauntsey, he had been contacted by interested parties, he had not expressed an opinion on the report. Councillor Devine declared that he would consider the enforcement report on its merits and debate and vote with an open mind.

2. Councillor Westmoreland declared that in relation to agenda item 7 – Land at The Grange, Gaters Lane, Winterbourne Dauntsey, he had met the owners of The Grange during a site visit with a fellow Councillor and he was familiar with the background of the case but had not expressed an opinion on the report. Councillor Westmoreland declared that he would consider the enforcement report on its merits and debate and vote with an open mind.
3. Councillor Britton declared that in relation to agenda item 8 – Village Design Statement for Idmiston, Gomeldon and Porton that he was a resident of Porton and had made a contribution to the Village Design Statement. Councillor Britton declared that he would consider the report on its merits and debate and vote with an open mind.
4. Councillor Wayman declared that in relation to agenda item 9a and 9b – 1 Beckford Cottage, High Street, Hindon, Salisbury, she had discussed the application with the applicant. Councillor Wayman declared that she would consider the application on its merits and debate and vote with an open mind.

62 Chairman's Announcements

1. The Chairman explained the meeting procedure to the members of the public.
2. The Chairman also explained that agenda item 9c – Stonehenge Campsite, Berwick St James, Salisbury, SP3 4TQ had been withdrawn by the applicant prior to the meeting, and therefore would not be considered by the Committee at this meeting.
3. Site visits were requested should the following applications come to committee:
 - a. An application in Gasper
4. The Chairman thanked the Area Development Manager Southern, Andrew Guest, for the list of Planning Policies and Core Policies and asked for those Policies along with the list of standard conditions and material conditions to be circulated to all members of the Committee.

63 Public Participation and Councillors' Questions

The committee noted the rules on public participation.

64 Planning Appeals

The committee received details of the following appeal decisions as detailed in the agenda.

Resolved:

That the appeal decisions be noted.

65 **Land at The Grange, Gaters Lane, Winterbourne Dauntsey**

Public Participation:

- Hannah Rebdi, owners daughter, spoke in support of her parents, Mr and Mrs Rebdi who were owners of The Grange
- Mr Rebdi, owner of The Grange, spoke in support of the events that took place on his property
- Roger Morgan, local resident, spoke on behalf of Dave Southwood in support of Mr and Mrs Rebdi
- Michael Tristram, local resident, spoke in objection to the events taking place at The Grange
- Graham Shepherd, local resident, spoke in objection to the events taking place at The Grange
- Maureen Atkinson, spoke on behalf of the Parish Council in support of Mr and Mrs Rebdi

The Committee received a report of the Team Leader (Enforcement) about the unauthorised use of a former barn and adjacent field for events including wedding ceremonies and receptions on land at the Grange, Gaters Lane, Winterbourne Dauntsey.

The Team Leader (Enforcement) explained that the report had been deferred at the last meeting of the Committee so that members had an opportunity to visit the site prior to this meeting. He reported that it was not the intention of the Council to restrict activities at the site which could be deemed incidental to the enjoyment of the dwelling as detailed in paragraph 18 of the report. This allowed for the occasional family or charity function at the site.

It was noted that planning permission was required for the owners to continue using the barn as a wedding venue constituted a material change of use of the barn. As the owners had not sought planning permission enforcement action was necessary in order for the commercial activities to cease.

The Committee was informed that the owners had indicated that their intention was to cease the use of the barn as a wedding venue after 7 September 2013 as that was the date of the last booking. Officers proposed that enforcement action should not commence until after this date and only if further wedding ceremonies and events took place at the site in future without the owners having obtained prior planning permission in breach of planning control.

Members of the public then had the opportunity to address the Committee with their views, as detailed above. It was noted that the Committee had visited the site earlier on the day of the meeting.

The Local member, Councillor Mike Hewitt, then spoke to the report. In particular he raised issues relating to the letters of representation received from neighbours, confirmed that the car parking area was historically a hard standing area as it was a farm yard, permission had been given to fell trees as they were diseased, noise levels, the lane was not used to park cars in and cars could leave the property by the field.

The Committee then considered the report and raised the following issues:

- applicants needed to be informed that once a licence had been issued for wedding ceremonies they also needed to apply for planning permission. It was understood that action had now been taken by the Licensing Authority in relation to this requirement.
- Entry and exit onto the Portway would cause less problems to neighbours.
- Supported the officers views that enforcement action would be necessary if after the 7 September 2013 further wedding ceremonies and commercial events took place at the site. Members also indicated that they would welcome the submission of a planning application by the owners of The Grange to formalise any future events.

Resolved:

That if after 7 September 2013 the site is used for wedding ceremonies or receptions or any other commercial activity, the Area Development Manager South is instructed to serve an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) and serve it on the appropriate persons, in respect of the following:

Without planning permission, the material change of use of the Land from a residential dwellinghouse and uses incidental thereto, and agriculture; to a mixed use of residential dwellinghouse, agriculture and use for the holding of events including wedding ceremonies and receptions.

The Enforcement Notice to require the following step to be taken:

Cease the use of the Land for the holding of events including wedding ceremonies and receptions.

Time for compliance with the Enforcement Notice from the date the Notice takes effect:

One month.

Reason for serving the Enforcement Notice:

1. **The use of the Land for the holding of events including wedding ceremonies and receptions has seriously detracted from the standard of residential amenity enjoyed by nearby dwellings by reason of the levels of undue noise and disturbance caused by the activity on the Land and the vehicular comings and goings to the Land, in particular during unsocial hours, all therefore being contrary to 'saved' policy G2 (vi) of the Salisbury District Local Plan.**
2. **Gaters Lane is narrow, unlit, with few passing places and lacking footways with a poor junction lacking adequate visibility onto the C56 Portway in particular, and; is unsuitable to accommodate the substantial additional traffic generated by the continued use of the Land for the holding of events including wedding ceremonies and receptions without causing serious harm to highway safety conditions, being contrary to 'saved' policy G2 (i) of the Salisbury District Local Plan.**

66 **Village Design Statement for Idmiston, Gomeldon and Porton**

The Committee considered the report of the Senior Spatial Planning Officer, Economy and regeneration about the approval as material planning consideration, the Village Design Statement – VDS - for Idmiston, Porton and Gomeldon.

The officer explained that the VDS provided a comprehensive description of the villages and its environments and identified its key characteristics. The VDS provided clear guidance to developers as to what should be respected and acknowledged by new buildings in order to help preserve the local scene. It was considered that the VDS was fit for purpose and the Committee was asked to approve its use as a material planning consideration for the purposes of development management.

The Committee were informed that the Amesbury Area Board at its meeting held on 30 May 2013 also considered the VDS and recommended that it be endorsed by this Committee.

The Chairman thanked the officer for her presentation and work undertaken on the VDS. He also congratulated the three villages and all those associated with the VDS for producing such a comprehensive document.

Resolved:

That the Village Design Statement for Idmiston, Porton and Gomeldon be approved as a material planning consideration for the purposes of development management.

67 **Planning Applications**

68 **13/00208/FUL - 1 Beckford Cottage, High Street, Hindon, Salisbury, SP3 6ED**

Public Participation:

- Joanna Harrison, local resident, spoke in objection to the application
- Diccon Carpendale, planning agent, spoke in support of the application
- Caroline Leatham, applicant, spoke in support of the application
- Charles Bowen, Hindon Parish Council, spoke in support of the application

The Planning Officer introduced the report which recommended refusal with reasons. He explained that the planning application was to carry out alterations and the construction of a first floor rear extension.

Members of the Committee were informed that the proposed extension, by reason of its positioning, would lead to the loss of historic fabric and the sense of the scale of the building, and its size and design, would harm the character and setting of the listed building and, in turn, the character of Hindon Conservation Area.

Members then raised a number of technical issues in relation to previous application refused for the property and materials to be used in the construction of the flat roof.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The local member, Councillor Bridget Wayman, then spoke in support of the application.

The Committee then considered the application and debated a number of issues. It was felt that the listing, although it encompassed the whole building, mainly focused on the facade of the building rather than the rear of the property, where the proposed extension would be built. A number of members were aware that the applicants personal circumstances should not be a factor in determining the application even though they were sympathetic to the reasons for the application.

Resolved:

That Planning Permission be GRANTED with officers delegated to agree the conditions in consultation with the Chairman, Vice-Chairman and local member. The agreed conditions are as detailed below:

1.The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICIES: Saved policies H16, G2, D3, C5, CN8, CN11 and CN3 of the Salisbury District Local Plan (which are 'saved' policies of the adopted South Wiltshire Core Strategy).

3.The first floor window in the south western (rear) elevation serving the bathroom shall be glazed with obscure glass only prior to the first occupation of the development hereby permitted and shall be permanently maintained as such at all times thereafter.

REASON: In the interests of residential amenity and privacy.

POLICY: Saved policy G2 (General Criteria for Development) of The Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy).

4. The development hereby permitted shall be carried out in accordance with the following approved plan:

Proposed rear elevation, proposed cross section, proposed first floor plan, proposed roof plan, proposed ground floor plan, site location plan, existing rear elevation, existing cross section, existing first floor plan, existing second floor plan, existing ground floor plan, elevation of bathroom window, typical section of proposed new sash window jamb and typical section through proposed new sash window: Drawing reference: 2002 / 11 D Date drawn: December 2013 Date received by Wiltshire Council: 17/04/2013

REASON: For the avoidance of doubt and in the interests of proper planning.

69 **13/00210/LBC - 1 Beckford Cottage, High Street, Hindon, Salisbury, SP3 6ED**

Public Participation:

- Joanna Harrison, local resident, spoke in objection to the application
- Diccon Carpendale, planning agent, spoke in support of the application
- Caroline Leatham, applicant, spoke in support of the application

- Charles Bowen, Hindon Parish Council, spoke in support of the application

The Planning Officer introduced the report which recommended refusal with reasons. He explained that the listed building planning application was to carry out alterations and the construction of a first floor rear extension.

Resolved:

That Planning Permission be GRANTED with officers delegated to agree the conditions in consultation with the Chairman, Vice-Chairman and local member. The agreed conditions are as detailed below:

1. The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- (i) Full details and samples of external materials
- (ii) Internal door details
- (iii) Roof junction details
- (iv) Obscure glazing details

The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

POLICY: Saved policy CN3 of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy).

3. The development hereby permitted shall be carried out in accordance with the following approved plan:

Proposed rear elevation, proposed cross section, proposed first floor plan, proposed roof plan, proposed ground floor plan, site location plan, existing rear elevation, existing cross section, existing first floor plan, existing second floor plan, existing ground floor plan, elevation of bathroom window, typical section of proposed new sash window jamb and typical section through proposed new sash window: Drawing reference: 2002 / 11 D Date drawn: December 2013 Date received by Wiltshire Council: 17/04/2013

REASON: For the avoidance of doubt and in the interests of proper planning.

70 **S/2012/1603 - Stonehenge Campsite, Berwick St James, Salisbury, SP3 4TQ**

The Chairman explained that the applicant had withdrawn this application to enable amendments to the application prior to a re-submission.

71 **S/2013/0422 - Former National Cooperative Store, 23-29 Salisbury Street, Amesbury, Salisbury, SP4 7AW**

Public Participation:

- Matthew Shellum, planning agent, spoke in support of the application
- Andrew Williams, Stonehenge Chamber of Trade, spoke in support of the application
- Ian Mitchell, Mayor of Amesbury and on behalf of the Parish Council, spoke in support of the application

The Area Team Leader introduced the report which recommended for approval subject to a legal agreement and conditions. She explained that the planning application was for the redevelopment of the site to form a mixed use development of circa 5,000 sq ft A1 retail floorspace, and 33 later living apartments for older persons including associated landscaping, car parking and access.

Members of the Committee were informed that the proposed scheme increased the length of retail frontage to Salisbury Street fully in accordance with policy S1 and the site was also in the Housing Policy Boundary so housing was also acceptable in principle. The core planning principles of the National Planning Policy Framework include that planning should also promote mixed use development in sustainable locations.

Whilst there was an overall reduction in retail floorspace with the loss of the existing supermarket building, the retail floorspace being created was more flexible and more useable to the retail market and was considered to improve the retail function of Amesbury.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council had worked proactively to secure the development to improve the social, economic and environmental conditions of the area.

Members then raised a number of technical issues in relation to car parking for staff and customers, space for refuse collection vehicles and the affordable housing contribution.

Members of the public then had the opportunity to address the Committee with their views, as detailed above. The Committee attended a site visit of the application site prior to the meeting.

The local member, Councillor Fred Westmoreland, then spoke to the application. In particular he explained his concerns about the retail space being too small and the design of the overall development would not alleviate antisocial behaviour in the town centre.

The Committee then considered the application and debated a number of issues. Members highlighted the overwhelming support for the application received from the Chamber of Trade who represented over 120 local businesses and the need for smaller stores in the town. There was a concern that if this application was refused the site would not be developed for many years and that this would be detrimental to the social, economic and environmental conditions of the area.

The Committee asked for an officer to attend the next meeting to speak about housing contributions.

Resolved:

That subject to the applicant entering into a S106 agreement to secure contributions towards affordable housing, waste and recycling facilities and the Wessex Stone Curlew Project, Planning Permission be GRANTED.

And subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

(2) No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is appropriately detailed due to its proximity to listed buildings and location within the conservation area.

(3) No walls of the development hereby permitted shall be constructed until a sample panel of the brickwork and flintwork not less than 1 metre square, demonstrating the face bond of the brickwork, the type of flint, style of flintwork and the mortar mix and finish and pointing style have been constructed on the site and approved in writing by the Local Planning Authority. The panel shall

then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

Reason: To ensure that the development is appropriately detailed due to its proximity to listed buildings and location within the conservation area.

(4) No walls of the development hereby permitted shall be constructed until a sample panel of the render to be used on the external walls not less than 1 metre square, has been constructed on site and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample (WB12).

Reason: In the interests of visual amenity and the character and appearance of the area.

(5) No development shall commence on site until large scale details of all eaves, verges, windows, (including elevations and sections of the windows, head, sill and window reveal details), doors and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is appropriately detailed due to its proximity to listed buildings and location within the conservation area.

(6) No development shall commence on site until large scale horizontal and vertical section plans (1:10 scale) of the shopfront to demonstrate the projection of the fascia, pilaster and stallriser have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development is appropriately detailed due to its proximity to listed buildings and location within the conservation area.

(7) No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing including a timetable for implementation by the Local Planning Authority. Development shall be carried out in accordance with the approved details and the agreed timetable for implementation (WB17).

Reason: In the interests of visual amenity and the character and appearance of the area.

(8) No development shall commence on site until a noise pollution attenuation scheme for the flats on the Salisbury Street frontage (labelled 10, 11, 12, 14 & 27 on drawing no A01-1883-04 Rev B) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the glazing

specification to the flats, full details of the acoustic insulation and air ventilation systems. The flats shall not be occupied until the approved scheme has been completed in accordance with the approved details.

Reason: In the interests of residential amenity.

(9) No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- all hard surfacing materials

Reason: To ensure a satisfactory landscaped setting for the development, in the interests of visual amenity and the character and appearance of the area.

(10) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory landscaped setting for the development, in the interests of visual amenity and the character and appearance of the area.

(11) No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to the retained trees shown on plan number 7999/01 shall be submitted to and approved in writing by the local planning authority. All works shall subsequently be carried out in accordance with the approved details. In particular, the method statement must include:-

A specification for protective fencing to trees to be retained as shown on plan number 7999/01 during both demolition and construction phases which complies with British Standard 5837:2005 and a plan indicating the alignment of the protective fencing.

A Specification for scaffolding and ground protection within tree protection zones in accordance with BS 5837:2005.

Reason: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

(12) No development shall commence on site until details of the number, design and locations of measures which will be incorporated into the development to provide nesting opportunities for birds and roosting opportunities for bats, including a timetable for implementation has been submitted to and approved in writing by the local planning authority. The development will be completed in accordance with the approved details and implementation and retained for annual use by bats and breeding birds.

Reason: To safeguard protected species and mitigate against the loss of existing biodiversity and nature habitats

(13) No development shall commence on site until details have been submitted to and approved in writing by the local planning authority of cycle parking spaces for the retail development and the spaces shall be implemented in accordance with the approved details prior to the retail development first being brought into use.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car in the interests of sustainable development.

(14) No development shall commence on site until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

Reason: In the interests of road safety and reducing vehicular traffic to the development.

(15) The car parking spaces and access roads thereto shown on the approved drawings shall be completed prior to the occupation of the development land uses for which they are intended.

Reason: In the interests of highway safety and the amenity of future occupants/users of the development.

(16) The residential development hereby permitted shall not be first occupied, until the cycle parking facilities for the residential development shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car in the interests of sustainable transport.

(17) Prior to the occupation of the any residential dwelling a car parking allocation and management plan shall be submitted to and approved in writing by the local planning authority. The sixteen car parking spaces provided for the residential development shall thereafter be allocated and managed strictly in accordance with the approved plan.

Reason: In the interests of highway safety and to help ensure that demand for spaces is restricted to match the provision.

(18) No development shall commence on site until details showing ventilation and extraction equipment within the site for the retail element of the scheme hereby approved (including details of its position, appearance and details of measures to prevent noise emissions) have been submitted to and approved in writing by the Local Planning Authority. The ventilation/extraction equipment shall be installed prior to the retail development hereby approved being first occupied and shall thereafter be maintained in accordance with the approved details. (WF14)

Reason: In the interests of amenities of the area

(19) No development shall take place until a legal agreement with the highways authority in relation to the proposed changes to the layby on Salisbury Street has been entered into to secure:

1. Alteration and amendments to the dimensions of layby on Salisbury Street fronting the site.
2. Traffic regulation order required to be modified or introduced to regulate use of the layby site traffic and other potential defined users.
3. The submission of a service delivery management plan to be effected by the retail development.
4. Details for the protection/alteration of existing public path at the east side of the site.

Reason: In the interest of highway safety

(20) The second floor flat roof area of the development hereby permitted above the residents lounge (shown on drawing number A01-1883094 Rev B) shall not be used as a balcony, roof garden or similar amenity area (WE14).

Reason: In the interests of residential amenity and privacy.

(21) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the ground floor retail element of the scheme (outlined on plan number A01-1883-03 Rev C) site shall be used solely for purposes within Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment)(England) Order 2005 (or in any

provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification). (WFA)

Reason: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same class, having regard to the circumstances of the case.

(22) The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan number A01-1883-20 Rev A, South West Elevation North West Elevation, dated May 2013, received by this office 26/06/2013

Plan number A01-1883-03 Rev C Ground Floor Plan, dated Feb 2013, received by this office 26/06/2013

Plan number A01-1883-05 Rev A Proposed Elevations, dated Feb 2013, received by this office 27/06/2013

Plan number A01-1883-02 Rev A Proposed Site Layout, dated Feb 2013, received by this office 21/06/2013

Plan number A01-1883-01 Rev A Site Location Plan, dated Feb 2013, received by this office 20/06/2013

Plan number A01-1883-04 Rev B Upper Floor Plans, dated Oct 2012, received by this office 29/05/2013

Plan number LP233/01A Landscape Strategy Plan, dated Feb 2013, received by this office 15/04/2013

Plan number A01-1883-12 Section Elevations A to J, dated April 2013, received by this office 15/04/2013

Plan number 7999/01 Tree Constraints Plan, dated Sept 2012, received by this office 26/03/2013

Plan number A01-1883-06 North East Elevation and Section AA, dated March 2013, received by this office 07/03/2013

Reason: For the avoidance of doubt and in the interests of proper planning.

Informatives

Permission not authorising work on land outside the applicant's control & party wall act

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996 (WP18).

Materials

Please note that the Planning Office does not have the facility to receive material samples. Please deliver material samples to site, with a notification to the planning office where they are to be found.

Section 106 Agreement

This permission shall be read in conjunction with the Section 106 Agreement dated (To be completed) 2013, which is applicable to this application, in terms of its restrictions, regulations or provisions.

Highways

The consent hereby granted shall not be construed as authority to carry out works on the highway.

A Section 278 Agreement allows developers to enter into a legal agreement with the Highways Authority to make alterations to the public highway to ensure that the work to be carried out on the highway is completed to the standards and satisfaction of the Local Highway Authority.

Proposals relating to the alterations of the layby fronting the site will be considered by the highway authority on the basis of all potential users. There can be no guarantee that space will be available at a particular time for the private use of the retail development.

Advertisement consent required

This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.

Wessex Water

The existing foul sewerage network has adequate spare capacity to serve the current proposals for foul drainage.

The current plans indicate that on site drainage will not be offered for adoption to Wessex Water. Appropriate measures should be made for the maintenance and repairs of these sewers. Please refer to Wessex Water's Advice Note 16 for further guidance on the National Building standard (NBS).

When the NBS is implemented it will be mandatory for new shared drainage to be adopted by the sewerage undertaker.

If the development site is constructed prior to the implementation of the NBS and the site is not a single managed site, some of the drainage will be subject to

secondary sewer transfer to Wessex Water 6 months after the NBS is introduced.

Surface Water – Proposals indicate drainage to highway drain; the applicant should consider soakaway arrangements. If the surface water system is to be served by soakaways the surface water sewers do not, in effect, drain to a public system and will not be subject to mandatory transfer.

Water Supply – Adequate capacity exists; building above 2 storeys may require on site boosted storage.

72 **S/2012/1834 - Area 10, Old Sarum, Salisbury, SP4 6BY**

Public Participation:

- John Bryant, spoke in objection to the application
- John Wilkinson, Chair of Old Sarum Residents Association, spoke in objection to the application
- David Parker, local resident, spoke in objection of the application
- Glen Godwin, on behalf of the applicant, spoke in support of the application
- Ron Champion, Chairman of Laverstock and Ford Parish Council, spoke in objection of the application

The Senior Planning Officer introduced the report which recommended refusal with reasons. She explained that the planning application was for the erection of 69 dwellings and associated car parking, landscaping and infrastructure. Members noted that because the application had been appealed, they were unable to determine the application but were able to indicate how they would have voted.

The Committee were informed that the area of land in question was identified in the Design Code document 2007 as land which may be suitable for development after 2011. It was also located within an emerging settlement, and hence, its development for housing would accord generally with national and local planning policies. In the absence of a signed S106 Agreement, the proposal would fail to mitigate against the impact of the additional dwellings in terms of additional provisions towards local infrastructure, services and facilities.

Officers also explained that the proposal was considered to be contrary to Core Policy CP3 in that without a suitable S106 Agreement, it made no provision for 40 percent affordable housing within the application scheme, and sought to separate the location of affordable from market housing, contrary to the guidance provided in the NPPF, which aimed to provide high quality affordable housing, and mixed healthy communities. The Local Planning Authority considers that the future occupiers of the proposed units may suffer a significant

adverse impact to their residential amenity to the detriment of the enjoyment of their property from vibration and noise emanating from an adjacent commercial operation. It was noted that there was an outstanding highways objection, which would have to be imposed as a highways reason for refusal.

Members then raised a number of technical issues in relation to existing permission for area 10 and the relocation of affordable housing from area 12 to area 10.

Members of the public then had the opportunity to address the Committee with their views, as detailed above. The Committee attended a site visit of the application site prior to the meeting.

The local member, Councillor Ian McLennan, then spoke to the application. In particular he spoke about his concerns in relation to the application and in particular the density of the site and the proximity to the football club.

Resolved:

That the Committee indicated that they would have been minded to REFUSE planning permission, for the following reasons:

1. Under Core Policy 3 of the South Wiltshire Core Strategy the application requires a target of 40% affordable housing provision. However, the proposal suggests that no affordable housing will be provided on another separate parcel of land (Area 12), subject to a current separate planning application (S/2012/1836), and that all the affordable housing provision for that Area would be included on Area 10 subject of this application.

However, the current proposal would create an uneven balance of affordable housing provision across the wider site and in the absence of a suitable legal agreement which agrees to 40 percent affordable housing provision, the applicant would not have met the affordable housing policy requirements.

As a result, the proposal is considered to be contrary to Core Policy CP3 of the South Wiltshire Core Strategy, and the guidance provided in the NPPF at paragraphs 47 to 50, which aims to provide high quality affordable housing, and inclusive, balanced and mixed communities.

2. The proposal would result in additional dwellings, and hence additional impacts, on existing and proposed facilities. To mitigate the impacts of the development, provision would therefore need to be made towards the following:

- Additional affordable housing
- Additional contributions towards the planned community centre
- Additional contributions towards the existing educational facilities

- Additional public art contributions
- Contributions towards the Wessex Stone Curlew project
- Additional contributions towards public open space and equipment
- Additional contributions towards sustainable transport infrastructure, including bus and cycle vouchers
- Waste and recycling facilities
- Vehicular/pedestrian link with adjacent land including removal of ransom strip

However, in the absence of any provision being made at this time for mitigation towards the enhancement of these facilities or any financial contribution offered towards them, the proposal is considered to be contrary to policies CP3, CP21 & CP22 of the adopted South Wiltshire Core Strategy, policy WCS 6 of the Waste Core Strategy and saved policies D8 & R2 of the Salisbury District Local Plan, and guidance provided in the NPPF regards planning obligations.

3. The site is located close to existing commercial and industrial units, and there is a known vibration/noise problem associated with the processes carried out by one of the occupiers of the industrial estate, which currently affects existing residential amenity in the area. In the absence of a suitable report demonstrating whether and to what extent these areas are affected, the Local Planning Authority considers that the future occupiers of the proposed units may suffer a significant adverse impact to their residential amenity to the detriment of the enjoyment of their property. On this basis, the proposal is considered to be contrary to saved policy G2 of the Salisbury District Local Plan, as saved within Appendix C of the South Wiltshire Core Strategy, and guidance in the NPPF, in particular paragraph 123.

73 S/2012/1835 - Area 11, Old Sarum, Salisbury, SP4 6BY

Public Participation:

- John Bryant, spoke in objection to the application
- John Wilkinson, Chair of Old Sarum Residents Association, spoke in objection to the application
- David Parker, local resident, spoke in objection of the application
- Glen Godwin, on behalf of the applicant, spoke in support of the application
- Ron Champion, Chairman of Laverstock and Ford Parish Council, spoke in objection of the application

The Senior Planning Officer introduced the report which recommended refusal with reasons. She explained that the planning application was for the erection

of 35 dwellings with associated car parking, landscaping and infrastructure. Members noted that because the application had been appealed, they were unable to determine the application but were able to indicate how they would vote.

Members of the Committee were informed that the proposal would result in the development of a large area of intended public open space which is ecologically sensitive. It was noted that the proposed area was intended by the agreed Masterplan to have a more rural and spacious visual quality, as well as helping to provide a strong character and sense of place to the development. The loss of the proposed open area and its development for housing would have a significant detrimental impact on the open character and visual qualities of the area, and would adversely affect the amenities of adjacent dwellings, contrary to the agreed masterplan.

Officers explained that in the absence of a signed S106 Agreement, the proposal would fail to mitigate against the impact of the additional dwellings in terms of additional provisions towards local infrastructure, services and facilities. Furthermore, in the absence of a suitable report demonstrating whether and to what extent these areas are affected, the Local Planning Authority considers that the future occupiers of the proposed units may suffer a significant adverse impact to their residential amenity to the detriment of the enjoyment of their property from vibration and noise emanating from an adjacent commercial operation. It was noted that there was an outstanding highways objection, which would have to be imposed as a highways reason for refusal, if the highways officer maintains a valid planning objection. Members delegated this matter to Officers to impose a reason for refusal where considered appropriate.

Members of the public then had the opportunity to address the Committee with their views, as detailed above. The Committee attended a site visit of the application site prior to the meeting.

The local member, Councillor Ian McLellan, then spoke to the application. In particular he was concerned at the loss of the proposed open space area and felt this would have a detrimental impact on those living in the development.

Resolved:

That the Committee indicated that they would have been minded to REFUSE planning permission, for the following reasons:

1. The proposal would result in the development of a large area of intended public open space which is considered to be of local ecological value. Whilst there is an acknowledged over-provision of such land to serve the housing development, the proposed area was intended by the agreed Masterplan to have a more rural and spacious visual quality, as well as helping to provide a strong character and sense of place to the development. Further, in the absence of a detailed ecological assessment regards the impact of the

development, it is considered that the proposal would be likely to cause significant harm to the local ecology and biodiversity of the site and area.

It is therefore considered that the loss of the proposed open area and its development for housing as proposed would have a significant detrimental impact on the open character and visual qualities of the area, and would adversely affect the amenities of adjacent dwellings, and potentially cause significant harm to the local ecology and biodiversity of the site and area. The proposal is therefore considered to be contrary to the agreed masterplan, and contrary to policies Salisbury District Local Plan policies H2D, G2, D1, R5, R6, C6, C7, C8 as saved within the Adopted South Wiltshire Core Strategy, Adopted South Wiltshire Core Strategy policies CP21 & CP22, policy CP50 of the draft Wiltshire Core Strategy and the NPPF, particularly paragraphs 58 & 59 in relation to design codes and provision of attractive and quality open spaces and paragraphs 109 to 119 related to biodiversity and ecology matters.

2. The proposal would result in additional dwellings, and hence additional impacts, on existing and proposed facilities. To mitigate the impacts of the development, provision would therefore need to be made towards the following:

- Additional affordable Housing
- Additional contributions towards the planned community centre
- Additional contributions towards the existing educational facilities
- Additional public art contributions
- Contributions towards the Wessex Stone Curlew project
- Additional contributions towards public open space and equipment
- Additional contributions towards sustainable transport infrastructure, including bus and cycle vouchers
- Waste and recycling facilities

However, in the absence of any provision being made at this time for mitigation towards the enhancement of these facilities or any financial contribution offered towards them, the proposal is considered to be contrary to policies CP3, CP21 & CP22 of the adopted South Wiltshire Core Strategy, policy WCS 6 Waste Core Strategy and saved policies D8, R2 & G9 of the Salisbury District Local Plan and guidance provided in the NPPF regards planning obligations.

3. The site is located close to existing commercial and industrial units, and there is a known vibration/noise problem associated with the processes carried out by one of the occupiers of the industrial estate, which currently affects existing residential amenity in the area. In the absence of a suitable report demonstrating whether and to what extent these areas are affected, the Local Planning Authority considers that the future occupiers of the proposed units may suffer a significant adverse impact to their residential amenity to the detriment of the enjoyment of their property. On this basis, the proposal is considered to be contrary to saved policy G2 of the Salisbury District Local

Plan, as saved within Appendix C of the South Wiltshire Core Strategy, and guidance in the NPPF, in particular paragraph 123.

74 **S/2012/1836 - Area 12, Old Sarum, Salisbury, SP4 6BY**

Public Participation:

- John Bryant, spoke in objection to the application
- John Wilkinson, Chair of Old Sarum Residents Association, spoke in objection to the application
- David Parker, local resident, spoke in objection of the application

The Senior Planning Officer introduced the report which recommended refusal with reasons. She explained that the planning application was for the erection of 22 dwellings and associated car parking, landscaping and infrastructure. Members noted that note that because the application had been appealed, they were unable to determine the application but were able to indicate how they would of voted.

Members of the Committee were informed that the proposal would result in the development of a large area of intended public open space. The proposed open space area was intended by the agreed Masterplan to have a more rural and spacious visual quality, as well as helping to provide a strong character and sense of place to the development. It was considered that the loss of the proposed open area and its development for housing as proposed would have a significant detrimental impact on the open character and visual qualities of the area, and would adversely affect the amenities of adjacent dwellings, contrary to the agreed masterplan.

In the absence of a signed S106 Agreement, the proposal would also fail to mitigate against the impact of the additional dwellings in terms of additional provisions towards local infrastructure, services and facilities.

Members noted that the proposal was considered to be contrary to Core Policy CP3 in that it made no provision for affordable housing within the application scheme, and sought to separate the location of affordable from market housing, contrary to the guidance provided in the NPPF, which aimed to provide high quality affordable housing, and mixed healthy communities. Also, the Local Planning Authority considered that the future occupiers of the proposed units may suffer a significant adverse impact to their residential amenity to the detriment of the enjoyment of their property from vibration and noise emanating from an adjacent commercial operation. It was noted that there was an outstanding highways objection, which would have to be imposed as a highways reason for refusal.

Members then raised a number of technical issues in relation to the materials used for the roof and the walls of the extension.

Members of the public then had the opportunity to address the Committee with their views, as detailed above. The Committee attended a site visit of the application site prior to the meeting.

The local member, Councillor Ian McLennan, then spoke to the application. In particular he was concerned at the loss of the proposed open space area and felt this would have a detrimental impact on those living in the development.

Resolved:

That the Committee indicated that they would have been minded to REFUSE planning permission, for the following reasons:

1. The proposal would result in the development of a large area of intended public open space. Whilst there is an acknowledged over-provision of such land to serve the housing development, the proposed area was intended by the agreed Masterplan to have a more rural and spacious visual quality, as well as helping to provide a strong character and sense of place to the development. It is considered that the loss of the proposed open area and its development for housing as proposed would have a significant detrimental impact on the open character and visual qualities of the area, and would adversely affect the amenities of adjacent dwellings, contrary to the agreed masterplan, and contrary to policies Salisbury District Local Plan policies H2D, G2, D1, R5, R6, C6, C7, C8 as saved within the Adopted South Wiltshire Core Strategy, Adopted South Wiltshire Core Strategy policies CP21 & CP22 and the NPPF, particularly paragraphs 58 & 59 in relation to design codes and provision of attractive and quality open spaces.

2. Under Core Policy 3 of the South Wiltshire Core Strategy the application requires a target of 40% affordable housing provision. The proposal suggests that the 40% affordable housing (9 units) will be provided on another separate parcel of land (Area 10), which is subject to a current separate planning application (S/2012/1834). The proposal when considered in isolation would not therefore provide any affordable housing provision.

However, the proposal would create an uneven balance of affordable housing provision across the site, and furthermore, in the event of that separate consent not being granted, the applicant would not have met the affordable housing policy requirements.

As a result, the proposal is considered to be contrary to Core Policy CP3 of the South Wiltshire Core Strategy, and the guidance provided in the NPPF at paragraphs 47 to 50, which aims to provide high quality affordable housing, and inclusive, balanced and mixed communities.

3. The proposal would result in additional dwellings, and hence additional impacts, on existing and proposed facilities. To mitigate the impacts of the development, provision would therefore need to be made towards the following:

- Additional affordable housing
- Additional contributions towards the planned community centre
- Additional contributions towards the existing educational facilities
- Additional public art contributions
- Contributions towards the Wessex Stone Curlew project
- Additional contributions towards public open space and equipment
- Additional contributions towards sustainable transport infrastructure, including bus and cycle vouchers
- Waste and recycling facilities

However, in the absence of any provision being made at this time for mitigation towards the enhancement of these facilities or any financial contribution offered towards them, the proposal is considered to be contrary to policies CP3, CP21 & CP22 of the adopted South Wiltshire Core Strategy, policy WCS 6 of the Waste Core Strategy and saved policies D8, R2 & G9 of the Salisbury District Local Plan and guidance provided in the NPPF regards planning obligations.

4. The site is located close to existing commercial and industrial units, and there is a known vibration/noise problem associated with the processes carried out by one of the occupiers of the industrial estate, which currently affects existing residential amenity in the area. In the absence of a suitable report demonstrating whether and to what extent these areas are affected, the Local Planning Authority considers that the future occupiers of the proposed units may suffer a significant adverse impact to their residential amenity to the detriment of the enjoyment of their property. On this basis, the proposal is considered to be contrary to saved policy G2 of the Salisbury District Local Plan, as saved within Appendix C of the South Wiltshire Core Strategy, and guidance in the NPPF, in particular paragraph 123.

(Duration of meeting: 6.00 - 10.30 pm)

The Officer who has produced these minutes is Stuart Figini, of Democratic Services, direct line (01225) 718376, e-mail stuart.figini@wiltshire.gov.uk

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SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 5 SEPTEMBER 2013 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Richard Britton, Cllr Richard Clewer, Cllr Brian Dalton, Cllr Christopher Devine (Vice-Chair), Cllr Jose Green, Cllr George Jeans, Cllr Ian McLennan, Cllr John Noeken, Cllr Ian Tomes, Cllr Fred Westmoreland (Chairman) and Cllr Ian West

Also Present:

Cllr Peter Edge, Cllr Mike Hewitt and Cllr John Walsh

75 Apologies for Absence

There were no apologies for absence. Councillors Brian Dalton and Richard Clewer arrived for the meeting at 18:25 and 19:45 respectively.

76 Minutes

The minutes of the meeting held on 25 July 2013 were presented. It was,

Resolved:

That subject to correction of the spelling of Cllr Ian McLennan, to approve as a true and correct record and sign the minutes.

77 Declarations of Interest

Cllr Ian Tomes declared a non-pecuniary interest in Minute 89 - *13/01284/FUL* - as a result of being acquainted with the applicant's father, although not the applicant himself, and so would participate in the debate and vote with an open mind.

Cllr Brian Dalton declared a non-pecuniary interest in Minutes 87-88 - *13/01220/OUT and 13/01223/OUT* - as a result of being a Salisbury City Councillor, and stated he would consider and vote on the matter with an open mind.

78 **Chairman's Announcements**

The Chair announced, with the agreement of the Committee, that the application to be considered under Minute 82 - S/2012/1603/S73 - was to be deferred to the next meeting at the request of the applicant pending receipt of additional information.

79 **Public Participation and Councillors' Questions**

The Chairman explained the meeting procedure to the members of the public and noted the rules on public participation.

80 **Planning Appeals**

The Committee received details of the appeal decisions as outlined in the agenda.

81 **Planning Applications**

A late list of information received, observations and alterations, as attached to these minutes, was presented. Site visits had taken place in the afternoon prior to the Committee meeting for applications S/2013/0406 and 13/01181/FUL.

82 **S/2012/1603/S73 - Stonehenge Campsite, Berwick St James, Salisbury, SP3 4TQ**

The application was deferred with the agreement of the Committee at the request of the applicant.

83 **S/2012/1778 - Area 9A/9B, Old Sarum, Salisbury, SP4 6BB**

Public Participation

Mr John Wilkinson, Chair of the Old Sarum Residents Association, spoke in objection to the application.

Mr Glen Godwin, agent, spoke in support of the application.

Mr Ron Champion, Laverstock and Ford Parish Council, spoke in objection to the application.

A report was presented which recommended that the application be delegated to the Area Development Manager to approve subject to the signing of a S.106 legal agreement as detailed further in the agenda. Key details also included the principle of additional dwellings on the site, the proportion of affordable housing and the impact upon the area, residential amenity and highways.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was confirmed that the outline permission for the site had not restricted the number of dwellings in Old Sarum to 630, and therefore the developers were able to apply to increase the number from the current 628 that were approved.

Members of the public then had the opportunity to present their views to the C Committee, as detailed above.

The Local Member, Councillor Ian McLennan, then spoke in objection to the application.

A debate followed, where the impact on the highways, open space and other infrastructure from the density of development across Old Sarum was raised, as well as the level of affordable housing being offered also being considered.

At the conclusion of debate, it was,

Resolved:

To REFUSE planning permission for the following reasons:

- 1) It is acknowledged that the application site is located within the allocated housing site defined by saved policy H2D of the Salisbury District Local Plan and within the approved site associated with outline application S/2005/0211. However, whilst the policy and adopted development brief alludes to additional dwellings being permitted after 2011, the Council is of the opinion that any additional dwellings were envisaged to come forward following a formal consultation and allocation as part of a future Local Plan adoption process. As no such land has been allocated at the Old Sarum site as part of the now adopted South Wiltshire Core Strategy, or is intended as part of the draft Wiltshire Core Strategy, it is considered that the proposal is contrary to the Development Plan, in particular policy H2D and the associated development brief, which stipulated a limit of 630 dwellings prior to 2011; policy CP6 of the adopted South Wiltshire Core Strategy, which does not allocated further land in this area, and similarly, draft policy CP1 & CP2 of the Wiltshire Core Strategy. The proposal would therefore also be contrary to the guidance contained with the National Planning Policy Framework, which indicates that housing provision should be considered on the basis of the adopted up to date local planning policies.**

- 2) Notwithstanding the above, the scheme would only provide for 25 percent affordable housing, and would not provide any on site public open space or provide any access to additional planned open space within the allocated Longhedge development located immediately adjacent to the site. As a result, and in the absence of a suitable Section 106 Agreement, the proposal would not accord with either the 33 percent affordable housing provision stipulated by the 2007 Section 106 Agreement related to the outline planning permission S/2005/211, or with the 40 percent affordable housing provision stipulated by adopted policy CP3 of the South Wiltshire Core Strategy. The proposal would therefore also be contrary to the provisions of saved policy R2 which also forms part of the South Wiltshire Core Strategy, in that the proposal fails to provide sufficient public open space on site or a suitable financial contribution towards the provision of such space.**

3) The proposal would result in additional dwellings, and hence additional impacts, on existing and proposed facilities. To mitigate the impacts of the development, provision would therefore need to be made towards the following:

- Additional affordable housing
- Additional contributions towards the planned community centre
- Additional contributions towards the existing educational facilities
- Additional public art contributions
- Contributions towards the Wessex Stone Curlew project
- Additional contributions towards public open space and equipment
- Additional contributions towards sustainable transport infrastructure including bus and cycle vouchers
- Waste and recycling facilities

However, the absence of any provision being made at this time for mitigation towards the enhancement of these facilities or any financial contribution offered towards them, the proposal is considered to be contrary to policies CP3, CP21 & CP22 of the adopted South Wiltshire Core Strategy, policy WCS 6 of the Waste Core Strategy, and saved policies G2 (ii), D8 & R2 and R4 of the Salisbury District Local Plan, and guidance provided in the NPPF regards planning obligations.

Councillors Jose Green, John Noeken and Fred Westmoreland requested their votes in opposition to the motion to refuse planning permission be recorded.

84 **S/2012/1829 - Local Centre, Old Sarum, Salisbury, SP4 6BY**

Public Participation

Mr John Wilkinson, Chair of the Old Sarum Residents Association, spoke in support of the application.

Mr Matt Pallas, Vice-Chair of the Old Sarum Residents Association, spoke in support of the application

Mr Glen Godwin, agent, spoke in support of the application.

Mr Ron Champion, Laverstock and Ford Parish Council, spoke in objection to the application.

A report was presented which recommended that the application be delegated to the Area Development Manager to approve subject to the signing of a S.106 legal agreement as detailed further in the agenda. Key details also included the principle of additional dwellings on the site, links to surrounding development land, the impact upon residential amenity, highways and parking and other issues. It was noted that a strip of land on the site was planned to be offered to the local school as part of the development.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was confirmed 102 parking spaces were planned, and that the properties above the shops and proposed Doctor's surgery would be two storeys.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Ian McLennan, then spoke in support of the application with appropriate conditions applied, despite continued concerns about residential overdevelopment at Old Sarum, in light of the need for further commercial development.

A debate followed, where the hours of operation of any businesses on the site were discussed, along with the appropriateness of the suggested parking provision. It was also noted that condition three of the recommendation ensured that should another use be desired for the proposed Doctor's surgery, a fresh application would need to be submitted to that effect.

Members fully considered the representation from the applicant which formed part of the additional correspondence. After lengthy debate, Members decided to adjust condition 12, to increase the opening time to 7am but also to slightly reduce the suggested closure time to 10pm, in order to balance the needs of the commercial operation against the impact of the operation on residential amenity. Members also decided to alter suggested condition 13 to expand the hours of delivery to allow greater scope for the commercial operation, with a caveat that no deliveries occur between 3pm to 4pm due to school finishing time. Members also requested that the suggested heads of terms be adjusted to allow for the proposed educational land to be utilised as public open space if not required for educational purposes, and also requested that the additional affordable housing being offered by the applicant be made a firm commitment.

At the conclusion of debate, it was,

Resolved:

To delegate to the Area Development Manager to GRANT planning permission subject to all parties entering into a S106 legal agreement which seeks to secure:

- i) Additional Educational facilities/contributions including secure use of the blue land as part of the adjacent school, or otherwise as public open space**
- ii) Provision of suitable additional waste and recycling provision/contributions**
- iii) Provision of additional open play space financial contributions**
- iv) Financial contribution towards stone curlew project**
- v) Additional Public open space facilities/contributions**
- vi) Additional public art financial contributions**
- vii) Additional transportation financial contributions/sustainable transport initiatives**
- viii) Additional Financial Contribution towards planned community centre**
- ix) Secure affordable housing provision, including 4 additional affordable housing units**
- x) Marketing of shop and provision/timing of shops/surgery**
- xi) The provision of an adopted path across the site and unfettered pedestrian and cycle access to and from Partridge Way**

Subject to the following conditions:

- 1. The development hereby permitted shall commence within one calendar year of the date of approval of this reserved matters application, unless otherwise agreed by the Local Planning Authority.**

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004, and in order to ensure that the local centre and associated facilities are delivered in a timely manner.

2. This approval of matters reserved discharges condition 01, 02, 03, 06, 13, 18, 21 of outline planning permission S/2005/211 only in so far as it relates to the area of land edged in red to which this application relates, but does not by itself constitute a planning permission.

REASON - For the avoidance of doubt and to comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

3. The ground floor uses hereby approved shall be restricted to Class A1 retail uses (within the three retail/shop units shown on the approved plan), and a Class D1 doctors surgery use, (within the doctors surgery unit shown on the approved plan), of the Town and Country Planning (Use Classes) Order, and no other uses within or outside the Use Classes, unless otherwise agreed by the Local Planning Authority as part of a formal change of use application in that regard.

REASON: In order to retain the proposed community uses to ensure the vitality and viability of the local centre and the wider community and the limit the harm caused to adjacent residential and general amenities from other uses.

4. No development shall take place within the application site until a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to, and approved in writing by the Local Planning Authority. The approved programme of archaeological work shall be carried out in accordance with the approved details.

REASON: To safeguard the identification and recording of features of archaeological interest.

5. No development shall commence on site until details and samples of the materials to be used for the external walls, roofs, and hardsurfacing have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

6. No development shall commence until the existing trees adjacent to the site boundary with Partridge Way to the north east (as shown on the approved plans) have been protected by means of a scheme submitted to and agreed in writing with the Local Planning Authority prior to works commencing. Development shall be carried out in accordance with the agreed scheme.

The Tree Protection Plan shall show the areas which are designated for the protection of trees, shrubs and hedges, hereafter referred to as the Root Protection Area (RPA). Unless otherwise agreed, the RPA will be fenced, in accordance with the British Standard Guide for Trees in Relation to Construction (BS.5837: 2012) and no access will be permitted for any development operation.

The Arboricultural Method Statement should specifically include details of how the hard surfacing within the RPA of any retained trees can be implemented, if necessary, without causing root damage.

The Arboricultural Method Statement shall include provision for the supervision and inspection of the tree protection measures. The fencing, or other protection which is part of the approved statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has been given in writing.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

- 7. All new planting and landscaping shown on the approved plans, shall be provided/planted out on site within 1 calendar year of the commencement of development, unless a scheme of timing of provision is otherwise agreed in writing with the Local Planning Authority.**

REASON: To ensure that planting and landscaping are carried out and in a timely manner so that the general visual appearance and amenities of the scheme are protected and enhanced.

- 8. The pedestrian and cycle path across the site allowing access to Partridge Way shall be provided and made available for safe use concurrently with the development being completed, and prior to any of the approved units or residential units first coming into operation or being first occupied. The pathway shall remain available for public use in perpetuity until its formal adoption by the Local Authority.**

REASON: In order to ensure that access from and to Partridge Way and the wider area is provided at an early stage, so as to enhance the connectivity of the wider community and to allow access to facilities and services.

- 9. No dwellings shall be occupied until all car parking (and associated turning and access arrangements) shown on the approved plans has been provided and made available for use.**

REASON: In order that sufficient parking is available for occupiers of the dwellings, visitors, and users of the planned local centre facilities.

10. No development shall take place until a scheme of acoustic insulation, to include details of acoustic glazing, ventilation, wall and roof construction has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the dwellings being first occupied and maintained at all times thereafter in accordance with the approved details.

REASON: To ensure that the impact of the development on surrounding amenity is reduced.

11. No (non residential) unit shall be occupied until a scheme for the control of noise emanating from any externally mounted plant, equipment or ventilation systems has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the development is first brought into use and shall be maintained at all times thereafter in accordance with the approved details.

REASON: To ensure that the impact of the development on surrounding amenity is reduced.

12. The retail units shall not be open to the public except between the hours of 7am and 10pm all week

REASON: To ensure that the impact of the development on surrounding amenity is balanced against the needs of the commercial operation

13. No deliveries shall be taken at or collections made from the development except between the hours of 06:30 to 20:00 hrs all week (04:00 hrs start for bulk items such as newspapers), except that there shall be no deliveries between 3pm to 4pm on weekdays (outside school holidays).

REASON: To ensure that the impact of the development on surrounding amenity is balanced against the needs of the commercial operation

14. The development shall be carried out in accordance with the following approved plans :

**PL03 Rev J – Planning layout
PL04 Rev G – Materials layout
PL05 Rev E – Areas for adoption
PP-01 Rev D – Parking Plan
HT-AB02 Rev D – Elevations
HTAB02 REV D -Elevations
HTC02 REV C - Elevations
BIN-01 – Surgery store plan**

REASON: For the avoidance of doubt

15. Before development commences, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority which secures protection of

habitats and species during the construction period. The development shall be carried out in accordance with the agreed CEMP.

REASON: In order to protect habitats and species during the construction period so as to limit the impacts of the development

16. Before development commences, a scheme for water efficiency shall be submitted to and approved by the Local Planning Authority. The scheme should deliver water efficiency measures to a minimum standard equivalent to Level 3 in the Code for Sustainable Homes. Development shall be carried out in accordance with the agreed schemes.

REASON: In order to improve the sustainability of the scheme in line with Core Policy 19 of the South Wiltshire Core Strategy.

Informative:

With regard to condition 4 above the work should be conducted by a professionally recognized archaeological contractor in accordance with a written scheme of investigation agreed by this office and there will be a financial implication for the applicant.

The applicant should ensure that they have thoroughly investigated ground conditions and levels of vibration on the development site and use appropriate construction methods and materials to ensure that the occupants of the houses concerned are not adversely affected by vibration and or/reradiated noise caused by Equinox prior to any of the properties being sold or occupied.

85 **S/2013/0406 - Shrewton Steam Laundries Ltd, High Street, Shrewton, Salisbury. SP3 4BZ**

Public Participation

Mr Stephen Young, agent, spoke in support of the application.

Cllr Carole Slater, Shrewton Parish Council, spoke in support of the application.

The Planning Officer presented a report which recommended the application be refused planning permission. Key issues were stated to include potential flood risk, loss of potential employment space, scale and design of the proposals and impact upon the wider area.

Members of the Committee then had the opportunity to ask technical questions of the officer.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Ian West, then spoke in support of the application.

A debate followed, where the current state of disrepair on the site was noted, given the concerns raised by the Parish Council. The scale of the designs was discussed, along with whether the site had been marketed appropriately before

a change of use to residential had been proposed. Issues over the lack of affordable housing were raised, as well as concerns over flooding.

Resolved:

To GRANT planning permission.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

Reason: In the interests of visual amenity and the character and appearance of the area.

- 3 No part of the development hereby permitted shall be first brought into use or occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.**

Reason: In the interests of highway safety.

- 4 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:**

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

Reason: To ensure that land contamination can be dealt with adequately.

- 5 No construction or demolition work shall take place on Sundays or Bank Holidays or outside the hours of 07:30 to 18:00 weekdays and 08:00 to 13:00 on Saturdays.**

Reason: In the interests of amenity.

- 6 No development shall commence (including demolition of existing buildings) within the proposed development site until:**
- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and**
 - b) The approved programme of archaeological work has been carried out in accordance with the approved details.**

Reason: To enable the recording of any matters of archaeological interest.

- 7 No development shall commence (including demolition of existing buildings) until a detailed construction method statement has been submitted to and approved in writing by the local planning authority to demonstrate that the river will be protected from access, litter and liquid sources of pollution during the entire demolition and construction period. The development will be completed in accordance with the agreed construction method statement.**

Reason: To ensure that the nature conservation interests of the River Avon System Site of Special Scientific Interest/Special Area of Conservation are safeguarded.

- 8 No development shall commence until details of the number, design and locations of features which will be incorporated into the development to provide nesting opportunities for birds and roosting opportunities for bats have been submitted to an approved in writing by the local planning authority. Details will also be provided showing the extent of land that will be sown with a wildflower seed mix. The development will be completed in accordance with the approved measures.**

Reason: To safeguard protected species and mitigate against the

loss of existing biodiversity and nature habitats.

- 9 Before plot 3 of the development hereby permitted is first occupied the first floor en-suite bathroom window in the south elevation of plot 3 shall be glazed with obscure glass only and the window shall be permanently maintained with obscure glazing in perpetuity.

Reason: In the interests of residential amenity and privacy.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

Reason: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements and in the interests of flood prevention.

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

Reason: To safeguard the character and appearance of the area and in the interests of flood prevention.

- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

Reason: To safeguard the character and appearance of the area and in the interests of flood prevention.

- 13 No development shall commence on site until details of the design, external appearance and decorative finish of all boundary fences, gates, walls, and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

Reason: In the interests of residential amenity and the character and

appearance of the area.

- 14 Finished Floor Levels shall be set no lower than 80.90mAOD.

Reason: To reduce flood risk to the proposed dwellings.

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting that Order with or without modification, no development or ground level alterations at a level above 80.30mAOD shall be erected within the area of garden of plots 3 and 1 that falls within the proposed flood flow route as delineated by the light grey dashed line on Site Layout drawing 1063 P11H.

Reason: To ensure the long term maintenance of the scheme in the interests of flood prevention.

- 16 No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The submitted details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

- 17 No development shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of sustainable development and prudent use of natural resources.

- 18 The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan reference: 1063/P10 Site Location Plan, dated May 2012, received by this office 20/03/2013

Plan reference: 1063/P11 Rev H Site Layout, dated April 2012, received by this office 20/03/2013

Plan reference: 1063P12 Plot One House Plans, dated 15/05/2012

Plan reference: 1063P13 Plot One Elevations, dated 15/05/2012

Plan reference: 1063/P14 Plot Two House Plans, dated 15/05/2012

Plan reference: 1063/P15 Plot Two Elevations, dated 15/05/2012

Plan reference: 1063/P16 Plot Three House Plans, dated 15/05/2012

Plan reference: 1063/P17 Plot Three Elevations, dated 15/05/2012

Reason: For the avoidance of doubt and in the interests of proper planning.

Informatives:-

Environment Agency –

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the Main River Till. The need for Flood Defence Consent is over and above the need for planning permission. To discuss the scope of our controls and to obtain an application form please contact Daniel Griffin on 01258 483 421.

Water Efficiency - The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered.

An appropriate submitted scheme to discharge the water efficiency condition will include a water usage calculator showing how the development will not exceed a usage level of 105 litres per person per day.

Pollution Prevention During Construction - Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover the use of plant and machinery; oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds; the control and removal of spoil and wastes. The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:

www.environment-agency.gov.uk/business/topics/pollution/39083.aspx

Public protection - No burning of waste should take place on the site during the demolition or construction phase of the development.

Archaeology - The archaeological work would include building recording prior to demolition, as well as a watching brief during the groundworks and should be conducted by a professionally recognised archaeological contractor in accordance with a brief issued by the Council's archaeology department and there will be a financial implication for the applicant.

Wessex Water - New water supply and waste water connections will be required from Wessex Water to serve this proposed development. Application forms and guidance information is available from the Developer Services web-pages at our website www.wessexwater.co.uk/developerservices

New regulations will require all sewer connections serving more than a single dwelling to be subject to a signed adoption agreement with Wessex Water before the connection can be made. These new regulations will be confirmed by DEFRA later this year

Further information can be obtained from our New Connections Team

by telephoning 01225 526 222 for Water Supply and 01225 526 333 for Waste Water.

Separate systems of drainage will be required to serve the proposed development. No surface water connections will be permitted to the foul sewer system.

On 1st October 2011, in accordance with the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011, Wessex Water became responsible for the ownership and maintenance of thousands of kilometres of formerly private sewers and lateral drains (section 105a sewers).

At the date of transfer many of these sewers are unrecorded on public sewer maps. These sewers can be located within property boundaries at the rear or side of any premises in addition to the existing public sewers shown on our record plans. They will commonly be affected by development proposals and we normally advise applicants to survey and plot these sewers on plans submitted for Planning or Building Regulations purposes.

More information relating to this transfer can be found on our website. It is important to undertake a full survey of the site and surrounding land to determine the local drainage arrangements and to contact our sewer protection team on 01225 526 333 at an early stage if you suspect that a section 105a sewer may be affected.

Wiltshire Fire & Rescue - The applicant should be made aware of the letter received from Wiltshire Fire & Rescue Service regarding advice on fire safety measures. This letter can be found on the application file which can be viewed on the council's website against the relevant application record.

Protected species - The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. There is a low risk that bats may be roosting in buildings at the application site. Bats and their roosts are protected at all times by the Conservation of Habitats and Species Regulations 2010. Planning permission for development does not provide a defence against prosecution under these pieces of legislation. If bats or nesting birds are found during the works, the applicant is advised to stop work and follow advice from their own Ecologist or to contact an Ecologist at Wiltshire Council (01225 71875) before proceeding further.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

There was a brief recess from 21:10-21:15

Public Participation

Mrs Judi Elliott spoke in objection to the application.

Mr Richard Maloney, applicant, spoke in support of the application.

Cllr Chris Hammer, Idmiston Parish Council, spoke in objection to the application.

The Planning Officer introduced a report which recommended the application be delegated to the Area Development Manager for approval subject to the signing of a S.106 legal agreement as detailed in the agenda. Key issues were stated to include the principal of development, highways issues and the impact upon the character and appearance of the area and neighbouring properties.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought regarding the level of financial contribution that would be sought in the event of approval.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Mike Hewitt, then spoke in objection to the application.

A debate followed, where the large nature of the site was noted in assessing the impact upon character and amenity of the area. The lack of objection from Highways officers regarding the new access was noted, as well as the busy nature of the road alongside the site.

At the conclusion of debate, it was,

Resolved:

To delegate to the Area Development Manager to GRANT planning permission subject to the applicant entering into a S106 legal agreement to secure:

- a) Financial contributions towards recreational open space;**
- b) Financial contributions towards affordable housing;**

Subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) The development shall only be undertaken in accordance with the following approved plans:**

Plan Ref....P465-102-P2...	Dated....14.08.13....
Plan Ref....P465-103-P2...	Dated....20.06.13....
Plan Ref....P465-104-P3...	Dated....14.08.13....
Plan Ref....P465-105-P3...	Dated....14.08.13....
Plan Ref....P465-111-P2...	Dated....14.08.13....
Plan Ref....P465-112-P1...	Dated....20.06.13....
Plan Ref....P465-113-P2...	Dated....14.08.13....
Plan Ref....P465-121-P1...	Dated....20.06.13....
Plan Ref....P465-123-P1...	Dated....20.06.13....
Plan Ref....P465-124-P1...	Dated....20.06.13....
Plan Ref....P465-125-P2...	Dated....14.08.13....
Plan Ref....P465-126-P1...	Dated....20.06.13....
Plan Ref....P465-127-P1...	Dated....20.06.13....
Plan Ref....P465-128-P2...	Dated....14.08.13....
Plan Ref....P465-129-P2...	Dated....14.08.13....
Plan Ref....P465-301-P1...	Dated....20.06.13....

Reason: For the avoidance of doubt.

- 3) No development shall commence on site until details, and where so requested samples, of the materials to be used for the external walls and roofs of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and the character and appearance of the area.

- 4) No development shall commence on site until a scheme of soft and hard landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- details of trees and hedges to be retained, together with measures for their protection in the course of development;
- details of new planting, which shall include planting to be undertaken behind the proposed visibility splay and splayed access;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard surfacing materials;
- minor artefacts and structures (e.g. refuse and other storage units, signs, lighting etc).

Reason: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 5) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner, All shrubs, trees and hedge

planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Reason: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 6) No development shall commence within the area indicated (proposed development site) until a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority. The approved programme of archaeological shall be carried out in accordance with the approved details.

Reason: To enable the recording of any matters of archaeological interest.

- 7) The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

Reason: In the interests of highway safety.

- 8) No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

Reason: In the interests of highway safety.

- 9) No part of the development shall be first occupied until the visibility splays shown on the approved plans ref: P465-102 P2 have been provided with no obstruction to visibility at or above a height of 0.9m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety

- 10) No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

Reason: To ensure that the development can be adequately drained.

11) Construction works shall not take place except between the hours of 07.30hrs to 1800hrs on Mondays to Friday and 08:00 to 13:00hrs on Saturday. There shall be no work on Sundays and Public Holidays. This condition does not apply to the internal fitting out of the buildings.

Reason: In order to limit the noise and disruption to adjacent neighbours during antisocial hours.

87 **13/01220/OUT - Land North West of The Avenue, Salisbury, Wiltshire. SP2 9PS**

Public Participation

Mr Glen Godwin, agent, spoke in support of the application.

Mr Matthew Deane spoke in support of the application

Mr Reg Williams, Salisbury City Council, spoke in support of the application.

Cllr Phil Matthews, Wilton Town Council, spoke in support of the application.

The Planning Officer introduced a report which recommended that planning permission be granted. Key issues were stated to include landscape and visual impact, transport and access, air quality and the existence of alternative sites. It was noted the application had previously come to the Committee in February 2013, and had been returned following revision of the application.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was confirmed that all relevant Parish Councils had been consulted for their views.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

A debate followed, where the need for a new cemetery site was accepted, but the location and impact upon the open countryside was raised, along with issues around any construction to take place on the site and the lack of a travel plan.

At the conclusion of debate, it was,

Resolved:

That planning permission be REFUSED for the following reasons:

- 1) The proposed cemetery, by reason of its prominent siting in open countryside and the inevitable high visibility of associated development (such as gravestones, the car park and associated**

storage), would detract from the amenities of the countryside contrary to saved policy C2 of the South Wiltshire Core strategy.

- 2) The proposed cemetery by reason of its siting outside of the Fugglestone Red development template area of the Core Strategy and outside the development limits of Salisbury is considered to be too remote from the city and limited primarily to servicing by private motor vehicles. It would therefore be an unsustainable form of development contrary to saved policy G1 of the south Wiltshire Core strategy

Councillor Ian Tomes left the meeting at 10:15 following this item.

88 **13/01223/OUT - Land East of the Avenue, Salisbury, SP2 9PS**

Public Participation

Mr Glen Godwin, agent, spoke in support of the application.

Mr Matthew Deane spoke in support of the application

Cllr Phil Matthews, Wilton Town Council, spoke in support of the application.

The Planning Officer introduced a report which recommended that planning permission be granted. The application was stated to be an alternate site to the proposal in the previous application, Minute 87 - 13/01220/OUT – with the key issues stated to include the landscape and visual impact, flood risk, access and other issues. It was noted that some trees would need to be removed to create visibility splays at the access site, and an archaeological survey conducted.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought on alternative access arrangements, and it was confirmed an alternative would necessitate placing an access through the light industrial and residential zones of the proposed Fugglestone Red development.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

A debate followed, where the need for a new cemetery for the Salisbury area was raised, along with parking and access details.

At the conclusion of debate, it was,

Resolved:

To GRANT planning permission for the following reason:

The site was originally allocated within the draft masterplan for Fugglestone Red which was considered at the Enquiry in Public. It was considered at that stage as a potential site for a cemetery and no objections were raised to it. None the less the site is more prominent in landscape terms than the site to the North West of the Avenue but with landscaping is not considered inappropriate in landscape terms. The site is located closer to the main built development of Fugglestone Red 2 and therefore in visual terms will be seen in this context. The proposal

therefore complies with policy Core policy two which allocates the site for development with the south Wiltshire core strategy.

Subject to the following conditions:

1) Details of the appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

REASON: This is an outline application submitted in accordance with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995

2) Application for the approval of the reserved matters shall be made to the local planning authority not later than five years from the date of this permission.

REASON: This is an outline application, submitted in accordance with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

3) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

REASON: This is an outline application, submitted in accordance with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

4) No development approved by this permission shall be commenced until a scheme to assess the risk to groundwater, incorporating suitable measures to mitigate those risks ,must be submitted to and approved by the Local Planning Authority. It should include the following detailed information:

1. Tier 1: Risk screening in accordance with Environment Agency guidance assessing the Groundwater Pollution Potential of Cemetery Developments

2. Where required by the tier 1 assessment, a tier 2: Preliminary quantitative riskassessment with detailed desk study and preliminary site investigation

3. Where required by a tier 2 assessment, a tier 3: Detailed quantitative risk assessment

4. Where required by any stage of the risk assessment, a method statement, based on that agreed risk assessment, for construction and operation of the proposed development.

5. A completion statement to demonstrate that work specified in the method statement has been suitably carried out.

REASON : In order to protect controlled waters

5) All burials in the cemetery shall be:

- 1. a minimum of 50m from a potable groundwater supply source;**
- 2. a minimum of 30m from a water course or spring;**
- 3. a minimum of 10m distance from field drains;**
- 4. no burial into standing water and the base of the grave must be above the local water table;**

REASON: In order to Protect controlled Waters.

6) A landscape masterplan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority prior to the first use of the development, for its permitted use. The landscape masterplan shall be carried out as approved.

REASON: To ensure the proper management and planning of the landscaped areas in the interests of visual amenity.

7) The development shall be carried out strictly in accordance with the following plans and documents –

Site location plan PO920_01-2

Design and Access statement PO920_6-1

Planning Statement dated 7 th June 2013 CIR.P.0920

Environmental Statement dated June CIR.P.0920

Transport statement by Brookbanks

Landscape and Visual Impact Assessment dated by the Cooper partnership

July 2013

Statement of pre application community consultation dated 17th June 2013 CIR.P.0920

REASON: For the avoidance of doubt and in the interests of proper planning

8) No development shall commence within the area indicated (proposed development site)

Until:

A written programme of phased archaeological investigation, which should include on site work and off site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the local planning authority and

The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

Councillor Brian Dalton left the meeting at 10:30 following this item.

89 **13/01284/FUL - 12 Middleton Road, Salisbury, Wiltshire, SP2 7AY**

Public Participation

Mr Justin Smith spoke in objection to the application.

Mr Robert James, applicant, spoke in support of the application.

The Planning Officer introduced a report which recommended the application be delegated to the Area Development Manager for approval subject to the signing of a S.106 legal agreement as detailed in the agenda. Key issues were stated to include the principal of the development, the impact upon neighbouring amenity resulting from the conversion into two dwellings and car parking and highways issues.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought regarding placement of recycling bins and the planning history of the site.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Richard Clewer, then spoke in objection to the application.

A debate followed, where the need for small dwellings in the city was raised, along with the level of impact of the proposed conversion upon the highways network.

At the conclusion of debate, it was,

Resolved:

To delegate to the Area Development Manager to GRANT planning permission subject to the applicant entering into a S106 agreement covering the following matters:

- 1. A financial contribution towards off-site recreation provision; and**
- 2. A financial contribution towards off-site affordable housing provision,**

unless this is satisfactorily demonstrated to undermine the viability of the development;

For the following reason:

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this

development to improve the social and environmental conditions of the area.

Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This development shall be in accordance with the following submitted drawings:

12/1832/201 A, dated 02/04/13 and received to this office on 25/06/13

REASON: For the avoidance of doubt

90 **Urgent Items**

There were no urgent items

(Duration of meeting: 6.00 - 11.00 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line (01225) 718504, e-mail kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 26 SEPTEMBER 2013 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Richard Britton, Cllr Richard Clewer, Cllr Brian Dalton, Cllr Christopher Devine (Vice-Chair), Cllr Jose Green, Cllr George Jeans, Cllr Ian McLennan, Cllr John Noeken, Cllr Ian Tomes, Cllr Fred Westmoreland (Chairman) and Cllr Ian West

91 Apologies for Absence

There were no apologies received.

92 Minutes

The minutes of the meeting held on 05 September 2013 were presented for consideration. It was,

Resolved:

To APPROVE as a true and correct record and sign the minutes.

93 Declarations of Interest

There were no declarations.

94 Chairman's Announcements

The Chairman explained the meeting procedure to the members of the public.

95 Public Participation and Councillors' Questions

It was agreed a site visit would be held for application 13/00246/FUL - Crouchston Farm The Cross Bishopstone Salisbury Wiltshire SP5 4BW - should the item come before the Committee.

96 Planning Appeals

The Committee received details of the appeal decisions as detailed in the agenda.

It was also agreed that the Committee would endorse a letter, to be delivered by the Chairman to the Cabinet, on the delays and expected completion of the council's Gypsy and Traveller Development Plan Document, the lack of which it was felt had exposed the council to negative decisions from Planning Inspectors during appeals.

97 **Planning Applications**

A late list of observations was circulated as attached to these minutes.

98 **S/2012/1778: Old Sarum, Salisbury, SP4 6BB**

Public Participation

Mr Ron Champion, Laverstock and Ford Parish Council, spoke in objection to the application.

The Planning Officer introduced the item, explaining that following the Committee meeting on 05 September 2013 where the application had been refused, the applicants had lodged an appeal the next morning prior to receiving the formal notice of the decision, appealing against the non-determination of the application because of the delays in bringing the item forward for determination.

It was stated that officers therefore sought the Committee's approval of the refusal reasons as listed in the report and agreed at the last meeting, to form the basis of any appeal challenge by the Council.

Members then had the opportunity to ask questions of the officer. It was confirmed the Committee could amend or add additional reasons for refusal if they felt that would be appropriate.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Ian McLennan, reiterated his objection to the application.

A debate followed where the Committee confirmed their previous decision to refuse the application, and discussed potential amendments, including the land supply for housing, burial contributions and other issues.

After discussion, it was,

Resolved:

To approve the grounds for challenging the applicant's appeal as follows:

1) It is acknowledged that the application site is located within the allocated housing site defined by saved policy H2D of the Salisbury District Local Plan and within the approved site associated with outline application S/2005/0211. However, whilst the policy and adopted development brief alludes to additional dwellings being permitted after

2011, the Council is of the opinion that any additional dwellings were envisaged to come forward following a formal consultation and allocation as part of a future Local Plan adoption process. As no such land has been allocated at the Old Sarum site as part of the now adopted South Wiltshire Core Strategy, or is intended as part of the draft Wiltshire Core Strategy, and given that there is a 5 year land supply, it is considered that the proposal is contrary to the Development Plan, in particular policy H2D and the associated development brief, which stipulated a limit of 630 dwellings prior to 2011; policy CP6 of the adopted South Wiltshire Core Strategy, which does not allocated further land in this area, and similarly, draft policy CP1 & CP2 of the Wiltshire Core Strategy. The proposal would therefore also be contrary to the guidance contained with the National Planning Policy Framework, which indicates that housing provision should be considered on the basis of the adopted up to date local planning policies.

2) Notwithstanding the above, the scheme would only provide for 25 percent affordable housing, and would not provide any on site public open space or provide any access to additional planned open space within the allocated Longhedge development located immediately adjacent to the site. As a result, and in the absence of a suitable Section 106 Agreement, the proposal would not accord with either the 33 percent affordable housing provision stipulated by the 2007 Section 106 Agreement related to the outline planning permission S/2005/211, or with the 40 percent affordable housing provision stipulated by adopted policy CP3 of the South Wiltshire Core Strategy. The proposal would therefore also be contrary to the provisions of saved policy R2 which also forms part of the South Wiltshire Core Strategy, in that the proposal fails to provide sufficient public open space on site or a suitable financial contribution towards the provision of such space.

3) The proposal would result in additional dwellings, and hence additional impacts, on existing and proposed facilities. To mitigate the impacts of the development, provision would therefore need to be made towards the following:

- Additional affordable housing
- Additional contributions towards the planned community centre
- Additional contributions towards the existing educational facilities
- Additional public art contributions
- Contributions towards the Wessex Stone Curlew project
- Additional contributions towards public open space and equipment
- Additional contributions towards sustainable transport infrastructure including bus and cycle vouchers
- Waste and recycling facilities
- A financial contribution towards Wiltshire Fire and Rescue services

- **A financial contribution towards the provision of cemetery facilities**

However, the absence of any provision being made at this time for mitigation towards the enhancement of these facilities or any financial contribution offered towards them, the proposal is considered to be contrary to policies CP3, CP21 & CP22 of the adopted South Wiltshire Core Strategy, policy WCS 6 of the Waste Core Strategy, and saved policies G2 (ii), D8 & R2 and R4 of the Salisbury District Local Plan, and guidance provided in the NPPF regards planning obligations.

99 **S/2012/1829: Local Centre, Old Sarum, Salisbury, SP4 6BY**

Public Participation

Mr John Bryant spoke in objection to the application.

Mr Ron Champion, Laverstock and Ford Parish Council, spoke in support of the application.

The Planning Officer introduced the item, explaining that following the Committee meeting on 05 September 2013 where the application had been delegated to the Area Development Manager to approve subject to conditions and the completion of a s.106 legal agreement, the applicants had lodged an appeal the next morning prior to receiving the formal notice of the decision, appealing against the non-determination of the application because of the delays in bringing the item forward for determination.

Attention was drawn to the additional information as attached to these minutes, which detailed the applicant's grounds for appeal, relating to the restriction on the opening hours of the shop, restrictions on the land offered to the school for educational purposes and a dispute over the s.106 contributions.

It was stated that officers therefore sought the Committee's approval for the proposed resolution to form the basis of any appeal challenge by the Council.

Members of the Committee then had the opportunity to ask questions of the officer. It was confirmed in response to queries that Members could amend their resolution from the Committee meeting on 05 September 2013 if they felt certain aspects should be reconsidered. It was also clarified that the Council's Education Department intended to utilise the land offered by the developers for educational use at the local school, meaning that even if a clause was retained stating the land should be used for open space if not used for that purpose, or that it should be returned to the applicant in that circumstance, there was little prospect of that clause being utilised.

Members of the Public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Ian McLennan, reiterated his support for the application on the terms as agreed by the Committee at its previous meeting.

A debate followed where which issues required provision to mitigate the impacts of the development, to be included in any appeal challenge by the Council, was raised, along with the appropriateness of the restriction on opening and delivery hours for the proposed shop.

At the conclusion of debate, it was,

Resolved:

To approve the grounds for challenging the applicant's appeal as follows:

- 1) The proposal would result in additional dwellings, and hence additional impacts, on existing and proposed facilities. To mitigate the impacts of the development, provision would therefore need to be made towards the following:**
 - **Additional Educational facilities/contributions including secure use of the blue land as part of the adjacent school, or otherwise as public open space**
 - **Provision of suitable additional waste and recycling provision/contributions**
 - **Provision of additional open play space financial contributions**
 - **Financial contribution towards stone curlew project**
 - **Additional Public open space facilities/contributions**
 - **Additional public art financial contributions**
 - **Additional transportation financial contributions/sustainable transport initiatives**
 - **Additional Financial Contribution towards planned community centre**
 - **Secure affordable housing provision, including 4 additional affordable housing units**
 - **Marketing of shop and provision/timing of shops/surgery**
 - **The provision of an adopted path across the site and unfettered pedestrian and cycle access to and from Partridge Way**
 - **A financial contribution towards Wiltshire Fire and Rescue services**
 - **A financial contribution towards the provision of cemetery facilities**

However, the absence of any provision being made at this time for mitigation towards the enhancement of these facilities or any financial contribution offered towards them, the proposal is considered to be contrary to policies CP3, CP21 & CP22 of the adopted South Wiltshire Core Strategy, policy WCS 6 of the Waste Core Strategy, and saved policies G2 (ii), D8 & R2 and R4 of the Salisbury District Local Plan, and guidance provided in the NPPF regards planning obligations.”

2) Members resolved to approve the application, and sought to reach a balance between the requirements of the commercial operation and the protection of residential amenity. Members therefore resolved to expand Condition 13 to widen the delivery times. However, the local centre would be located within close proximity to existing dwellings, and directly beneath proposed residential apartments. As a result, Members resolved

to expand the opening time to 7am, but sought to restrict the closing time to 10pm seven days a week. It is therefore considered that the proposed closing time of 11pm would result in a use which may cause harm in terms of general noise and disturbance to adjacent residential amenity, contrary to saved policy G2 of the Salisbury District Local Plan.

100 **13/00438/FUL: Swaffham House, Youngs Paddock, Winterslow, Salisbury, SP5 1RS**

Public Participation

Mr Emad Moussa, applicant, spoke in support of the application.

The Planning Officer introduced a report which recommended that planning permission be granted. It was confirmed no highways concerns had been raised by officers, and that the proposed wall would run directly alongside the pavement, except for a small section which would run behind the street sign and lamp post.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was clarified that permitted development only allowed a wall to be built of up to 1m adjacent to a highway, and that the proposed wall was 2m in height, a reduction of 0.8m from a previously refused application. Details were also sought on the exact path of the proposed wall.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Chris Devine, then spoke in objection to the application.

A debate followed where the impact of the proposed wall on the character of the area was assessed, and the presence of similarly heighted walls and fences in the area was noted.

After discussion, it was,

Resolved:

That permission be GRANTED, for the following reasons:

The proposed new wall, by reason of its reduced height over that previously proposed under refused planning application S/2013/0063, would not present a visually dominant and unduly overbearing structure, and would accord with the existing character of the surrounding area where significant boundary structures are frequently located immediately at the highway edge, and would thereby integrate satisfactorily in relation to other properties and the overall landscape framework.

The proposed development is thereby considered accordant with the provisions of the Development Plan, and in particular Policies G2 (General Criteria for Development), D3 (Design) & H16 (Housing Policy) of the saved policies of the adopted local plan (constituting saved policies listed

in Appendix C, of the adopted South Wiltshire Core Strategy), and the aims and objectives of the NPPF (in particular chapter 7). The proposed development would not be discordant with the guidance contained within the Winterslow Village Design Statement.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing number 5677/1/3 dated Sept 2012 and deposited with the local planning authority on 02.05.13.

REASON: For the avoidance of doubt and in the interests of proper planning.

Informative To Applicant

The Highways officer has commented that whilst (in his opinion) the principle of the erection of the proposed retaining wall is acceptable, the applicant should be informed of the following:

The proposed development requires the re-siting of an existing street nameplate. In this connection the applicant should be advised to contact the Council's Area Highway Office at Wilton Tel. 01722 744440 before the commencement of any development hereby permitted.

101 **Urgent Items**

The Committee commented upon the additional information and discussed supporting the view of the Highways officers in appendix 1 regarding a connecting link between Old Sarum and the Longhedge strategic site.

Resolved:

To receive a report from the Highways team on the matter at a future date.

(Duration of meeting: 6.00 - 7.20 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line (01225) 718504, e-mail kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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SOUTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 17 OCTOBER 2013 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Richard Britton, Cllr Richard Clewer, Cllr Christopher Devine (Vice-Chair), Cllr Peter Edge (Substitute), Cllr Jose Green, Cllr George Jeans, Cllr Ian McLennan, Cllr John Noeken, Cllr Ian Tomes, Cllr Fred Westmoreland (Chairman) and Cllr Ian West

Also Present:

Cllr Tony Deane, Cllr Mike Hewitt and Cllr Leo Randall

102 Apologies for Absence

Apologies were received from Councillor Brian Dalton, who was substituted for the meeting by Councillor Peter Edge.

103 Minutes

The minutes of the meeting held on **26 September 2013** were presented for consideration. It was,

Resolved:

To approve as a true and correct record and sign the minutes.

104 Declarations of Interest

There were no declarations.

105 Chairman's Announcements

There were no announcements.

106 Public Participation and Councillors' Questions

The committee noted the rules on public participation.

107 **Planning Appeals**

The update report on Planning Appeals was received.

108 **Planning Applications**

Attention was drawn to a series of late observations and report changes was circulated to the meeting, to be attached to the agenda on the council website.

109 **13/02724/FUL: Land opposite Woodford Mill, Middle Woodford, Salisbury, SP4 6NW**

Public Speaking

Mr James Humphery spoke in objection to the application.

Mrs Elizabeth Soar spoke in objection to the application.

Mr Richard Soar spoke in objection to the application.

Mr Guy Rash, applicant, spoke in support of the application.

The Planning officer introduced a report which recommended that permission be granted. Key issues were stated to include the principle of the proposed new access and farm track, justification for its creation and impact upon the character and appearance of the area. It was noted that a traffic survey had been conducted on behalf of the applicants, as detailed in the late observations. It was also confirmed that officers from Highways had raised no objections to the application.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought regarding who had carried out the traffic survey at the site, and it was stated to be PFA Consulting, a professional consultancy agency.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Mike Hewitt, then spoke in objection to the application.

A debate followed, where the issue of highways safety, including the impact of surface water drainage across the road, was raised, along with a discussion on whether the proposed track was justified as an essential need given the existing access at the site.

At the end of discussion, it was,

Resolution:

To REFUSE the application for the following reason:

The development proposes a new vehicular access to serve an existing pheasant rearing shed and associated yard. The access would be sited on the outside of a bend where views of emerging vehicles would be partially

obscured to users of the highway, and the applicant has not satisfactorily demonstrated that surface water could be adequately dealt with so as to prevent its discharge onto the highway. Furthermore, it is not considered that the proposed access is essential or necessary development within the countryside, on the basis that the site has historically been accessed by alternative means which is still available for use by the applicant. Consequently the proposed access would be detrimental to highways safety and would not comprise essential development within the countryside, contrary to Local Plan policies G2(i) and C20 (as saved within the South Wiltshire Core Strategy).

110 13/00246/FUL: Croucheston Farm, The Cross, Bishopstone, Salisbury, Wiltshire, SP5 4BW

Public Participation

Mr John Foster spoke in objection to the application.

Mrs Patricia Solomon spoke in objection to the application.

Mr Ronnie Butler spoke in objection to the application.

Mr Mike Ash, on behalf of Bishopstone Parish Council, spoke in objection to the application.

The Planning Officer introduced a report which recommended approval be granted. The key issues were stated to include the impact on the surrounding area including the river systems and highways and ecology issues. It was noted that there was a dispute of land ownership over part of the site. A site visit had taken place with several members in the hours before the meeting.

Attention was drawn to the late observations circulated at the meeting, which had replaced the conditions as detailed in the agenda report.

Members of the Committee then had the opportunity to ask technical questions of the officer. In response to queries it was confirmed the purpose of the proposal was to recreate and manage a flood plains habitat, and that it was proposed to tarmac an existing track on the site.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Jose Green, then spoke in objection to the application.

A discussion followed, where concerns were raised about the sustainability of the proposal regarding the spring being able to provide enough water for the site given the dispute over access to the sluice gate on the site, and the lack of likelihood that a licence for the amount of water required could be obtained from the Environment Agency. An increase in vehicular traffic from the tarmac track was also debated.

It was,

Resolved:

To REFUSE the application for the following reasons:

1. The application fails to demonstrate that a continuous and adequate flow of water necessary to sustain a wetland habitat can be achieved. An intermittent and inadequate flow would neither maintain nor enhance the natural environment leading to, in particular, ponding and stranding of fish and other aquatic wildlife. This is contrary to Policy G1 of the Salisbury District Local Plan (SDLP) (which is a 'saved' policy of the South Wiltshire Core Strategy) which requires priority to be given to ensuring new development conserves the natural environment in the interests of sustainability, Policy C12 of the SDLP which resists development which would affect species protected by law, and Policy C2 of the SDLP which resists development in the countryside unless it would benefit the local economy and maintain or enhance the environment. This is also contrary to paragraph 109 of the National Planning Policy Framework.
2. The proposal, to resurface the existing farmyard access track with tarmac, would introduce an urban feature into this rural environment which would detract from its character and appearance. This is contrary to Policy G2 and C2 of the Salisbury District Local Plan (which are 'saved' policies in the South Wiltshire Core Strategy).

111 **13/01391/FUL: Ridgeside, The Ridge Woodfalls, Salisbury, Wiltshire, SP5 2LD**

Public Participation

Mrs Laura James spoke in objection to the application.

Mr Stutchbury spoke in objection to the application.

Mr Harris spoke in objection to the application.

Mr Robin Henderson spoke in support of the application.

Cllr Ian Youdan, Woodfalls Parish Council, spoke in objection to the application.

The Area Development Manager introduced a report which recommended the application be delegated for approval subject to the completion of an s.106 Legal Agreement and suitable conditions. Key issues were stated to include the design of the proposed bungalows and impact on the wider area, the impact on residential amenity and highways issues. It was noted that highways officers had raised no objections to the application, and that a previous refusal on the site had been for three, two storey dwellings, and the application was for two bungalows.

Members of the Committee then had the opportunity to ask technical questions of the officer, where details of the layout and boundaries of the proposed dwellings was sought.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Leo Randall, then spoke in objection to the application.

A debate followed, where the level of garden amenity for the proposed dwellings was raised, along with a discussion of the planned layout of the site. Access into the site was raised, as well as safety issues on the highway and impact of the development on the character of the wider area.

At the conclusion of debate, it was,

Resolved:

To REFUSE the application for the following reasons:

- 1. The proposed development would be located on, and involve the severance of, an existing garden area serving a large dwelling in an area characterised by properties set within large gardens. The proposed dwellings would be located within close proximity to other existing dwellings and would result in the creation of a vehicular access between two existing dwellings.**

The proposal, by reason of its design and layout, would result in a cramped development which would not be in-keeping with the spacious character of established surrounding development (in particular, the south-eastern proposed dwelling). Furthermore, by reason of the cramped layout, the proposal would not provide adequate amenity space for the occupiers of the dwellings commensurate with established surrounding development (in particular, the south-eastern dwelling). Additionally, the proposed vehicle parking and turning arrangements within the site would be cramped and contrived, and so be likely to lead to conflict and/or nuisance for occupiers of the proposed dwellings.

This is contrary to Policies G2 and H16 of the Salisbury District Local Plan (which are 'saved' policies in the South Wiltshire Core Strategy) and the NPPF, particularly paragraphs 17, 53 and 56.

- 2. The proposed access to the site, by reason of its physical characteristics (specifically, its limited width and its gated design) and by reason of the inevitable intensity in its use (serving three dwellings), is considered to be hazardous for both its users and other users of the public highway. This is in view of the conflict which would result when vehicles either pause before the electric gate has opened or meet another vehicle head to head at the access, requiring the entering vehicle on the highway to either pause on the highway or**

reverse on to the highway. Such a manoeuvre is considered to be hazardous to both the entering vehicle and other users of the highway, and as such would be detrimental to highway safety.

This is contrary to Policy G2 of the Salisbury District Local Plan (which is a 'saved' policy in the South Wiltshire Core Strategy).

3. The proposed residential development is considered to be contrary to Policy R2 of the Salisbury District Local Plan (which is a 'saved' policy in the South Wiltshire Core Strategy) and Policy CP3 of the South Wiltshire Core Strategy in that it does not make provision for contributions towards recreational open space/facilities and affordable housing which are essential infrastructure made necessary by the development.

Councillor Jose Green requested her abstention from the motion be recorded.

112 **13/03203/VAR: Brickyard Corner House, Donhead St. Andrew, Shaftesbury, SP7 9ER**

Public Participation

Mr Tolmie-Thompson, applicant, spoke in support of the application.

Cllr Malcolm Cullimore, Chairman of Donhead St Andrew Parish Council, spoke in support of the application.

The Area Development Manager introduced a report which recommended permission be refused. The key issues were stated to include the principle of development, the design and scale of the proposals and impact upon neighbour amenity.

Members of the Committee then had the opportunity to ask technical questions of the officer.

Members of the public then had the opportunity to present their views to the public, as detailed above.

The Local Member, Councillor Tony Deane, then spoke in support of the application.

A discussion followed, where the impact from the proposal if screened by hedges was assessed, and the design including the proposed dormer windows was raised.

After debate, it was,

Resolved:

To GRANT planning permission subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of 26th June 2012.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) The bat roost and associated access points within the roof space of the garage hereby permitted shall be maintained in perpetuity. The roof space of the garage shall be designated as a bat roost and shall not at any time be occupied as or converted to habitable accommodation.

REASON: In the interest of preserving protected species.

- 3) The development hereby permitted shall not be first occupied until the first five metres of the splayed access, measured from the edge of the carriageway, has been consolidated and surfaces (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 4) The gradient of the access shall not at any point be steeper than 1 in 15 for a distance of 6.5 metres from its junction with the public highway.

REASON: In the interests of highway safety.

- 5) Any gates to close the access shall be set back a minimum distance of 6.5m from the carriageway edge.

REASON: In the interests of highway safety.

- 6) No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on weekdays and 08:00 to 13:00 on Saturdays.

REASON: In the interest of public amenity.

- 7) No burning of waste shall take place on the site during the demolition or construction phase of the development.

REASON: In the interest of public amenity.

- 8) A new bat roost will be constructed in accordance with the recommendations for mitigation in section 5.0 and Appendix iii of the Bat Update Report (David Leach Ecological Surveys, June 2012) and all bat mitigation features will be maintained solely for use by bats for the lifetime of the development. The house shall not be occupied until a record has been submitted to and approved by the council to confirm that the aforementioned mitigation has been implemented to the satisfaction of a professional bat ecologist.

REASON: In the interest of preserving protected species.

- 9) The existing dwelling known as Brickyard Corner House shall be demolished and all of the demolition materials and debris resulting there from shall be removed from the site within 3 months of the date of first occupation of the new dwelling house hereby approved.

REASON: The application site lies within the countryside where both Local and National policies restrict the creation of new dwellings unless the need is sufficiently proven in policy terms.

- 10) The development hereby permitted shall be carried out in accordance with the following approved plans:

DRG No. 130108-01 (March 13)	28/03/2013
DRG No. 130108-10 Rev A (March 13)	28/03/2013
DRG No. 130108-12 Rev C (June 13)	16/09/2013
DRG No. 130108-13 Rev C (July 13)	30/07/2013

REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVE: The permission should be read in conjunction with the Discharge of Condition Application letter dated 26/04/2013 which discharged conditions 2, 3, 4 and 12 of the original planning application S/2012/0223/FULL.

113 13/03027/FUL: 18c Firs Road, Firsdown, Salisbury, Wiltshire, SP5 1SQ

Public Participation

Mrs Joan Curtis spoke in objection to the application.

Mr O Guttridge spoke in objection to the application.

Cllr Brian Edgeley, Firsdown Parish Council, spoke in objection to the application.

The Area Development Manager presented a report which recommended permission be granted. The key issues were stated to include the scale of the proposal to raise the roof and create additional rooms in the roofspace, visual impact and the relationship to adjoining properties from the development.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was stated in response to queries that the only windows in the bathroom in the proposal were roof lights only.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Chris Devine, then spoke in objection to the application.

A debate followed where the extensive local development on the site was

raised, as well as noting the multiple refusals and unsuccessful appeals for two storey dwellings on the site prior to being granted permission for a bungalow.

After discussion, it was,

Resolved:

To REFUSE planning permission for the following reason:

The proposal, by reason of the increase in size of the dwelling and the resulting intensification in its use as a larger house, would result in an over-development of the site, to the detriment of the character and amenities of the area. Furthermore, the additional bulk created by the increase in size would result in an overbearing impact on neighbouring properties. This is contrary to Policies D3 and G2 of the Salisbury District Local Plan (which are 'saved' policies of the South Wiltshire Core Strategy).

114 13/01417/FUL: Gilston, Mount Pleasant, Stoford, Salisbury, Wiltshire, SP2 OPP

After confirming at the beginning of the meeting that no-one in attendance had wished to speak to the application, the Chairman announced that the application had been included on the agenda as the applicant was an officer of Wiltshire Council, but that after further assessment it was determined that the applicant's position did not meet the requirements of an appropriate 'Senior Officer' in the constitution that required the application to be called to Committee for determination.

The application was therefore withdrawn from the agenda.

115 Urgent Items

It was agreed site visits would be arranged for the following applications when they appeared before the Committee:

13/00699/FUL: Land north of Deptford Farm, Wylde, Warminster, Wiltshire
13/04369/FCO: Bake Farm, Coombe Bisset.

(Duration of meeting: 6.00 - 8.50 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line (01225) 718504, e-mail kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 14 AUGUST 2013 IN THE RIDGEWAY SPACE - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Russell Hawker, Cllr John Knight, Cllr Magnus Macdonald, Cllr Christopher Newbury (Chairman), Cllr Horace Prickett, Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Roy While (Vice Chairman)

Also Present:

Cllr Rosemary Brown

55 Apologies for Absence

There were no apologies for absence.

56 Membership Changes

There were no membership changes.

57 Minutes of the Previous Meeting

The minutes of the meeting held on 12 June 2013 were presented. Officers clarified that the requested site visit to Land West of Codford Station agreed at the meeting on 12 June 2013 would be held on the date of the Committee when the application was to be considered.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 12 June 2013.

58 Chairman's Announcements

The Chairman gave details of the exits to be used in the event of an emergency.

The Chairman reported that in relation to planning applications 7c, 7d and 7e – Kingston Mills, Kingston Road, Bradford on Avon, Wiltshire, officers were now recommending deferral and therefore the applications would be brought forward on the agenda.

59 **Declarations of Interest**

Councillor Magnus Macdonald declared a non-pecuniary interest in application W/13/00781/FUL – Land at Beaglers Green, Kingsfield Grange Road, Bradford On Avon, Wiltshire – as he was a member of Bradford on Avon Town Council, where the application had come before its Development Control Committee. He declared that he would consider the application on its merits and debate and vote with an open mind.

60 **Public Participation and Councillors' Questions**

No questions had been received from councillors or members of the public.

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

61 **Planning Applications**

The Committee considered the following applications:

62 **W/13/00644/FUL: Saracens House, Corton, Warminster, Wiltshire**

Public Participation:

- Will Dobson, local resident, spoke in objection to the application

The Area Planning Manager introduced the report which recommended planning permission be granted with conditions. He explained that the planning application was to carry out demolition of an existing outbuilding and erection of a car port and stores with office accommodation over.

The key issues were stated to include the replacement building, the impact on neighbourhood amenity and the impact on the Area of Outstanding Natural Beauty and conservation area.

Members then raised a number of technical issues in relation to the relevant planning history and clarification of the location of the main dwellinghouse on the site and in relation to the proposed outbuilding.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The local member, Councillor Christopher Newbury, then spoke to the application.

The Committee then considered the application and debated a number of issues. A number of members felt that it was important for the existing outbuilding to be demolished prior to the proposed development being constructed.

Resolved:

To approve the application for the following reason(s):

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies and proposals in the West Wiltshire District Plan 1st Alteration 2004 namely Saved Policies C2, C17, C31A and C38.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to ensure that there would be no significant harm to the character and appearance of the dwelling and no harm to neighbouring amenity.

Subject to the following condition(s):

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The materials to be utilised within this development shall accord with the schedule of materials as described within the planning application form, dated 11 April 2013.**

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY: West Wiltshire District Plan – 1st Alteration 2004 – Policy C31A

- 3 The development hereby permitted shall not be first brought into use until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.**

REASON: In the interests of highway safety.

- 4 The garage shall remain as permanent ancillary accommodation to the principal dwelling of Saracens House, Corton and shall be occupied by the same household, it shall not be subdivided, let or sold as separate accommodation.**

REASON: Because this permission is granted having regard to the particular circumstances advanced in support of the development, by the applicant.

- 5 No development shall commence until the existing outbuildings and garage block shown as being demolished/removed on plan THOM20-01A Rev A dated 23/05/2013 and received on 29/05/2013 have been demolished and the materials removed from the site.**

REASON: To protect the character and appearance of the area and the amenity of the adjacent property.

- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan/s:**

Drawing number THOM20-01A received on 29 May 2013

Drawing number THOM20-02 received on 11 April 2013

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

63 W/13/00781/FUL: Land At Beaglers Green, Kingsfield Grange Road, Bradford On Avon, Wiltshire

Public Participation:

- Sabrina Goddard, local resident, spoke in objection to the application
- Michael Bailey, local resident, spoke in objection to the application
- Barry Webster, local resident, spoke in objection to the application
- Colin Humphrey, applicant on behalf of himself and his wife, spoke in support of the application

The Area Planning Manager introduced the report which recommended planning permission be granted subject to conditions. He explained that the planning application was for the erection of a 2 bedroom bungalow.

The key issues were stated to include the principle of the development, the impact on the character of the surrounding area, the setting of the Grade II listed Conigre House, neighbour amenity, whether it was inappropriate backland development, whether there was a loss of an important visual gap, connection to services, nature conservation interests and access, highway safety and parking.

Members then raised a number of technical issues in relation to the planting of a hedge to separate the proposed dwelling from 3B.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The local member, Councillor Rosemary Brown, then spoke to the application.

The Committee then considered the application and debated a number of Issues including the location of the chimney in relation to neighbouring properties and landscaping.

Resolved:

To approve the application for the following reason(s):

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies in the West Wiltshire District Plan 1st Alteration (2004), namely Policies C31a, C32, C38, H1, U1a and U2.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following condition(s):

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until a final scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.**

REASON: To ensure that the development can be adequately drained.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: U2

- 3 No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:-**

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2013 and a plan indicating the alignment of the protective fencing;
- A specification for scaffolding and ground protection within tree protection zones in accordance with British Standard 5837: 2013;
- A schedule of tree works conforming to British Standard 3998: 2010;
- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
- Plans and particulars showing the sighting of the service and piping infrastructure;
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway and extent of the areas of the driveway to be constructed using a no-dig specification;
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits;
- Details of all other activities, which have implications for trees on or adjacent to the site.
- Day and sunlight calculations must be submitted in accordance with Building Research Establishment guidance and British standards 8206 Part 2:1992 Light for buildings Part 2 -code of practice for daylighting;
- In order that trees to be retained are not damaged during the construction works and to ensure that as far as possible the work is carried out satisfactorily no demolition, site clearance or development should commence on site until a pre-commencement site meeting has been held, attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Planning Authority, to discuss details of the proposed work and working procedures.; and
- Subsequently and until the completion of all site works, site visits should be carried out on a monthly basis by the developer's arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required should then be submitted to the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as

possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

4 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc); and
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc).

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

6 The window(s) in the south elevation serving the living room shall be glazed with obscure glass only [to an obscurity level of no less than level 4] and permanently fixed shut prior to the first occupation of the

development hereby permitted and shall be permanently maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C38.

- 7 No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and H1.

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-E shall take place on the dwellinghouse hereby permitted or within its curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: H1, C31a and C38.

- 9 The development shall be carried out in accordance with the hereby approved plans:

Drawing: 1030 – SLP Revision B;
Drawing: 1030 – BP Revision B;
Drawing: 1030 – SK1 Revision A;
Drawing: 1030 – SK2;
Drawing: 1030 – SK3; and
Drawing: 1030 – SK4.

REASON: In order to define the terms of this permission.

Informative(s):

- 1 The developer is advised to contact Wessex Water at an early stage regarding the potential presence of Wessex Water infrastructure (public sewer) under the site and the potential need for diversion

**works and/or easement in order to facilitate the development.
Wessex Water can be contacted on 01225 526000.**

64 W/12/02347/FUL: Kingston Mills, Kingston Road, Bradford On Avon, Wiltshire

The Area Development Manager reported that the application was now recommended for deferral as there was a need for clarification of inconsistencies in information supplied by the agent.

**Resolved:
To defer the application for clarification of inconsistencies in information supplied by the agent.**

Note – The Chairman asked that the unanimous vote to defer the application be recorded.

65 W/12/02348/LBC: Kingston Mills, Kingston Road, Bradford On Avon, Wiltshire

The Area Development Manager reported that the application was now recommended for deferral as there was a need for clarification of inconsistencies in information supplied by the agent.

**Resolved:
To defer the application for clarification of inconsistencies in information supplied by the agent.**

Note – The Chairman asked that the unanimous vote to defer the application be recorded.

66 W/12/02346/FUL: Kingston Mills, Kingston Road, Bradford On Avon, Wiltshire

The Area Development Manager reported that the application was now recommended for deferral as there was a need for clarification of inconsistencies in information supplied by the agent.

**Resolved:
To defer the application for clarification of inconsistencies in information supplied by the agent.**

Note – The Chairman asked that the unanimous vote to defer the application be recorded.

67 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 6.00 - 7.00 pm)

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WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 4 SEPTEMBER 2013 IN THE RIDGEWAY SPACE - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr John Knight, Cllr Magnus Macdonald, Cllr Christopher Newbury (Chairman), Cllr Graham Payne (Substitute), Cllr Fleur de Rhé-Philipe (Substitute), Cllr Pip Ridout and Cllr Roy While (Vice Chairman)

68 **Apologies for Absence**

Apologies for absence were received from Councillors Horace Prickett, Russell Hawker and Jonathon Seed.

Councillor Seed was substituted by Councillor Graham Payne.

Councillor Prickett was substituted by Councillor Fleur de Rhé-Philipe.

69 **Minutes of the Previous Meeting**

The minutes of the meeting held on 14 August 2013 were presented. It was,

Resolved:

To approve as a true and correct record and sign the minutes.

70 **Chairman's Announcements**

There were no Chairman's Announcements.

The Chairman gave details of the exits to be used in the event of an emergency.

71 **Declarations of Interest**

Councillor Andrew Davis declared a non-pecuniary interest on the applications under Minutes 76 and 77 - *W/13/00451/FUL and W/13/00711/FUL* - by virtue of being a member of Warminster Town Council's Planning Committee where the items had previously been considered, but would consider the applications on their merits and participate in the debate and vote.

Councillor Magnus Macdonald declared an interest in Minute numbers 76 and 77 - *W/13/00451/FUL and W/13/00711/FUL* - by virtue of being a paid director of Selwood Housing, the applicants. Councillor Macdonald took no part in the debate or vote on the items.

72 **Public Participation and Councillors' Questions**

No questions had been received from councillors or members of the public.

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

73 **Planning Applications**

The Committee considered the following applications:

74 **W/13/00882/FUL: Land East of 2 Manor Farm Cottages, The Marsh, Longbridge Deverill, Wiltshire**

Public Participation

Mr Philip Crowther spoke in objection to the application.

Mr John Robins, applicant, spoke in support of the application.

Mr Michael Fowler, agent, spoke in support of the application.

The Planning Officer introduced a report which recommended refusal. In a correction to the report, it was stated the footprint of the proposed double story building would be approximately 197m² and not 210m². It was further stated there had been four letters of objection, and twelve in support of the application.

It was then confirmed the proposed buildings lay outside the village policy limit within the open countryside and in an Area of Outstanding Natural Beauty (AONB), and that there was no outstanding permission on the site resulting from that previously granted in 1967, which had since lapsed, and the key issues included the principle of development and impact on the countryside, AONB and the access.

Members of the Committee then had the opportunity to ask technical questions of the officer. In response to queries it was confirmed by the officer that two out of the four dwellings of the original outline permission on the site had both been given reserved matters approval with a restriction that they be occupied in connection with the agriculture industry. However, as one of those dwellings permitted had been proven to have been occupied in defiance of that justification for a period of ten years or more, a certificate of lawfulness had been granted allowing it to be occupied without the said agriculture tie, although the tie remained in place on the other dwelling.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Fleur de Rhé-Philippe, then spoke in support of the application.

A debate followed, where the status of the site as being in the open countryside was raised, and the impact on neighbouring properties and the wider area, including regarding highways, was assessed. The legal position of the 1967 permission on the site as detailed in the report was discussed, and it was reiterated that it had been established by officers that the permission was no longer extant.

At the conclusion of debate,

Resolved:

To REFUSE the planning application for the following reasons:

- 1. The proposed residential development is located outside of the defined Village Policy Limits for Longbridge Deverill as identified in the West Wiltshire District Plan 1st alteration in an area of open countryside carrying an Area of Outstanding Natural Beauty designation. The status of the site, including the Village Policy Limit, is not proposed for any change in the draft Wiltshire Core Strategy that has been submitted to the Secretary of State and has been subject to examination in May/June 2013. The proposed development, located on open land within the Area of Outstanding Natural Beauty, would have an adverse impact on the character and appearance of the area, constituting an unwarranted urbanisation of, and intrusion into, the AONB and countryside, to the detriment of the visual openness and quality of the area and to the enjoyment that users of the nearby public footpath currently enjoy. No rural occupation or other exceptional circumstances have been presented which would outweigh the harm associated with the development. The proposals are therefore contrary to policies C1, C2, H17 and H19 of the West Wiltshire District Plan 1st Alteration (2004), the emerging Core Strategy and the National Planning Policy Framework 2012.**
- 2. The proposal, located outside of village policy limits, is contrary to the National Planning Policy Framework (Section 4 paragraphs 29, 30 & 37), and the emerging Core Strategy for Wiltshire (Policy 60), which seek to reduce the need to travel, influence the rate of traffic growth and reduce the environmental impact of traffic overall in support of sustainable development.**

75 **13/01781/FUL: Ellbridge Farm, Chalfield Road, Lower South Wraxall, Wiltshire**

The Chair announced that the application had been withdrawn by the applicant prior to the commencement of the meeting.

76 **W/13/00451/FUL: Garage Blocks, South of 8 to 10, Epping Close, Warminster, Wiltshire**

Public Participation

Ms Esther Einfelds spoke in objection to the application.

Mr Paul Walsh, agent, spoke in support of the application.

The Planning Officer introduced a report which recommended approval be granted. Key issues were stated to include the principle of the development, impact upon the area and amenity from the design and scale, and highways considerations. It was further stated that drainage issues for the surrounding estate would be mitigated as a result of the application.

Members of the Committee then had the opportunity to ask technical questions of the officers.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Pip Ridout, then spoke in objection to the application, and requested it be noted that she lived on the same estate as the current and next applications on the agenda.

A debate followed, where the width of the road leading to the proposed development and parking difficulties were raised, and the scale of the development and proposed resolution of drainage difficulties in the area assessed.

At the conclusion of debate, it was,

Resolved:

To GRANT planning permission for the following reasons:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies and proposals in the West Wiltshire District Plan 1st Alteration 2004 namely Saved Policies H1, C18, C31a and C38 and the Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with drawing numbers:**

120901: 101, 110737 L(0): 01, 04 received on 13th March 2013

110737 L(0): 03A, 05, 06 received on 3rd April 2013

110737 L(0) 02A received on 25th April 2013

120901: 201 received on 16th August 2013

REASON: For the avoidance of doubt and in the interests of proper planning

- 3 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: In the interests of visual amenity and the character and appearance of the area having regard to Saved Policy C31a of the West Wiltshire District Plan 1st Alteration 2004.

- 4 No part of the development hereby permitted shall be occupied until the access, turning area and parking spaces have been completed in accordance with drawing number 110737 L(0)01 received by the Local Planning Authority on 13th March 2013. The areas shall be maintained for those purposes at all times thereafter.**

REASON: In the interests of highway safety having regard to advice in the National Planning Policy Framework and the Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy

- 5 Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.**

REASON: In the interest of neighbouring amenity have regard to Saved Policy C31a of the West Wiltshire District Plan 1st Alteration 2004.

77 W/13/00711/FUL: Land South East of 3 to 7 Savernake Close, Warminster, Wiltshire

Public Participation

Ms Ann Whitaker spoke in objection to the application.

Ms Esther Einfelds spoke in objection to the application.

Mr Paul Walsh, agent, spoke in support of the application.

The Planning Officer introduced a report which recommended permission be granted. Key issues were stated to include the principle of the development which would lead to a loss of open space, access arrangements and drainage issues. Attention was drawn to the existence of a large area of open space immediately to the southwest of the site, and plans to improve the drainage of the estate as a whole.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought of the impact of the proposed design and access arrangements on the neighbouring row of houses to the east of the site, and the exact width of the proposed access as compared to other roads in the area.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Pip Ridout, then spoke in objection to the application.

A debate followed, where the design of the estate with small gardens and areas of open space was noted, and the quality and appropriateness of the large open space to the south was assessed. Parking issues were discussed, and whether the proposals would enhance the area or set a precedent for open space development.

At the conclusion of debate, it was,

Resolved:

To REFUSE planning permission for the following reason:

The proposed development by reason of the layout, design, siting, and scale within an existing area of open space would be harmful to the character and amenity of the area contrary to policies H1 and C31a of the West Wiltshire District Plan 1st Alteration (2004).

78 **13/01472/FUL: 32 Horse Road, Hilperton Marsh, Trowbridge, Wiltshire, BA14 7PF**

Public Participation

Ms Heather Evans spoke in objection to the application.

Ms Felicity Marks spoke in objection to the application.

Cllr Kate Hayes, Hilperton Parish Council, spoke in objection to the application.

The Planning Officer introduced the report which recommended that permission be granted. The key issues were stated to include the scale of the proposed extension and the impact upon neighbouring properties and the surrounding area, which officers considered acceptable.

The Committee then had the opportunity to ask technical questions of the officer.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Local Member, Councillor Ernie Clark, then spoke in objection to the application and moved a motion for refusal.

A debate followed, where the potential loss of neighbouring trees, the impact of a second storey extension on the amenity of the neighbours and if the changes would respect or enhance the view from the nearby Hilperton gap open space was discussed. It was noted the Council's Arboriculture Officer had stated that neither of the trees under potential threat was of such quality to warrant a Tree Preservation Order (TPO) being placed upon them, and therefore providing grounds for refusal.

At the conclusion of debate, it was,

Resolved:

To GRANT planning permission for the following reason:

On balance the alterations and extensions would not cause any harmful impact on either the appearance of the host dwelling, character of the surrounding area or the amenity of neighbouring properties and therefore is in accordance with the policy.

Subject to the following condition(s):

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:**

Drawing No's P-001; P-002; P-003; P-004; P-005; P-006; P-007; P-008; and Arboricultural Report, received 24 June 2013

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

- 3 During the construction work construction vehicles shall not enter or leave the site from Monday until Friday between the hours of 08:30 and 09:15 and between 14:45 and 15:30.**

REASON: In the interests of highway safety

- 4 All works relating to the demolition/development with implications for trees shall be carried out as specified in the approved arboricultural method statement, and shall be supervised by an arboricultural consultant holding a nationally recognised arboricultural qualification.**

REASON: To prevent trees on site from being damaged during construction works.

79 Urgent Items

There were no Urgent Items.

(Duration of meeting: 6.00 - 8.40 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

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WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 16 OCTOBER 2013 IN THE RIDGEWAY SPACE - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Russell Hawker, Cllr John Knight, Cllr Magnus Macdonald, Cllr Christopher Newbury (Chairman), Cllr Horace Prickett, Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Roy While (Vice-Chair, in the Chair)

Also Present:

Cllr Helen Osborn, Cllr Jeff Osborn and Cllr Ian Thorn

80 Apologies for Absence

An apology for absence was received from Councillor Andrew Davis.

81 Minutes of the Previous Meeting

The minutes of the meeting held on **04 September 2013** were presented for consideration. It was,

Resolved:

To approve as a true and correct record and sign the minutes.

82 Chairman's Announcements

The Chairman announced the application 13/01573/FUL: Manor Farm, Upton Lovell, Warminster, was to be moved from 6h to 6b on the agenda.

83 Declarations of Interest

Councillor Jonathon Seed declared a non-pecuniary interest in application 13/01573/FUL: Land East of 14 Farleigh Rise, Monkton Farleigh, as he believed he had had correspondence with the applicant, but that would consider the application on its merits and contribute to the debate and vote.

Councillor Magnus Macdonald declared a non-pecuniary interests in applications W/13/12/02346/FUL, W/12/02347/FUL and W/12/02348/LBC: Kingston Mills, Kingston Road, Bradford on Avon, by virtue of being a member of Bradford on Avon Town Council and had met with the applicant. He

confirmed he would consider the applications with an open mind and participate in the debates and votes on the items.

Councillor Horace Prickett declared a non-pecuniary interest in application 13/01891/FUL: Honeywell Farm, Silver Street Lane, Brokerswood, Westbury, by virtue of having met with the developer and agent at the site. He declared he would consider the applications with an open mind on its merits, and would contribute to the debate and vote on the item.

84 **Public Participation and Councillors' Questions**

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

A question from Councillor Ernie Clark was received for the meeting, with an answer included in the agenda pack.

A supplementary to the question was asked as follows:

“Assuming that the 'backstop' date (i.e. 22nd August 2016) will be the completion date for the road, by which date will Wiltshire Council expect work to start? i.e. How long will the council give Persimmon to finish building the road and opening it to the public?”

In response it was stated that although there was no direct measure to compel the developers as to when to begin construction of the road, Persimmons had to have it completed by the backstop date. As such, officers would receive an updated list of house completions in April 2014, at which point they would be in a better position to determine how far off from the target number the development was and start pressing Persimmons as to when they intended to start in order to meet their obligations by the stated date of 22 August 2016.

85 **Planning Applications**

The Committee considered the following applications:

86 **W/12/00697/FUL: Land West Of Codford Station, Station Road, Codford (Upton Lovell Parish)**

Public Participation

Mrs Sarah Kennedy spoke in objection to the application.

Mr Graham Lees spoke in support of the application.

Cllr Tom Thornton, Codford Parish Council, spoke in objection to the application.

The Planning Officer introduced a report which recommended that permission be granted. Key issues were stated to include the principle of the development resulting from the change of use within an Area of Outstanding Natural Beauty (AONB), the impact upon the amenity of the area and highways considerations. It was noted that highways officers had raised no objections to the application, which now included a lay-by and additional signage. As requested by the

Committee when considering the application during its meeting of 12 June 2013, a site visit had taken place prior to the commencement of the meeting.

Members of the Committee then had the opportunity to ask technical questions of the officer.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Christopher Newbury, then detailed the local concerns regarding the application.

A debate followed where the impact on the surrounding area was assessed, taking note of the nearby rail line, along with the width and safety of the access road and the mitigating measures that had been proposed. Proposed hours of delivery to and from the site were also discussed.

After debate, it was,

Resolved:

To GRANT planning permission for the following reason:

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following Conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 101, 102, 103, 105, 106 received on 13th April 2012, drawing number 107A received on 18th September 2013 and drawing number 104B received on 24th September 2013.**

REASON: For the avoidance of doubt and in the interests of proper planning

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the site shall be used solely for purposes within Class B1 and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes)**

(Amendment) (England) Order 2005 (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use has been considered to be acceptable but the Local Planning Authority wish to consider any future proposal for a change of use and its impact upon the AONB, the wider landscape and any impact upon the existing road network.

- 4 The delivery and despatch of goods to and from the site shall only take place between the hours of 08:30hrs and 17:30hrs Mondays to Fridays. Deliveries and despatch of goods shall not take place outside of these hours or on bank holidays.**

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area having regard to Saved Policy C38 of the West Wiltshire District Plan 1st Alteration 2004.

- 5 The development hereby approved shall not be first brought into use until the access and parking areas have been implemented in accordance with drawing number 104A received by the Local Planning Authority on 22nd April 2013, drawing number 107A received by the Local Planning Authority on 18th September 2013 only. The areas shall thereafter be maintained for those purposes at all times thereafter.**

REASON: In the interest of highway safety having regard to advice contained in the NPPF.

- 6 Prior to the communal toilet block being constructed on site, details of the exact location, material and colour of the structure shall be submitted to and approved in writing by the Local Planning Authority. The building shall then be carried out in accordance with the approved details.**

REASON: To ensure that the modular building does not have an impact upon the AONB and wider landscape having regard to Saved Policies C1, C31a, C32 of the West Wiltshire District Plan 1st Alteration 2004 and advice contained in the NPPF.

- 7 All soft landscaping works shown on drawing number 104A received by the Local Planning Authority on 22nd April 2013 shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species**

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features within the AONB having regard to Saved Policies C31a and C32 of the West Wiltshire District Plan 1st Alteration 2004 and advice contained in the NPPF

- 8 Prior to the use hereby permitted being put into the use the buildings annotated as E, F, G and I shown on drawing number 101 received on 13th April 2012 shall be demolished and the material removed from the site.**

REASON: To protect the landscape quality of the AONB having regard to advice contained in the NPPF.

NOTE: Councillors requested that the Council's Highways Team be asked to look at the possibility of placing highway signage relating to the bend in the road leading to the site from the A36.

87 13/02078/FUL: Manor Farm, Upton Lovell, Warminster, BA12 0JN

Public Participation

Mr Tony Kernon, agent, spoke in support of the application.

The Planning Officer introduced a report which recommended that planning permission be refused. Key issues were stated to include the principle of development of an additional agricultural dwelling, highways considerations and impact upon amenity and the immediate area. It was stated that officers considered that the existing dwellings on the site meant that an additional one was not justified as essential.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought on the relevant local and national policies for the application.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Christopher Newbury, then spoke in support of the application.

A debate followed where the need for an additional dwelling was considered, taking into account the difficulties experienced in retaining a worker without a dwelling on site, as well as the possibility of reorganizing the current dwelling arrangements. The sustainability of the expansion of the business to justify permitting an addition dwelling was raised, along with the modest nature of the proposed design.

After debate, it was,

Resolved:

To GRANT planning permission subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall be carried out in accordance with the following approved plan:

113 Drawing 1 received on 1st July 2013.

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3) The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

REASON: The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated.

- 4) No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

- 5) No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- a) location and current canopy spread of all existing trees and hedgerows on the land;
- b) full details of any to be retained, together with measures for their protection in the course of development;
- c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- d) finished levels and contours;
- e) means of enclosure;

- f) car park layouts;
- g) other vehicle and pedestrian access and circulation areas;
- h) all hard and soft surfacing materials;
- i) programme of implementation

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

It was requested that it be recorded that the decision to grant planning permission was approved unanimously.

88 W/12/02346/FUL: Kingston Mills, Kingston Road, Bradford On Avon

Public Participation

Mr Jocelyn Feilding, Bradford on Avon Preservation Trust.

Mrs Pam Hyde spoke in objection to the application.

Mr Chris Beaver, agent, spoke in support of the application.

Mr Tim Smale, applicant, spoke in support of the application.

Cllr Gwen Allison, Bradford on Avon Town Council, spoke in objection to the application.

The Planning Officer introduced a report which recommended that the application be delegated for approval subject to the completion of a supplemental planning agreement to ensure the residential properties complied with the original s.106 legal agreement. Key issues were stated to include highways and access considerations, the principle of development arising from the change of use from offices to residential units, and the impact upon the immediate area and listed building.

Members of the Committee then had the opportunity to ask technical questions of the officer, during which it was confirmed the original design of previously granted permissions had been for residential use, but that additional conditions had restricted the use to office use only.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Ian Thorn, then spoke in objection to the application.

A debate followed, where the difficulty parking for the site was noted, and it was also confirmed the walkway running alongside the site would remain for public use in the event of permission. The reduction in retail space for the town was raised, along with it being noted that a neighbourhood plan for the town was not yet complete. The marketing of the site and the consideration of its viability as commercial space was also assessed.

At the conclusion of debate, it was,

Resolved:

That planning permission be GRANTED at a future date subject to the Area Development Manager being satisfied to the completion of a supplemental planning agreement to ensure the residential properties subject of this permission comply with the original Section 106 Legal Agreement attached to 06/02394/FULES

For the following reason:

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 10026(L)361 C, 3114/P/001 N received on 11th January 2013 and drawing number 8008(I)243_B received on 5th September 2013**

REASON: For the avoidance of doubt and in the interests of proper planning

Informative(s):

- 1 This permission shall be read in conjunction with a Supplemental Planning Agreement to the original Section 106 Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated ____**

89 W/12/02347/FUL: Kingston Mills, Kingston Road, Bradford On Avon

Public Participation

Mr Chris Beaver, agent, spoke in support of the application.

Mr Tim Smale, applicant, spoke in support of the application.

Cllr Gwen Allison, Bradford on Avon Town Council, spoke in objection to the application.

The Planning Officer introduced a report which recommended that the application be delegated for approval subject to the completion of a supplemental planning agreement to ensure the residential properties complied

with the original s.106 legal agreement. Key issues were stated to include highways and access considerations, the principle of development arising from the change of use from offices to residential units, design issues and impact upon the immediate area and listed building. It was noted there would be a loss of 209m² of commercial space should the application be approved, but that the council's Economy and Regeneration team were in favour of the application as detailed in the report.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought regarding the proposed floor plan of the building.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Ian Thorn, then spoke in objection to the application, but stressed the important of consultation with the town and residents should the Committee approve the application.

A debate followed, where the level of and appropriateness of the marketing for the site for commercial use was assessed, along with consideration of the building's central and more appealing location as compared to the building under application W/12/02346/FUL, as well as the possibility of improving economic conditions impacting the viability of the site.

It was also noted that parts of the building were already occupied by residential use and that restaurant space was not classified under policies as employment space.

At the conclusion of debate, it was,

Resolved:

That planning permission be GRANTED at a future date subject to the Area Development Manager being satisfied to the completion of a supplemental planning agreement to ensure the residential properties subject of this permission comply with the original Section 106 Legal Agreement attached to 06/02394/FULES

For the following reasons:

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 10026(L)411A, 3114(P)001M received on 11th January 2013 and drawing numbers 10026(L)410D, 8008(I)243_B received on 5th September 2013**

REASON: For the avoidance of doubt and in the interests of proper planning

- 3 The development hereby permitted shall be carried out in accordance with the noise acoustic report received by the Local Planning Authority on 2nd May 2013. Once the development has been completed but prior to occupation of the residential units hereby permitted a post noise construction assessment shall be carried out and the results, any required remedial works and a timetable for implementation of any such remedial works shall be submitted to and agreed in writing by the Local Planning Authority. Any necessary works shall be carried out in accordance with the agreed timetable.**

REASON: To ensure that noise from the existing plant room does not impact upon the amenity of future residents having regard to Saved Policy C38 of the West Wiltshire District Plan 1st Alteration 2004.

Informative:

- 1 This permission shall be read in conjunction with a Supplemental Planning Agreement to the original Section 106 Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated ____**

Councillors Magnus Macdonald and Ernie Clark requested that their votes in objection to granting permission be recorded.

A recess took place between 2015-2020

Councillor Christopher Newbury then left the meeting, with Councillor Roy While in the Chair for the remainder of the meeting.

90 W/12/02348/LBC: Kingston Mills, Kingston Road, Bradford On Avon

The Area Development Manager introduced a report which recommended Listed Building Consent be approved. It was noted the consent related to application W/12/02347/FUL, which had already been granted permission, and that there would be no change to the external appearance of the building.

Members of the Committee then had the opportunity to ask technical questions of the officer.

There were no public speakers.

It was,

Resolved:

To GRANT Listed Building Consent.

For the following reasons:

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

- 1 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.**

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The works hereby permitted shall be carried out in accordance with drawing numbers 10026(L)410 C, 10026(L)411_A, 3114(P)001_M received on 14th January 2013 and drawing number 8008(I)243_B received on 5th September 2013**

REASON: For the avoidance of doubt and in the interests of proper planning.

91 W/13/01080/FUL: Glove Factory Studios, 1 Brook Lane, Holt, Trowbridge

Public Participation

Mr Chris Beaver, agent, spoke in support of the application.

Mr Nick Kirkham, applicant, spoke in support of the application.

Cllr Stephen Siddall, Holt Parish Council, spoke in support of the application.

The Area Development Manager introduced a report which recommended that permission be granted. Key issues were stated to include the principle of the proposed extension to the workhub and formation of a new ancillary car park, encroachment into the open countryside and impact on the Conservation area.

Members then had the opportunity to ask technical questions of the officer. Details were sought about the attenuation pond proposed as part of the landscaping works.

The Local Member, Councillor Trevor Carbin, then spoke in support of the application.

A debate followed where the lack of car parking for the expanding commercial area of the site was noted, along with the need to consult with the parish council during the development of any management plans affecting the site.

After debate, it was,

Resolved:

To GRANT planning permission for the following reason:

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively with the applicant and to secure an acceptable sustainable future for the site as a whole.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:**

LOCATION PLAN – Drawing 002 received 07.06.2013

EXISTING SITE PLAN – Drawing No 003 received 07.06.2013

EXISTING GROUND FLOOR PLAN – Drawing No – 010 received 07.06.2013

EXISTING FIRST FLOOR PLAN – Drawing No 011 received 07.06.2013

EXISTING SECOND FLOOR PLAN – Drawing No 012 received 07.06.2013

EXISTING ROOF PLAN – Drawing No 013 received 07.06.2013

PROPOSED DEMOLITION PLAN – Drawing No 015 received 07.06.2013

EXISTING ELEVATIONS – Drawing No 020 received 07.06.2013

PROPOSED SITE PLAN – Drawing No 100 received 07.06.2013

PROPOSED GROUND FLOOR PLAN – Drawing No 101 received 07.06.2013

PROPOSED FIRST FLOOR PLAN – Drawing No 102 received 07.06.2013

PROPOSED ROOF PLAN – Drawing No 103 received 07.06.2013

PROPOSED ELEVATIONS – Drawing no 200 received 07.06.2013

PROPOSED ELEVATIONS – Drawing No 201 received 07.06.2013

PROPOSED SECTIONS – Drawing No 300 received 07.06.2013

PROPOSED MASSING DIAGRAM – Drawing No 700 received 07.06.2013

PROPOSED MASSING DIAGRAM – Drawing No 701 received 07.06.2013

PROPOSED MATERIALS – Drawing No 800 received 07.06.2013

PROPOSED FRONT ELEVATION MONTAGE – Drawing No 801 received 07.06.2013

FENCE DETAIL PLAN – Drawing No 1081-401-403 received 07.06.2013

LANDSCAPE MASTERPLAN – Drawing No 1081-002 Rev A received 04.09.2013

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the detailed findings of the land contamination site investigation undertaken by CJ Associates (which is included within a report dated May 2013), no occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out within a remediation strategy confirming the effectiveness of any remediation shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.**

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until the following steps have been complied with in full in relation to that contamination.

Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Submission of Remediation Scheme

If any unacceptable risks are identified on-site, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Verification of remedial works

Following completion of measures identified in the approved remediation scheme a verification report must be produced. The report should demonstrate the effectiveness of the remedial works. A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out.

The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority and the Local Planning Authority must be given at least two weeks written notification of commencement of any remediation scheme works.

Long Term Monitoring and Maintenance

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

POLICY- West Wiltshire District Plan - 1st Alteration Policy 37 - Contaminated Land

- 4 No development shall commence on site until sample materials for the external surfaces to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: In the interests of visual amenity and the character and appearance of the area.

- 5 Notwithstanding the details enshrined within the landscape master plan, no development of the car park shall commence on site until an extended scheme of hard and soft landscaping has been submitted**

to and approved in writing by the Local Planning Authority, the details of which shall include:-

1. increased screen planting along the northern car park boundary (to be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428) with a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
2. full details of all retained trees and hedgerows, together with measures for their protection in the course of development;
3. confirmed surfacing material(s) for the car park and the extended GFS site;
4. any minor artefacts and structures (e.g. external furniture, refuse and other storage units, signs, lighting columns etc);
5. proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
6. all retained historic landscape features and proposed restoration, where relevant.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - **POLICY:** C31a and C32

- 6 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

- 7 No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or

lopping approval shall be carried out in accordance British Standard 3998: 2010 'Tree Work - Recommendations' or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

- 8** No development shall commence on site until a Construction Environment Management Plan (CEMP) has been submitted to and approved by the local planning authority which shall detail the exact measures that will be undertaken throughout the construction period to:

- a) protect features of ecological interest including Dawes Pond, ditches and hedgerows;
- b) control risks arising from earthmoving activities, demolition, lighting, introducing invasive species, and other construction works;
- c) protecting species which may be affected by the works either directly or indirectly e.g. breeding birds, great crested newts, water voles, otters, bats, reptiles, dormice and badgers.

The approved plan shall thereafter be adhered to throughout the construction period.

REASON: In ensure that all ecological and biodiversity interests are fully taken into account and protected during and after the construction stages.

- 9** No development shall commence on site until an Ecological Mitigation and Management Plan has been submitted to the local planning authority for its written approval to cover the following:

- a) a location map illustrating all ecological enhancement works (including habitat creation and sensitive management) in line with the Ecological Appraisal and Protected Species Report (produced by 'Engain' dated June 2013) and including new ponds and ditches, the management of hedges, bird and bat boxes, native tree and hedgerow planting, creation of species rich grassland and marginal wetland planting;
- b) confirmation of when and how the measures will be put in place; and
- c) a 5 year habitat management plan for the site.

The development shall be carried out in accordance with the approved plan and any timetable within it.

REASON: In ensure that all ecological and biodiversity interests are fully taken into account and protected during and after the construction stages.

POLICY: The National Planning Policy Framework and specifically paragraphs 109, 118 and 125.

- 10** No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication 'Guidance Notes for the Reduction of Obtrusive Light (ILE, 2005)', have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C35 and C38

- 11** No development shall commence on site (including any works of demolition), until a Construction Method statement, which shall include the following:
- a) The parking of vehicles of site operatives and visitors;
 - b) Loading and unloading of plant materials;
 - c) Storage of plant and materials used in constructing the development;
 - d) The erection and maintenance of security hoarding;
 - e) Wheel washing facilities;
 - f) Measures to control the emission of dust and dirt during construction;

- g) A scheme for recycling / disposing of waste resulting from demolition and construction works;**
- h) Hours of construction, including deliveries.**
- i) Routing of construction traffic.**

has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detrimental to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- 12 The development hereby approved shall not be brought into use until details of the Car Park Management Plan has been approved in writing by the Local Planning Authority following consultation with the parish council. Such a Plan should detail to operations, user availability, times of use, including any restrictions, lighting and security. The car park shall be managed in accordance with any approved plan at all times thereafter unless agreed in writing by the Local Planning Authority.**

REASON: In the interests of good planning and to define the use and function of the car park at various times of the week.

- 13 No development shall commence until full construction details of the proposed kerb line adjustment, footway improvements, and new signage have been submitted to and approved in writing by the Local Planning Authority. The kerb line and footway improvements shall be constructed in accordance with the approved details prior to the first use of the development.**

REASON: In the interests of highway safety.

- 14 No part of the development hereby approved shall be first occupied until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.**

REASON: In the interests of road safety and reducing vehicular traffic to the development.

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the site shall be used solely for purposes within Class B1 (with ancillary cafe premises) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment)(England) Order 2005 (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).**

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same use class, having regard to the circumstances of the case.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - C1, C17, C41a, H17 and the NPPF

- 16 Notwithstanding any permitted development rights, no additional buildings, structures, gates, walls, fences or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans unless otherwise submitted and approved under a separate application.**

REASON: To safeguard the character and appearance of the area.

- 17 No development shall commence on site until details showing ventilation and extraction equipment within the site (including details of its position, appearance and details of measures to prevent noise emissions) have been submitted to and approved in writing by the Local Planning Authority. The ventilation/extraction equipment shall be installed prior to the building/extension hereby approved is first occupied and shall thereafter be maintained in accordance with the approved details.**

REASON: In the interests of the amenities of the area.

- 18 No development shall commence on site until details of the storage of refuse, including....details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved refuse storage has been completed and made available for use in accordance with the approved details and it shall be subsequently maintained in accordance with the approved details thereafter.**

REASON: In the interests of public health and safety.

Informative(s):

- 1 The applicant/developer is advised to contact Wessex Water to agree connections to their infrastructure prior to any commencement of works on site.**
- 2 Pumps used for pumping out water from excavations should be sited well away from watercourses and surrounded by absorbent material to contain oil spillages and leaks. Discharge of silty or discoloured water from excavations should be irrigated over grassland or passed via a settlement lagoon so that gross solids are removed. The Environment Agency must be advised if a discharge to a watercourse is proposed. Storage of fuels for machines and pumps should be well away from any watercourses. Tanks should be bunded or surrounded by oil absorbent material (regularly replaced when contaminated) to control spillage and leakage.**

92 **13/01891/FUL: Honeywell Farm, Silver Street Lane, Brokerswood, Westbury, BA13 4EY**

Public Participation

Mr Eric Davis, agent, spoke in support of the application.

The Area Development Manager introduced a report which recommended that planning permission be refused. Key issues were stated to include whether the proposals were in accordance with policies on the provision of tourist accommodation outside of town of village policy limits.

Members of the Committee then had the opportunity to ask technical questions of the officer.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Horace Prickett, then spoke in support of the application.

A debate followed, where the impact of the proposed dwellings to replace the existing garage was assessed, along with any precedent from building outside the village policy limits.

After debate, it was,

Resolved:

That planning permission be REFUSED for the following reasons:

- 1) The proposed creation of a new building for holiday accommodation would result in unwarranted development encroaching into and harmful to the character and appearance of the open countryside. No**

exceptional circumstances have been presented which would outweigh the harm associated with the development. The proposals are therefore contrary to policies C1 and TO3 of the West Wiltshire District Plan 1st Alteration (2004) and the emerging Wiltshire Core Strategy and would set an undesirable precedent for future similar development in the countryside that cumulatively would have a significant adverse impact on the character and appearance of the landscape.

- 2) The proposal, located outside of village policy limits, is contrary to the National Planning Policy Framework (Section 4 paras 29, 30 & 37) and the emerging Core Strategy for Wiltshire (Policy 60), which seek to reduce the need to travel, influence the rate of traffic growth and reduce the environmental impact of traffic overall in support of sustainable development.**

93 13/01573/FUL: Land East of 14 Farleigh Rise, Monkton Farleigh, Bradford on Avon, BA15 2QP

Public Participation

Mr James Collin spoke in support of the application.

Mrs Margaret Field spoke in support of the application.

Mrs Helen Dewick, applicant spoke in support of the application.

The Area Development Manager presented a report which recommended that planning permission be refused. Key issues were stated to include the principle of development within the Green Belt and Area of Outstanding Natural Beauty (AONB), the impact upon the Highway and design issues.

Members of the Committee then had the opportunity to ask technical questions of the officer, where details were sought on the building materials for the proposed Cattery.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Trevor Carbin, then spoke in support of the application.

A debate followed, where the sustainability of the proposal was raised, along with the impact upon highways and neighbouring area, and the former use of the site for long-term material storage and the impact that had had on the Green Belt was noted.

After debate, it was,

Resolved:

To GRANT planning permission, subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON:

To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) No development shall commence on site until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. The landscaping shall be carried out in the first planting and seeding season following the bringing into use of the building or the completion of the development, whichever is the sooner within that particular phase; any trees or plants which within a period of five years, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

To ensure a satisfactory landscaped setting for the development.

- 3) No development shall commence until details of the proposed means of disposal of the waste arising from the use of the site as a cattery have been submitted to and approved in writing by the local planning authority. The waste shall be disposed of in accordance with the approved details.

REASON:

In the interests of amenity

- 4) The building shall be used solely for the purposes of a cattery and for no other purpose without the prior grant of planning permission from the local planning authority. If the building ceases to be used as a cattery, it shall be demolished and the resulting materials removed from the site within six months of its use ceasing.

REASON:

The site lies within the Green Belt where new buildings are not normally permitted. However, an exception has been made in this case because of the economic benefits of the new cattery. If this use were to cease, the economic justification would no longer exist and the openness of the green belt should be restored.

- 5) The car parking area and access shall be completed in accordance with the approved plans, including hardsurfacing, before the cattery is first brought into use, and shall thereafter be retained for these purposes.

REASON:

To ensure the satisfactory provision of off-street parking and access to serve the proposed site, in the interests of road safety and amenity.

- 6) This permission relates to the submitted plans, including the car parking and access layout; floorplan of proposed cattery; block plan and elevations; and Figure 1 showing the site outlined in red.

REASON:

To define the permission in the interests of clarity.

94 **13/01823/FUL: The Lodge, 6 Westwood Road, Trowbridge, BA14 9BR**

Public Participation

Mr Mark Willis, agent, spoke in support of the application.

The Area Development Manager presented a report which recommended the application be refused permission. Key issues were stated to include the impact upon neighbouring amenity and the Green Belt.

Members of the Committee then had the opportunity to ask technical questions of the officer.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Helen Osborn, then detailed the local issues and how she had called in the application to permit the applicant the chance to speak to the Committee directly.

A debate followed, where the scale of previously granted extensions was raised, along with the impact from additional expansion and its location within the Green Belt.

After discussion, it was,

Resolved:

That planning permission be REFUSED for the following reason:

The proposed extensions, particularly those to the first floor, represent a disproportionate addition when compared to the size of the original building. Having regard to Section 9 Paragraphs 87 and 89 of the National Planning Policy Framework the proposal results in inappropriate development within the Green Belt which is by definition harmful and in conflict with national planning policy.

95 **13/02371/FUL: 57 Damask Way, Warminster, BA12 9PP**

The Area Development Manager introduced a report which recommended permission be granted. Key issues were stated to include the impact on neighbour amenity, design and highways considerations.

Members of the Committee then had the opportunity to ask technical questions of the officer.

Due to a medical emergency among a member of the public in attendance, the meeting was then closed at 2220 prior to determination of the application.

96 **Urgent Items**

(Duration of meeting: 6.00 - 10.20 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

STRATEGIC PLANNING COMMITTEE

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 30 JULY 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Glenis Ansell, Cllr Terry Chivers, Cllr Andrew Davis (Chairman), Cllr Jose Green (Vice Chairman), Cllr Charles Howard, Cllr Bill Moss, Cllr Christopher Newbury, Cllr Anthony Trotman, Cllr Nick Watts, Cllr Fred Westmoreland and Cllr Graham Wright

Also Present:

Cllr Christine Crisp, Cllr Alan Hill, Cllr Linda Packard, Cllr Mark Packard, Cllr Toby Sturgis and Cllr Dick Tonge

20 **Apologies for Absence**

There were no apologies and no membership changes.

21 **Minutes of the Previous Meeting**

The minutes of the meeting held on 24 April 2013 were presented and it was

Resolved:

That the minutes of the meeting held on 24 April 2013 be approved as a true and correct record.

22 **Declarations of Interest**

The following declarations were made:

1. Councillor Watts declared that in relation to agenda item 6 – Land at Showell Farm, Patterdown Road, Chippenham, he was the Chippenham Area Board representative on the Chippenham Vision Board. Councillor Watts declared that he would consider the application on its merits and debate and vote with an open mind.

2. Councillors Trotman and Ansell declared that in relation to agenda item 7 – Marden Farm Cottages, Rookery Park, Calne, they were Calne Town Councillors, however they would consider the planning application on its merits and debate and vote with an open mind.

23 **Chairman's Announcements**

The Chairman made the following announcements:

1. That the Service Director for Development Services, Brad Fleet had recently been successful in applying for voluntary redundancy and had left the Council. The Chairman on behalf of the Committee thanked Brad for his help and advice over the years and wished him well for the future.
2. That there would be an additional meeting of the Strategic Planning Committee on Wednesday, 25 September, 2013 to consider the planning application for Hills Waste Solutions proposed waste recovery facility at Lower Compton, Calne. The Chairman confirmed the following programme for the day:-
 - 10:30am – Site Visit of the facility at Lower Compton. Members to assemble on site at 10:15am
 - 12:00noon - Buffet lunch at the Council offices, Monkton Park, Chippenham
 - 2:00pm – Special Strategic Planning Committee to start

24 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation and the manner in which the meeting would be held.

Members of the public addressed the Committee as set out in minute No 25 and 26, as detailed below.

The Committee received the following question from Tony Peacock, Co-ordinator of the Showell Protection Group:

‘Section 9.5 of ‘Protocol 4, The Planning Code of Good Practice for Members of Wiltshire Council’, as published on the Wiltshire Council web site states:

9.5. Site Visits – Councillors will be expected to be familiar with the site and the issues surrounding the decision when they arrive at a committee meeting. It is acceptable to visit the site and, if necessary, surrounding properties that may be affected by the proposal, as an individual

councillor before the meeting, although councillors should not enter onto a site without the consent of the owner.

Given the supposed strategic importance of the site in the Wiltshire Core Strategy, please can you confirm how many of the Strategic Planning Committee members attending the planning meeting on the 30th July 2013 will have visited the proposed site at Showell Farm and the surrounding properties prior to the meeting.'

The Chairman asked the members to indicate by show of hands, how many had either informally visited the site or were aware of the site.

25 **N.13.00308.OUT - Land at Showell Farm, Patterdown Road, Chippenham**

Public Participation:

- Tony Peacock, Co-ordinator of the Showell Protection Group, spoke in objection to the application
- Jane Browning, Corsham Civic Society, spoke in objection to the application
- Anne Lock, , spoke in objection to the application
- Owen Inskip, Chippenham 20/20 and CSJ Planning, spoke in objection to the application
- Des Dunlop, D2 Planning Ltd, applicant, spoke in support of the application
- Marilyn McKay, ECOS, spoke in support of the application
- Annabell Cessford, Lacock Parish Council, spoke in objection to the application

The Planning Officer introduced the report which recommended that planning permission be Delegated to Officers to allow the signing of an appropriately worded S106 agreement. She explained that the planning application was for an outline application for Employment Development Comprising 50,000sqm, Incorporating Class B1(b), Class B1 (c), B2 with Ancillary B1 (a), B8 and Ancillary B1 (a) Uses Including Means of Access, Car Parking, Servicing, Associated Landscaping and Works.

Members of the Committee were informed that the site was allocated via policy CP10 as part of the South West of Chippenham Strategic site and was the employment element of that scheme; That the Core Strategy was at an advanced stage (going through the Examination in Public) which carried significant weight.

It was noted that the only outstanding issue was the potential conflict of the new roundabout onto the A350 with Core policy 62, and Highways stance that new roundabouts should not be permitted onto the primary network route unless an overriding need could be demonstrated. In this case officers considered that

the benefit of providing quality employment on an allocated site outweighed the potential to cause a traffic slowing in the locality and that the positives of economic development should be cited as the “overriding need”.

Members then raised a number of technical issues in relation to access to the site from Patterdown Road; the necessity of a further roundabout on the A350 and that any decision taken prior to the publication of the Inspectors report on the Core Strategy was premature.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The local member, Councillor Dick Tonge, then spoke in objection to the application. He felt that as the Core Strategy was at an advanced level and there was only a short time until the Inspector published his report, that the application should be deferred until that time. Councillor Tonge also explained his concerns about highway issues and the effect of the application on traffic flows on the A350.

The Committee then considered the application and debated a number of issues. Some members supported the view of the local member in that the application was premature and should be deferred until the Inspectors report was made available. There were also concerns about highways issues. However, there were a number of members who felt that sufficient safeguards were in place to make a decision on the application.

The Committee received advice from the Councils legal officer who explained that officers, in giving evidence at the public examination of the Core Strategy, informed the Inspector that in relation to this site that any highway issues could be overcome and that the Council would be working with the developer to find a solution to these. It was noted that it would be difficult to defend the reasons for deferral at an appeal and there was a potential for costs to be awarded against the Council.

Resolved:

That the grant of planning permission be delegated to officers to allow the consultation period of the Departure Notice to expire, to await the submission of the agreed revised parameters plan and draw up a suitably worded S106 agreement to deal with highways matters and subject to the following conditions:

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and

Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
- (a) The scale of the development;
 - (b) The layout of the development;
 - (c) The external appearance of the development;
 - (d) The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

- 3 No works for the construction of the roundabout onto the A350 hereby permitted or any part thereof shall commence until a valid construction contract has been entered into under which one of the parties is obliged to carry out and itself complete the works of development of any of plots 100, 200 or 300, the site for which planning permission consent has been granted under application reference 13/00308/OUT and any subsequent reserved matters application or such other amendment approved by the Local Planning Authority; and; evidence of the construction contract has first been submitted to and approved by the Local Planning Authority.

REASON: In the interests of the highway function and economic growth.

- 4 No development shall commence within the site until:
- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
 - b) The approved programme of archaeological work has

been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

- 5 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been undertaken and until:
- a) The Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.
 - b) If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.
 - c) In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

- 6 Prior to the commencement of the development hereby permitted a full lighting scheme for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of the visual amenity of the countryside and local residents.

- 7 All fixed plant and machinery shall be so sited and designed in order to achieve a rating level of -5dB below the lowest measured background

noise level, determined at each of the nearest noise sensitive receptors i.e. Holywell Guest House, Showell Cottages and Showell Farm.

Reason: To protect residential amenity.

- 8 The parking provision for all individual units on the site shall be in accordance with the requirements of the Wiltshire local Transport plan (LTP3) Car Parking Strategy, with quantum of parking not below the minimum standard for the appropriate planning use class, and areas of parking used for no other purpose.

Reason: To ensure that adequate provision is made for car parking within the site in the interests of highway safety.

- 9 No development shall commence on site until details of the stopping up of all existing accesses, both pedestrian and vehicular, have been submitted to and approved in writing by the Local Planning Authority. That stopping up shall take place in accordance with the approved details within one month of the first use of the approved access. No later than one month after the first occupation of the development, the sole means of vehicular and pedestrian access to the development shall be as shown on the plans hereby approved.

REASON: In the interests of highway safety.

- 10 No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for the provision of such works, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until these details have been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

Reason: In the interests of highway safety and convenience.

- 11 No development shall commence on site until details of the provision for the loading, unloading and parking of goods vehicles within the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development hereby approved shall be first brought into use until provision has been made. This space shall be maintained for such purpose at all times thereafter.

Reason: To ensure adequate provision is made for loading/unloading and lorry/van parking within the site in the interests of highway safety.

- 12 The buildings hereby permitted shall not be greater in height than the following parameters: Plot 300 8.5m; plot 400 10m and plots 100 & 200 12m as indicated on drawing DR-411-102 Rev 03.

Reason: To protect the setting of the nearby listed buildings and the open character of the surrounding landscape.

- 13 Prior to the first occupation of any of the development hereby permitted, the cycle/path along Patterdown Road as indicated on the approved plans, shall be provided in accordance with details to have first been submitted to and approved in writing by the local planning authority, unless and until the cycleway/footway linking to the town centre, through the remainder of the South West of Chippenham Strategic Allocation in the Wiltshire Core Strategy, is provided.

reason: To ensure that sustainable routes to the town centre are provided.

- 14 Prior to submission of a reserved matters application for the site, an Ecological Monitoring and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Ecological Monitoring and Management Plan shall include the following elements:

- A framework demonstrating how and where the 'Ecological Management and Enhancement Measures', as set out in Table 4-1 of the submitted 'Ecological Summary Report' (Ref. eg12459TP), shall be implemented across the site
- A scheme for the translocation of the existing species-rich hedgerow (where this cannot be retained) to landscaped areas within the site
- A programme for monitoring the ecological effects of the development

The approved Ecological Monitoring and Management Plan shall set a framework for all reserved matters applications, which shall only be permitted where in accordance with the approved Ecological Monitoring and Management Plan, and will include timescales for implementing the approved measures. The site shall be managed in accordance with the approved Ecological Monitoring and Management Plan in perpetuity unless agreed in writing by the Local Planning Authority, and monitoring reports shall be submitted to the Local Planning Authority in accordance with the monitoring programme therein.

Reason: To maintain and enhance biodiversity and protected species in accordance with NE10, NE11, NE14 and Circular 06/2005

- 15 Any reserved matter application shall be supported by a lighting plan for that phase of development (including a lux plot). Any approved lighting plan shall demonstrate that light spill will be minimised through sensitive lighting design and timers, and that light levels shall be maintained at current lux levels or below 1 lux in the following parts of the site, as identified in the Ecological Monitoring and Management Plan or through any subsequent ecological survey reports:

- Confirmed bat roosts / flight lines / foraging areas;
- Bat boxes; and
- Darkened corridors to be maintained through the site.

Lighting levels shall be maintained across the site in accordance with the approved lighting plan(s), unless otherwise agreed in writing with the Local Planning Authority.

Reason: Circular 06/2005 and the Habitats Regulations (2010)

16. No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved in writing by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details and timetable agreed.

Reason: To ensure adequate adoption and maintenance and therefore better working and longer lifetime of surface water drainage schemes.

17. Prior to any reserved matters approval, details of a surface water drainage masterplan shall be submitted to and approved in writing by the Local Planning Authority. The masterplan shall be in accordance with the Flood Risk Assessment (prepared by Peter Brett Associates LLP doc Ref:- 20399/21/01 RevC and include details of the phasing of surface water drainage infrastructure including source control measures. The development shall be implemented in accordance with the approved scheme.

Reason: To prevent the increased risk of flooding as a result of development in accordance with the NPPF.

18. No development shall take place on land to which reserved matters relate until the detailed drainage design for each plot, phase or parcel of land, incorporating sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the plot or parcel is first occupied.

Reason: To prevent increased risk of flooding as a result of the development in accordance with NPPF.

Informative :

There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all the drainage systems continue to operate effectively.

26 **12/04038/FUL - Marden Farm Cottages, Rookery Park, Calne, SN11 0LH**

Public Participation:

- Anne Henshaw, spoke in objection to the application
- Derek Warnett, representing a local residents association, spoke in objection to the application
- Mark Jackson, planning agent, spoke in support of the application

The Planning Officer introduced the report which recommended refusal with reasons. He explained that the planning application was a Hybrid Application Comprising: A Full Planning Application for a Specialist Dementia Care Facility Comprising of 75 Dementia Care Beds and a 10 Bed Palliative Care Unit with Associated Service Building, Visitor and Staff Parking and Associated Service Access and Landscaping. Outline Proposal for Residential Development Comprising of up to 125 Units with Affordable Housing, Associated Parking, Gardens, Amenity Space and Public Open Space, Community Orchard, Allotments, Ecological Enhancements, Sustainable Drainage and Vehicular Access Off Stockley Lane. All Matters Except for Access Reserved for Future Consideration.

Members of the Committee were informed that the application was contrary to the adopted development plan and core policy 2 of the emerging core strategy in relation to the outline element of the application. However, the element of the application relating to the nursing home accommodation was considered to be consistent with emerging Core Policy 46. It was noted that the Council could not separate the application into components by granting permission for the nursing home element whilst refusing permission for the new dwellinghouses.

Members then raised a number of technical issues in relation to a letter from the applicant that referred to a 119 bed nursing home. The officer confirmed that the application received was for an 85 bed nursing home.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The local members, Councillor Christine Crisp and Councillor Alan Hill, then spoke in objection to the application. They stressed that the site was a green field site, was outside the defined Settlement Framework Boundary and contrary to Policy H4 of the adopted North Wiltshire Local Plan 2011; There was

a lack of local infrastructure and the need for an 85 bed nursing home in Calne had not been proved and there were similar facilities were available in other local towns.

The Committee then considered the application and debated a number of issues. There was concern that the application was not sustainable on the south side of Calne, that it raised issues of more than local importance, that the infrastructure of Calne was not adequate to keep up with the development of more new homes, the high level of local objection, the proposed entrance to the site was not adequate and the effect of additional traffic on air quality.

Resolved:

That planning permission be REFUSED for the following reasons:

1. In accordance with paragraph 187 of the National Planning Policy Framework (NPPF), this planning application has been processed in a proactive way. However, due to technical objections or the proposal's failure to comply with the development plan and/or the NPPF as a matter of principle, the local planning authority has had no alternative other than to refuse planning permission.

By reason of the proposed development being located in the open countryside, outside of the defined Settlement Framework Boundary, the application would be contrary to the provisions of Policy H4 of the adopted North Wiltshire Local Plan 2011. There are no material considerations in terms of benefits that could be delivered as part of the development, which would be sufficient to outweigh development plan policy.

2. The proposal is premature to the progression of Wiltshire's Local Development Framework (LDF) and the Wiltshire Core Strategy document for the area, and prejudicial to the Council's plan-led approach to sustainable development and the phasing of future growth. In accordance with the NPPF there is a deliverable 5 year supply of land for housing in place and there are no other material considerations that outweigh this position. It is also premature in terms of the identification and means of delivery in respect of any infrastructure in step with development to be focused in Calne over the plan period. As such, the balance of considerations is such that planning permission should not be granted having regard to policies CP2 and CP8 of the Draft Wiltshire Core Strategy and guidance in the National Planning Policy Framework, in particular at paragraphs 12, 14, 17, 47, 49, 150, 183, 184, 185, 196, 209, 210, 211, 212, 214, 215, 216.
3. The proposed development fails to provide or secure adequate provision for affordable and/or extra care housing, public open space, play equipment and footpath connections to the town adjoining school and leisure centre, all of which should take place on the site. In addition, the

proposal fails to secure contributions towards education provision in the locality, contributions towards public transport, contributions towards leisure provision, contributions towards improving cemetery capacity, contributions towards waste collection as well as the lack of a scheme or

Informative:

1. The Council and the applicant have undertaken detailed and without prejudice negotiation and discussion as to the package of community infrastructure that would be expected to be delivered as part of the development in the event of planning permission being granted. It is understood that the Council and applicant have reached broad agreement of the likely Heads of Terms that would form an agreement under s106 of The Act and that the package of community infrastructure would comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010. In the event of such an agreement under s106 of The Act being satisfactorily reached, reason for refusal 03 would be addressed.
2. The applicant's attention is drawn to the Air Quality Management Area now designated for the centre of Calne (in two areas: Curzon Street/Wood Street and New Road). These have been designated because of identified pollution levels in excess of the mean annual objective of the 2008 Ambient Air Quality Directive (2008/50/EC). There is local concern that vehicle movements associated with the proposed development could add to the exceedence of prescribed air quality objectives already identified within the Council's own air quality and review process. For this reason, it is requested that the applicant give some thought to the measures that could be incorporated into the proposed development to address these potential concerns.

(Duration of meeting: 10.30 am - 1.10 pm)

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STRATEGIC PLANNING COMMITTEE

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 11 SEPTEMBER 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Glenis Ansell, Cllr Andrew Davis (Chairman), Cllr Jose Green (Vice Chairman), Cllr Charles Howard, Cllr Bill Moss, Cllr Christopher Newbury, Cllr Anthony Trotman, Cllr Nick Watts and Cllr Graham Wright

27 **Apologies for Absence**

Apologies for absence were received from Councillors Terry Chivers and Fred Westmoreland.

An apology for absence was also received from Alistair Cunningham (Service Director - Economy and Regeneration and Development Services)

28 **Minutes of the Previous Meeting**

The minutes of the meeting held on 30 July 2013 were presented for consideration. It was,

Resolved:

To APPROVE as a true and correct record and sign the minutes.

29 **Declarations of Interest**

Councillors Tony Trotman and Glenis Ansell declared a non-pecuniary interest in application N/13/01310/WCM - *Sands Farm Quarry, Sand Pit Road, Calne* - by virtue of being Calne Town Councillors, and stated they would consider the application on its merits with an open mind.

30 **Chairman's Announcements**

The Chairman reminded the Committee that the next meeting was an additional meeting to be held on 25 September 2013, and that there would now be two items considered instead of one. It was also confirmed that a site visit for one of the applications would take place at 1030 the same day, with further details to follow.

The Chairman also gave details of emergency exits in the event of a fire.

31 **Public Participation and Councillors' Questions**

The rules on public participation were noted.

32 **N/13/01610/WCM - Sands Farm Quarry, Sand Pit Road, Calne, SN11 8TJ**

Public Participation

Mrs Julie Musk spoke in objection to the application.

Mr Richard Mason spoke in objection to the application.

A statement was read on behalf of Mrs Sarah Perkins, in objection to the application.

Mrs Joanne Baker, on behalf of the applicant, spoke in support of the application.

The Planning Officer introduced the report and recommended that the application be delegated to the Service Director (Development Services) to approve planning permission subject to the completion of a S.106 legal agreement as detailed in the agenda papers.

Details were provided on the history of the site from construction of the concrete plant and service road from the site to Oxford Road, Sandpit Road, in 1989 and clarified that the application was to vary Condition Nine of that permission in order to extend the potential working life of the site from 2014 to 2022. It was confirmed that the concrete plant had ceased operation in 2009, but that permission granted in 2010 allows sand from the adjacent quarry to be brought to the site for processing until late 2022, and the plant could be made operational at any time under current permission until 2014.

It was noted that no changes were proposed to the facility itself, and that therefore the key issues included the principle of the extension of permission, the sustainability of the proposal and its economic impact, noise and air quality issues and the impact of traffic. Officers were satisfied on the economic benefits and sustainability of the application, and stated that Heavy Goods Vehicle (HGV) traffic would be less than when the plant had been at full operation, and that the housing estates built in the area since the closure, contained mitigating measures for noise. It was also stated that the current permission contained conditions to control noise and dust, and that it was assessed that there would be an increase of traffic on Oxford Road at peak times of only 1%.

Members of the Committee then had the opportunity to ask technical questions of the officers. Further details on the planning history of the site and local area were sought, and it was confirmed further housing developments approximately 1km from the site had received planning permission or had submitted applications. In response to queries it was stated there had been no formal complaints resulting from issues of dust when the plant had been in operation, and that vehicles transporting materials to the site would be sheeted to prevent spillage.

The hours of operation at the site were questioned and, following legal advice, it was confirmed that additional new conditions relating to matters such as hours of operations could not be imposed as part of the consideration of this application. This was because the application was simply to vary a single condition that had been imposed to ensure the building did not remain in operation beyond the permitted use of the quarry, and any changes must therefore relate to that condition. It was noted that the plant had previously been in operation 24 hours a day, but that the housing estate off of Sandpit Road had not been built at that time.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Tony Trotman, then spoke in objection to the application.

A debate followed, where the change in circumstances from the presence of new housing developments in the area was raised, and whether the impact from the concrete plant should it reopen on those developments, positive and negative, would justify a variation to the planning permission permitting the extension of its operating life. It was noted that all three local parish councils had objected to the application.

The Committee debated the issue of air quality and noise quality for the area should traffic and operations increase, and whether sufficient information had been provided on the level of impact and necessary measures that would be taken to address them, and if the current permission was suitable for that purpose. The economic benefits from increased jobs and activity should there be increased operations was assessed, along with a discussion on the impact on the road network, where it was noted that Sandpit Road had been built for the express purpose of serving the concrete plant site, and that HGVs would continue to use the roads even if the application were refused due to the sand extraction at the site.

At the conclusion of debate, it was,

Resolved:

To DEFER the application pending the completion of additional noise and air emissions assessments.

(Duration of meeting: 10.30 am - 12.20 pm)

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STRATEGIC PLANNING COMMITTEE

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 25 SEPTEMBER 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Glenis Ansell, Cllr Trevor Carbin (Substitute), Cllr Terry Chivers, Cllr Andrew Davis (Chairman), Cllr Stewart Dobson (Substitute), Cllr Jose Green (Vice Chairman), Cllr Charles Howard, Cllr Howard Marshall (Substitute), Cllr Bill Moss and Cllr Fred Westmoreland

Also Present:

Cllr Peter Evans, Cllr Sue Evans and Cllr Laura Mayes

33 Apologies for Absence

Apologies for absence were received from Councillors Tony Trotman, Graham Wright and Nick Watts.

Councillor Trotman was substituted by Councillor Stewart Dobson.

Councillor Wright was substituted by Councillor Trevor Carbin.

Councillor Watts was substituted by Councillor Howard Marshall.

34 Declarations of Interest

There were no declarations.

35 Chairman's Announcements

Through the Chair it was announced that application N/11/02320/WCM - Hills Waste Recovery Facility, Lower Compton, Calne - had been withdrawn from the agenda as a result of clarification needing to be made regarding the report relating to the acceptability of the mitigation measures the Applicant had put forward to ensure the level of air quality did not drop further below the permitted standard.

All interested parties had been informed of the decision to defer the application and officers would ensure all are notified when a new date is set.

Councillor Ansell requested it be recorded that she did not regard the reasoning behind the deferral to be sufficient.

36 **Public Participation and Councillors' Questions**

The procedure on public participation was noted. There were no questions submitted.

Details were provided of exits to be used in the event of a fire.

37 **N/11/02920/WCM: Hills Waste - Waste Recovery Facility, Lower Compton Waste Management Facility, Lower Compton, Calne**

As detailed under Chairman's Announcements, the application was withdrawn from the agenda prior to the commencement of the meeting.

38 **E/2013/0083/OUT: Land at Coate Bridge, Adjacent to Windsor Drive, Devizes**

Public Participation

Mr Ted East spoke in objection to the application.

Mr Rick Roland (Devizes Neighbourhood Area Planning Group) spoke in objection to the application.

Mr Tony Sedgwick (Devizes Community Area Partnership) spoke in objection to the application.

Mr Chris Simkins, agent, spoke in support of the application.

Mr John Kirkman, (Campaign for the Protection of Rural England) spoke in objection to the application.

Cllr Chris Callow, Roundway Parish Council, spoke in objection to the application.

The Area Development Manager presented a report which recommended that planning permission be refused. It was clarified that the application was for up to 350 houses across a 20 hectare site that abutted but did not fall within the local Area of Outstanding Natural Beauty and that currently contained only one structure, which was derelict, and that the application was outline only, with all detailed matters of design and other matters except the means of access reserved for a future application if approved. Details of a late representation concerned about medical services being overstretched in Devizes should the application be approved were given, although it was stated that there had been no comment from Public Health bodies on the matter.

It was further stated that the Limits of Development as identified in the Kennet Local Plan were still relevant, and that the site lay outside that limit. It was also noted that the emerging Core Strategy did not identify Devizes as a primary settlement for housing growth, and the site itself had not received any other allocated use within the plan and no local community led plan had been created which proposed such a use. It was stated that the National Planning Policy Framework would, however, support a development in such circumstances if the council's land bank for the local Housing Market Area had less than five years supply of land for housing development. In this case, this consideration did not arise as it was confirmed the current extent of the land bank for the area was a 5.7 year housing supply.

Other key issues for the Committee to consider included the impact on the character of the area highways issues, drainage, affordable housing and archaeology. It was noted that officers were satisfied with the arrangements for those issues except for the completion of an archaeological assessment, but that the policy reasons for refusal outlined above outweighed those issues.

Members of the Committee then had the opportunity to ask technical questions of the officers. Details were sought regarding the Council's land bank for the Eastern Housing Market Area and the county as a whole, and it was stated officers were confident the council was in a secure position on maintaining an appropriate land bank across the council area and the eastern area specifically as time progressed.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Laura Mayes, then spoke in objection to the application, noting that there was no objection in principle to new housing being developed in the Devizes area, but highlighting the significant extent of the application in an area not identified through policy for such development.

A discussion followed where the policy reasons for refusal were regarded as strong, noting the proposed site lay outside of the limits of development for the area with no community led plan supporting such a use, and the existing pressures on infrastructure in the area were also raised.

At the conclusion of discussion, it was,

Resolved

To REFUSE the application for the following reasons:

- 1) The site lies outside of the limits of Development defined for Devizes in the Kennet Local Plan 2011. In this location, new development is restricted to that which is of benefit to the rural economy or the social well-being of the community. The Council does not consider that a housing development of this scale would support the rural economy or benefit the social well-being of the rural economy. The proposal would therefore conflict with policy NR6 of the KLP.**
- 2) The Draft Wiltshire Core Strategy, through CP2, requires development outside of the Limits of Development for Devizes to be identified through community-led planning policy documents including neighbourhood plans, or a subsequent development plan document which identifies specific sites for development. This site has not been identified through this process and it would therefore conflict with policy CP2 if planning permission were to be granted.**
- 3) The Council is satisfied that there is no overriding need to bring forward this site outside the Limits of Development for residential**

development at this stage as it is satisfied that there is adequate land available to meet the Government requirement expressed in the NPPF for a 5 year land supply.

- 4) The site includes within its boundaries potential heritage assets with archaeological interest, including a number of earthworks recorded on the Historic Environment Record. The Council considers that in these circumstances, and in accordance with paragraph 128 of the NPPF, an archaeological field evaluation is required to properly inform the Council of the impact of the development on archaeological remains. No such evaluation has been undertaken on the site and the proposal is therefore considered to be premature as the Council is unable to assess properly the impact on any potential archaeological heritage asset on the site.

INFORMATIVE: The applicant is advised that it may be possible to overcome the 4th reason for refusal by undertaking the necessary archaeological field evaluation conducted by a professional qualified archaeologist following discussion with the Council's County Archaeologist.

39 **Date of Next Meeting**

The date of the next scheduled meeting was confirmed as 23 October 2013.

(Duration of meeting: 2.00 - 2.50 pm)

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STRATEGIC PLANNING COMMITTEE

DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 23 OCTOBER 2013 AT MAIN FUNCTION ROOM, SALISBURY RUGBY CLUB.

Present:

Cllr Glenis Ansell, Cllr Terry Chivers, Cllr Andrew Davis (Chairman), Cllr Jose Green (Vice Chairman), Cllr Charles Howard, Cllr Bill Moss, Cllr Christopher Newbury, Cllr Nick Watts, Cllr Fred Westmoreland and Cllr Ian West (Substitute)

Also Present:

Cllr Richard Clewer

40 **Apologies for Absence**

Apologies for absence were received from Councillors Graham Wright and Tony Trotman.

Councillor Wright was substituted by Councillor Ian West.

41 **Minutes of the Previous Meeting**

The minutes of the meetings held on 11 September 2013 and 25 September 2013 were presented for consideration. It was,

Resolved:

To APPROVE as a true and correct record and sign the minutes.

42 **Declarations of Interest**

There were no declarations.

43 **Chairman's Announcements**

The Chairman announced that application N/11/02320/WCM - Hills Waste Recovery Facility, Lower Compton, Calne - had not been ready to come to the Committee for the meeting, but it was hoped it would be able to be scheduled for the next meeting of the Committee in November 2013.

44 **Public Participation and Councillors' Questions**

The rules on public participation were noted.

45 **Planning Applications**

Attention was drawn to the updated list of late observations, including an amendment to the suggested conditions for application 13/00673/OUT, which is attached to the council website with the rest of the agenda papers.

46 **13/00673/OUT: Site adjacent A345 road and Longhedge Cottages**

Public Participation

Mr Richard Greenwood spoke in objection to the application.

Mr Paul Brocklehurst, on behalf of the applicants, spoke in support of the application.

Mr Greg Mitchell, planning consultant to the applicants, spoke in support of the application.

Cllr Ron Champion, Laverstock and Ford Parish Council, spoke in support of the application.

The Planning Officer introduced a report which detailed two schemes for the application site, and recommended both for delegation to the Director of Development Services to approve subject to the securing of an appropriate s.106 legal agreement. Key issues for both schemes included the principle of the proposed housing development and its impact upon the area, links to the neighbouring developing in construction at Old Sarum, provision of affordable housing and the heads of terms for any proposed s.106 agreement.

It was noted that the application was for outline permission only, and that detailed specifics presented were indicative, with permission for those specifics on design and layout and other matters being required at a future date should the principle of the development, with either scheme, be approved. A proposed roundabout access for the site was included as part of the outline application, and it was noted that an underground gas main running through the site could not be constructed over, and this had been taken into account with proposed designs and layout.

The key difference between scheme A and scheme B was stated to be that scheme A encompassed a larger area, and with a proposed upper limit of 673 houses against 475 for scheme B, as well as the provision of an area of community open space to the north of the site and further employment space.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought of the number of dwellings being constructed in the adjoining Old Sarum development to enable consideration of the total impact from each scheme for the Longhedge site, along with details of the archaeological investigation as part of condition 22. Attention was also drawn to proposed condition 21 as detailed in the late submission papers, which limited the scale of proposed retail units within the site, and the existence of a 1m strip of land surrounding the Old Sarum development which was owned by a third party, and its impact on any proposed linkage between the two developments.

In response to queries it was also confirmed that a large portion of scheme A and smaller section of scheme B included areas that were a departure from

local planning policy as being identified for housing development, and should permission be approved this would need to be advertised as such and referred to the Secretary of State. There were also queries regarding the width of the roads in the proposed development and parking concerns, and it was stated that final details would come with later permissions, but that initial designs had been made to encourage less on-street parking and for roads to be of a suitable width. Additionally, it was stated that it was planned most dwellings would be two storey, although there would be one and three storey dwellings within the site.

The Chairman then announced that as the report presented two different schemes for approval, following legal advice the Committee would consider each scheme separately and vote upon each scheme.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

Mrs Natalie Moss then read a statement on behalf of the Local Member, Councillor Ian McLennan, who was unable to be present, in support of option A of the application, subject to the imposition of suitable additional conditions.

A debate followed, where the importance of precise wording to limit the number of dwellings permitted on the site was raised, to prevent future additional development. The need for the infrastructure for the site to be suitable for future purposes was noted, with some members having concerns that where an upper limit had not been set or where an unviable amount of dwellings had been initially approved in other applications, and was subsequently expanded upon, infrastructure including roads, schools and green space had become insufficient.

The preference for affordable homes to be available for local residents was mentioned, along with issues of Highway safety and the proposal that any public art financial contribution be utilized for a new changing room facility to serve the playing pitch on the development.

The granting of permission to a site which was a departure from local planning policy was discussed, and how likely it was that the site would inevitably be marked for development considered.

At the conclusion of debate, it was,

Resolved:

That subject to:

- a) **The advertisement of the application as a Departure to Development Plan policies;**
- b) **The referral of the application to the Secretary of State as a Departure from Development Plan policies and the agreement of the said to the issuing of planning permission;**
- c) **Subject to all parties entering into a S106 legal agreement which secures:**

- **Public open space facilities/financial contributions and timing of provision, including a contribution commensurate with the Public Art contribution towards the provision of changing room facilities which incorporate public art.**
- **Provision of on-site affordable housing and timing of provision**
- **Provision of waste and recycling facilities/financial contributions**
- **Provision of educational contributions towards the provision of new school building and land for that new school, and timing of that provision**
- **Financial Contributions towards Stone Curlew project**
- **Financial contribution towards cemetery facilities**
- **Financial contribution towards Wiltshire Fire and Rescue facilities**
- **Transportation contributions and sustainable initiatives and timing of that provision as referred to by WC Highways comments above**
- **Provision of a new roundabout, and associated bus stops and pathways prior to the commencement of any other works**
- **Provision of land for a new retail and neighbourhood centre building and the construction and provision of that facility prior to occupation of 50 percent of the planned development.**
- **A suitably surfaced pedestrian and cycle link to be provided up to the boundary of the application site with the adjacent Old Sarum site including a commuted sum of money for the Council to deal with future linkage provision, and the details of such works.**
- **Provision and timing/phasing of the commercial/industrial land and uses**

To delegate to the Director of Development Services to APPROVE Planning permission for schemes A and B.

Subject to the following conditions:

01. Approval of the details of the layout, scale, appearance of the buildings, the means of access thereto (excluding the roundabout and associated access works subject of this application) and the landscaping of the site (herein called the reserved matters) shall be obtained from the Local Planning Authority in writing, for each housing and employment phase of the development prior to commencement of that phase.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

02. Plans and particulars of the reserved matters referred to in condition 01 above, relating to the layout, scale, appearance of any building to be erected, the means of access to the site (excluding the roundabout and associated access works subject of this application) and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

03. Applications for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

04. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

05. The number of dwellings hereby permitted on this site shall be limited to a maximum of 673 dwellings in the case of option A, or limited to a maximum of 425 dwellings in the case of option B.

REASON: To ensure that the overall density and layout of the final scheme accords with the mitigation and details agreed as part of this permission and associated legal agreement.

06. The development shall be carried out in general accordance with the illustrative Master Plans and the parameters for the development provided in the Design and Access statement, including the list of general design principles contained in the Development Specification document submitted on 17th September 2013, namely:

Option A

Drawing No. 3281 501 Option A – Site location plan

Drawing no 3821 502 Option A illustrative master plan

Drawing No. 3281 505 Option A Green Infrastructure

Drawing No. 3281 504 Option A Building Heights

Drawing no. 3281 506 Option A Access and movement

Drawing No. 3281 503 Option A Land Use plan

Option B

Drawing No. 3281 501 Option B – Site location plan

Drawing no 3821 502 Option B illustrative master plan

Drawing No. 3281 505 Option B Green Infrastructure

Drawing No. 3281 504 Option B Building Heights

Drawing no. 3281 506 Option B Access and movement

Drawing No. 3281 503 Option B Land Use plan

REASON: For the avoidance of doubt

07 The access to both Option A and Option B schemes shall be carried out in accordance with approved Plan no SK004 Rev A – Access and roundabout arrangements.

REASON: For the avoidance of doubt

Highways

08. The development hereby approved shall accord with the details shown on access roundabout drawing no drawing SK004/A. The roundabout and associated works, including two bus laybys including shelters and real time bus information electronic display boards and pathways and street lighting, shall be provided and made available for use, prior to the first occupation of any the dwellings hereby approved. Notwithstanding any landscaping/planting or drainage details submitted pursuant to the reserved matters applications, and before any works are commenced with regards the highway access works, a scheme for the discharge of surface water from the highway and landscaping works, including timing of works, associated with the highway access works hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the access arrangements, and associated drainage and landscaping has been constructed in accordance with the approved scheme.

REASON: To ensure that an acceptable access and egress is provided prior to occupation of any of the proposed dwellings, in the interest of sustainable development and highway safety and the interests of providing safe and convenient access to public transport for occupiers of the development. Also, to ensure that any highway access works are appropriately landscaped and drained in order to reduce the visual impacts of the works on the wider countryside.

09. Prior to first occupation of any dwelling, a 2 metre wide footway shall have been constructed and made permanently available for use by pedestrians, in accordance with details to be first submitted to and approved by the Local Planning Authority, over the entire frontage of the site, along the western boundary with the A345 road.

REASON: In the interests of safe and convenient pedestrian access to the development.

10. Prior to occupation of the 50th dwelling a temporary bus loop to enable buses to turn within the site shall have been constructed and made available for use, in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority.

REASON: In the interests of enabling public transport to serve the development from an early stage.

Linkages

11. The pedestrian and cycle paths proposed across the site allowing access to Old Sarum along the eastern boundary shown on the indicative layout shall be surfaced, provided, and made available for safe use concurrently with the development being completed, and prior to any of the residential units, school/community facilities/open space/land, or commercial /industrial units first coming into operation or being first occupied. The pathway shall remain available for public use in perpetuity until its formal adoption by the Local Authority.

REASON: In order to ensure that access from and to the wider area is provided at an early stage, so as to enhance the connectivity of the wider community and to allow access to and from facilities and services.

12. The footpath link with Monarchs Way right of way shall be fully constructed and provided prior to occupation of any of the dwellings hereby approved, or as agreed in accordance with an alternative scheme approved in writing by the Local Planning Authority.

REASON: In order to ensure that access from and to the wider area is provided at an early stage, so as to enhance the connectivity of the wider community and to allow access to and from facilities and services.

Protection of amenity

13.No development shall commence until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details the measures that will be taken to reduce and manage the emission of noise and dust during the construction phase of the development and shall specifically address the following:

- i. The movement of construction vehicles**
- ii. Wheel washing and vehicle wash down facilities**
- iii. The storage, transport and management of waste materials and building materials.**
- iv. The recycling of waste materials**
- v. The loading and unloading of plant and materials**
- vi. The location and use of generators and temporary site accommodation**

The approved construction management plan shall be complied with throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction management plan without the prior written permission of the Local Planning Authority.

REASON: In order to limit the impact of the development on surrounding amenity

14.Before the development hereby permitted commences a scheme for the acoustic insulation and protection of residential properties against

road traffic noise and noise from the approved business/commercial uses shall be submitted to and approved by the Local Planning Authority. This scheme shall include details of glazing, ventilation and the measures to be taken to protect external amenity space from noise. All works within the approved scheme shall be implemented before the residential properties are first occupied and shall be maintained at all times thereafter.

REASON: In order to limit the impact of the development on surrounding amenity

Non residential development

15. Before the development hereby permitted commences a scheme of acoustic insulation shall be submitted to and approved by the Local Planning Authority specifying the measures that will be taken for the purposes of preventing and controlling the emission of noise from externally mounted plant and equipment. The approved scheme shall be implemented before the development is first brought into use and shall be maintained at all times thereafter in accordance with the approved details.

REASON: In order to limit the impact of the development on surrounding amenity

16. Before the development hereby permitted commences a scheme of acoustic insulation shall be submitted to and approved by the Local Planning Authority specifying the measures that will be taken for the purposes of preventing and controlling the emission of noise and vibration from the approved commercial/business uses. The approved scheme shall be implemented before the development is first brought into use and shall be maintained at all times thereafter in accordance with the approved details.

REASON: In order to limit the impact of the development on surrounding amenity

17. Before the development hereby permitted commences a scheme for the discharge and control of fumes, gasses and odours from the approved commercial/business uses shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the development is first brought into use shall be maintained at all times thereafter in accordance with the approved details.

REASON: In order to limit the impact of the development on surrounding amenity

18. Before the development hereby permitted commences a schedule for the times of deliveries to and/or collections from the approved commercial/business uses shall be submitted to and approved by the Local Planning Authority. Deliveries and/or collections shall only take place in accordance with the approved schedule and shall not take place at any other time.

REASON: In order to limit the impact of the development on surrounding amenity

19. Before the development hereby permitted commences a schedule for the operating times of the approved commercial/business uses shall be submitted to and approved by the Local Planning Authority. The approved commercial/business uses shall only operate in accordance with these agreed times and shall not operate at any other time.

REASON: In order to limit the impact of the development on surrounding amenity

Neighbour amenity – Longhedge cottages and Longhedge House

20. Prior to any construction works commencing, a construction management plan shall be submitted to and approved in writing by the Local Planning Authority which details the measures to be taken to protect the residential amenities of the occupiers of dwellings directly adjacent to the proposed works during construction. The scheme so agreed shall be carried out in strict accordance with the agreed details.

REASON: In order to limit and reduce the impact of the construction works on the occupiers of residential properties located within immediate proximity of the proposed works.

Restriction of uses within neighbour centre

21. The neighbourhood centre shall be arranged as shown on the submitted indicative layout plan and design and access statement, and shall comprise of a main retail use, limited to Class A1 as defined by the Town and Country Planning use Classes Order 1995 as amended, which shall have a gross floor area of 550sqm. The ancillary neighbourhood uses shall be limited to Class A1, A3, A4, A5, or D1 as defined by the Town and Country Planning use Classes Order 1995 as amended uses only, and any unit or use shall be limited to a maximum of 200 sqm gross floor area. No use shall commence until a scheme for the carrying out, operation, and construction of that use/building has been submitted to and approved by the Local Planning Authority as part of a reserved matters application.

REASON: In order to limit the impact of the development on residential amenity and the impact on the vitality and viability of the city centre.

Archaeology

22. With regards Option A & B, no development shall take place within the application site until a written programme of archaeological investigation, has been submitted to, and approved in writing by the Local Planning Authority. The approved programme of archaeological mitigation has been carried out in accordance with the approved details.

REASON: To safeguard the identification and recording of features of archaeological interest.

Archaeology management plan for community open space

23. With regards Option A, no development shall commence on site until such a time that a management plan to ensure the preservation in situ of the archaeological features/remains described in the Environment Statement to include the provision of archaeological information panels and a timetable for the implementation of the management plan, has been submitted to and agreed in writing by the Local Planning Authority. The management plan shall thereafter be implemented in accordance with the approved plans.

REASON: To safeguard the identification and recording of features of very high archaeological interest with the planned community open space.

Ecology

24. Before development commences, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority which secures protection of habitats and species during the construction period, including pollution prevention measures. The development shall be carried out in accordance with the agreed CEMP.

REASON: In order to prevent pollution of the water environment and to protect habitats and species during the construction period so as to limit the impacts of the development

25. Before development commences, a scheme for water efficiency shall be submitted to and approved by the Local Planning Authority. The scheme should Development shall be carried out in accordance with the agreed schemes.

REASON: In order to improve the sustainability of the scheme in line with Core Policy 19 of the South Wiltshire Core Strategy.

Surface water drainage scheme

26. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use/occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

Lighting

27. No development shall commence until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to minimise light spill and sky glow, and to minimise light levels along site boundaries and internal transverse planting corridors to below 1 LUX.

REASON: In order to limit the impact of lighting on protected species and habitats

EMP

28. No development shall commence on site, including site clearance, until an Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority which covers the following points:

- a) Landscape framework plan (demonstrating responsibilities for long term management)**
- b) Detailed proposals for habitat retention and creation, methods for establishing new meadows and wetland habitat, design and locations for bat and bird boxes, and habitat management plan.**

The development shall thereafter be carried out and maintained in accordance with the approved details.

REASON: To limit the impact of the development on visual and residential amenity and the surrounding natural habitat.

Tree protection during construction

29.No development shall commence (including any works on the highways access hereby approved) until the existing trees and hedging to be retained adjacent to the site boundaries have been protected by means of a scheme submitted to and agreed in writing with the Local Planning Authority prior to works commencing. Development shall be carried out in accordance with the agreed scheme.

The Tree Protection Plan shall show the areas which are designated for the protection of trees, shrubs and hedges, hereafter referred to as the Root Protection Area (RPA). Unless otherwise agreed, the RPA will be fenced, in accordance with the British Standard Guide for Trees in Relation to Construction (BS.5837: 2012) and no access will be permitted for any development operation.

The Arboricultural Method Statement should specifically include details of how the hard surfacing within the RPA of any retained trees can be implemented, if necessary, without causing root damage.

The Arboricultural Method Statement shall include provision for the supervision and inspection of the tree protection measures. The fencing, or other protection which is part of the approved statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has been given in writing.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

Strategic planting programme

30. Before any development commences (including the highway access works hereby approved), a detailed Landscaping scheme, showing the proposed strategic planting including the tree belts, intended to help reduce the wider visual impact of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of native species, specimen sizes, and long term maintenance and ownership. Such planting shall be carried out in accordance with the agreed scheme.

All new planting and landscaping shown on the agreed plans, shall be provided/planted out on site within 1 calendar year of the commencement of development, unless a scheme of timing of provision is otherwise agreed in writing with the Local Planning Authority.

REASON: In order to ensure that strategic planting areas are provided as soon as practicable following commencement of development, and that any such planting is able to mature to provide an effective screen to the development in the longer term.

Ground water protection

31. The development hereby permitted shall not be commenced until such time as a scheme:

- a) To agree sewage pipework specification**
- b) Agree pollution prevention for storage of pollutants**
- c) For drainage**

has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved.

REASON: To prevent the pollution of controlled waters.

Surface Water management

32. Before development commences, details of a surface water drainage masterplan shall be submitted to and agreed in writing by the Local Planning Authority. The masterplan shall be in accordance with the Flood Risk Assessment (Option A, RSK, Ref: 131658, R1(0) dated 18th April 2013, or Option B, RSK, Ref: 131658, R2 (0) 18th April 2013) and include details of the phasing of surface water drainage infrastructure including source control measures, the hydrological and hydrogeological context of the development, and details of the future responsibility and maintenance. The development shall be implemented in accordance with the approved scheme.

REASON: To prevent the increased risk of flooding as a result of the development in accordance with the NPPF

INFORMATIVES

- 1) As part of any future reserved matters application for landscaping details, an Ecology and Landscape Enhancement Scheme for buffer land adjacent to the River will be submitted. The Scheme will be prepared by a professional ecologist and provide a detailed programme of enhancement measures that will be achieved on land allocated for landscaping in the Landscape Strategy Plan (dwg No. 06136-PO.04). The Enhancement Scheme will be carried out in full and within the timetable laid out within the approved document.**
- 2) The surface water management scheme shall be in accordance with recommendations and findings of the FRA Bradbrook Consulting Revision C November 2012.**
- 3) With regard to the archaeology conditions above the work should be conducted by a professionally recognized archaeological contractor in accordance with a written scheme of investigation agreed by this office and there will be a financial implication for the applicant.**
- 4) The applicant should ensure that they have thoroughly investigated ground conditions and levels of vibration on the development site and use appropriate construction methods and materials to ensure that the occupants of the houses concerned are not adversely affected by vibration and or/reradiated noise caused by Equinox prior to any of the properties being sold or occupied.**
- 5) With respect to the condition related to noise issues, I would highlight that as per correspondence with the acoustic consultants we are not entirely satisfied with the existing noise surveys for this area and in particular due to the use of noise mapping calculations to estimate some noise levels used in the acoustic report. We would advise that further measurements are required to either replace or confirm the predictions concerned when this condition is subject of an application to discharge. We would also highlight that based on the existing data available we consider that the residential properties on the western edge of the residential development are likely to need acoustically treated mechanical ventilation.**
- 6) With respect to conditions above, and as per correspondence and agreement with the acoustic consultant, we would recommend that an appropriate target would be that the cumulative rating noise level should not exceed background and assessed as per BS4142.**

- 7) **With respect to the conditions above if any of the businesses uses may produce significant levels of vibration this issue will need special consideration and should be discussed with this department.**
- 8) **With respect to conditions above the appropriate times for deliveries/collections and operating times will be dependent on the final design and layout. If the applicant wishes to have greater flexibility with opening times / deliveries/collections we would encourage them to carefully consider the layout of the development. Including consideration of the separation of residential from commercial/business uses, the orientation of noisy parts of the development away from residential properties and the use of some commercial/business premises as acoustic barriers.**
- 9) **With regards the affordable housing S106 heads of terms, it is considered that where allowed by Council policy, Laverstock and Ford residents should have priority in relation to the affordable housing stock on this site.**

Councillor Christopher Newbury requested that his objection to the approval for scheme A be recorded.

Councillors Charles Howard and Terry Chivers requested that their abstention from the approval for scheme A be recorded.

Councillor Jose Green requested that her abstention from the approval for scheme B be recorded.

The Committee also commended the Local Member for their detailed and comprehensive assessment of the applications as read to the meeting.

47 **13/02254/FUL: Five Rivers Leisure Centre, Hulse Road, Salisbury, SP1 3NR**

Public Participation

Patricia Fagan, Shadow Community Operations Board, spoke in support of the application.

The Planning Officer introduced a report which recommended that planning permission be granted. Key issues were stated to include the principle of the proposed extensions to the current Leisure centre as part of the transformation into a community campus, the impact upon local amenity and the local highways, and the design and appearance. It was noted that the building contained significant amounts of parking spaces to the rear, and that no objection had been received from the Highways officers.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought regarding new entrances, including for the police teams that would be based in the building, and details of how the site's historic use as a landfill site prevented the complete parking areas to be covered in tarmac.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Richard Clewer, then spoke in support of the application.

A debate followed in which the access to the site was acknowledged as an existing concern, and whether the alterations to the use of the site would adversely impact the highways issue to a significant degree. The expanded facilities for disabled users was noted, and the design of the proposed extensions was assessed for suitability.

After debate, it was,

Resolved:

That Planning Permission be GRANTED for the following reason:

The proposed development is considered to be an acceptable redevelopment of an existing leisure centre for similar extended and enhanced purposes. Subject to the imposition of relevant and necessary planning conditions, the development would not have an unacceptable impact upon highway safety, amenity, ecology or the landscape and would have the effect of enhancing sports, leisure and community facilities to the local community as well as improving the appearance of the site and wider public realm. The proposal is considered to comply with the provisions of the National Planning Policy Framework as well as saved policies G1, G2, D1, C10, R1A and R1B of the adopted South Wiltshire Core strategy.

Subject to the following conditions:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: In the interests of visual amenity and the character and appearance of the area.

- 3. No development shall commence on site until details showing ventilation and extraction equipment within the site (including details of its position, appearance and details of measures to prevent noise emissions) have been submitted to and approved in writing by the**

Local Planning Authority. The ventilation/extraction equipment shall be installed prior to the building/extension hereby approved being first occupied and shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area.

- 4. In complete accordance with the submitted details, use of the all weather pitch, including operation of the associated floodlighting, shall cease at 22:00hrs each day and shall not resume use and operation until the following day at 08:30hrs, unless otherwise agreed with the Local Planning Authority in the form of a new and separate planning permission in that regard.**

REASON: So as to avoid unnecessary and unacceptable noise and disturbance from the use and operation of the all-weather pitch.

- 5. No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:**

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;**
- A specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2012**
- A schedule of tree works conforming to BS3998.**
- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;**
- Plans and particulars showing the siting of the service and piping infrastructure;**
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;**
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and**
- Details of all other activities, which have implications for trees on or adjacent to the site.**

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

6. The development shall be carried out as specified in the approved Arboricultural Method Statement (AMS), and shall be supervised by an arboricultural consultant.

REASON: To prevent trees on site from being damaged during construction works.

7. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the local planning authority to ensure the retention of trees on the site in the interests of visual amenity.

8. The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan no 2904(L) 001

Existing Site photographs no 2904(L)005
Existing site plan no 2904(L)010
Proposed site plan no 2904(L)011 rev B
External Works plan no 2904(L)012 rev D
Proposed All Weather pitch plan 2904(L)020 rev B
Existing Basement floor plan 2904(L)040
Existing Ground Floor Plan 2904(L)041
Existing first floor plan 2904(L)042
Existing Roof Plan 2904(L)043
Proposed ground floor plan 2904(L)050
Proposed first floor plan 2904(L)051
Proposed Roof plan 2904(L)052
Existing South Elevation 1 plan 2904(L)101
Existing South Elevation 2 plan 2904(L)102
Existing North Elevation 1 plan 2904(L)103
Existing North Elevation 2 plan 2904(L)104
Existing West and East elevations plan no 2904(L)105
Existing Minor elevations 2904(L)106
Proposed 3D views plan no 2904(L)110
Proposed elevations plan no 2904(L)111
Proposed elevation 1 plan no 2904(L)112
Proposed elevation 2 plan no 2904(L)113
Proposed elevation 3 Plan no 2904(L)114
Proposed elevations 4,5 and 6 plan no 2904(L)115
Police compound fencing detail plan no 2904(L)116
Bin Store detail plan no 2904(L)117
Screen entrance wall plan no 2904(L)118
Cycle shelter details plan no 2904(L)119
Existing site sections plan no 2904(A)170
Proposed site sections plan no 2904(A)171
473477/P003 – Revision P2 : External Lux Levels for Planning –
Football Pitch

All plans are revision A unless stated.

Additional documents

Flood risk assessment by Hydrock dated May 2013
Noise and Acoustic report reference 5520/DO/pw dated July 2013 by
Acoustic consultants Ltd
Transport assessment by Key transport consultants Ltd dated July
2013 including appendices
Design and Access statement by the Bush Consultancy dated 23rd
July 2013
External Lighting statement by Halcrow dated 22nd July 2013
Preliminary ecological appraisal by Alec French architects dated
September 2012
Biodiversity Enhancement Strategy dated October 2013 by the
landmark practice
Construction Working Method statement dated October 2013 by the
landmark practice

REASON: For the avoidance of doubt and in the interests of proper planning

9. The development hereby approved shall be carried out in accordance with the details and recommendations of the biodiversity Enhancement Strategy and Construction Method statement dated October 2013 and produced by the landmark practice.

REASON: In order to protect wildlife within the vicinity of the site.

10. Prior to the occupation of any of the new buildings, the subject of this application, a car parking management plan shall be submitted to and approved by the local planning authority. The plan shall set out measures for ensuring that long stay parking on the site does not arise, as well as measures for dealing with offenders. The car parking shall at all times be managed in accordance with the approved plan.

REASON: To ensure that adequate parking provision exists on the site to accommodate forecast demand.

11. All 345 parking bays on the site, as indicated on the approved drawings, with the exception of the 50 space overspill parking area on the proposed reinforced grass area, shall be clearly permanently marked for each parking bay, before the beneficial use of any of the additional uses proposed on the site. All car parking spaces shall be provided before the beneficial use of any of the additional uses proposed on the site.

REASON: To ensure that individual parking bays can be readily identified, and in the interest of efficient use of sufficient parking provision.

12. 56 cycle parking spaces shall be provided in accordance with the approved drawings before the beneficial use of any of the additional uses proposed on the site.

REASON: In the interests of encouraging sustainable transport to the site.

13. Prior to the occupation of any of the new buildings, the subject of this application, details of the provision of the proposed community bus, its funding arrangements and its proposed route and timetabling shall be submitted to and approved in writing by the local planning authority. The Community bus shall be operated in accordance with the agreed routeing and timetabling, unless alternative arrangements are agreed by the local planning authority.

REASON; In the interests of encouraging use of sustainable transport modes to access the site.

14. Prior to the commencement of the development, details of the parking provision and fencing and gating arrangements for the secure police parking area shall be submitted to and agreed by the local planning authority.

REASON: In order to ensure that no parking spaces in the vicinity of the secure compound gates are obstructed.

15. Prior to the commencement of the development a construction traffic management plan shall be submitted to and approved by the local planning authority. Construction traffic shall be managed in accordance with the plan throughout the construction period. The plan shall include provision to restrict peak hour construction traffic to and from the site, as well as details of the routes proposed for access and egress for lorries.

REASON: In the interest of highways safety and local amenity.

16. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1. A preliminary risk assessment which has identified:**
 - a) all previous uses**
 - b) potential contaminants associated with those uses**
 - c) a conceptual model of the site indicating sources, pathways and receptors**
 - d) potentially unacceptable risks arising from contamination at the site.**
- 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**
- 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**
- 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

REASON

Due to past site uses as a landfill site; construction could mobilise contaminants with the potential to pollute controlled waters.

17. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set

out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON

Due to past site uses as a landfill site; construction could mobilise contaminants with the potential to pollute controlled waters.

18. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON

Due to past site uses as a landfill site; construction could mobilise contaminants with the potential to pollute controlled waters.

19. Piling or any other foundation designs / investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON

Piling or any other foundation designs / investigation boreholes using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

20. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, in accordance with the Flood Risk Assessment (Hydrock, Ref: R/2519/001, May 2013), has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details

before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

REASON

To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

INFORMATIVE

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws the prior written consent (Flood Defence Consent) of the Environment Agency is required for any proposed works (permanent or temporary) or structures in, under, over or within 8 metres of the top of the bank of the River Avon, designated a 'main' river. The need for this consent is over and above the need for planning consent. The applicant is advised to contact Daniel Griffin on 01258 483421 to discuss the scope of our controls.

INFORMATIVE

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.

INFORMATIVE

It is requested that the applicant investigate further with Wiltshire Councils highways department, the need for and practicalities of the installation of traffic lights at the junction of the A345 (Castle Road) and Butts road in order to ease both existing and increased traffic from the new campus development.

(Duration of meeting: 2.10 - 4.10 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic & Members' Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

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STANDARDS COMMITTEE

MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 10 JULY 2013 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Desna Allen, Cllr Allison Bucknell, Cllr Trevor Carbin, Mr Philip Gill,
Cllr Howard Greenman, Cllr Julian Johnson (Chairman), Mr Paul Neale, Cllr John Noeken
(Vice Chairman), Cllr Paul Oatway, Mr John Scragg, Cllr Ian Tomes, Miss Pam Turner and
Cllr Christopher Williams

26 Apologies for Absence

An apology for absence was received from Councillor Howard Marshall.

27 Minutes of the Previous Meeting

The minutes of the meeting held on 24 October 2013 were presented for consideration. It was,

Resolved:

To approve as a true and correct record and sign the minutes.

28 Dispensation Sub-Committee Minutes

The minutes of the Dispensation Sub-Committee minutes from 24 January 2013 were presented. It was,

Resolved:

To note the minutes of the Dispensation Sub-Committee.

29 Declarations of Interest

There were no declarations.

30 Chairman's Announcements

- 1) The Chair announced that the longstanding Democratic Services Officer for the Standards Committee, Pam Denton, had retired from the Council. The Chair thanked Ms Denton for all her work and assistance over the years, and would send a letter of appreciation on behalf of the Committee.

- 2) Following the Council meeting on 09 July 2013, Councillor Pip Ridout was added to the Committee as a substitute.

31 **Public Participation and Questions**

There were no questions or statements submitted.

32 **Appointment of Focus Group on the Constitution**

The report on the appointment of those members of the Focus Group on the Constitution to be appointed by the Standards Committee was received and noted.

It was also noted that the Focus Group was not well balanced with regards to gender, and though the appointment of other members was not within the gift of the Standards Committee, it was felt a more balanced membership would be beneficial.

It was,

Resolved:

To re-appoint Mr Paul Neale and Miss Pam Turner as the two co-opted non-voting members of the Standards Committee to serve on the Focus Group on the Constitution.

33 **Minutes and Recommendations of the Focus Group on the Constitution**

The Committee noted the minutes of the Focus Group on the Constitution meeting held on 12 March 2013 and debated the suggested changes to Protocols 2, 3, 4 and 12 of the Constitution, as detailed in the agenda pack.

For Protocol 2, *Councillor-Officer Relations*, the suggested changes were accepted, subject to amendments in paragraph 9.1, 15.1 and the retention of paragraph 15.5

For Protocol 3, *Guidance to Members on Outside Bodies*, the Committee agreed the revised document, subject to amendments to paragraph 15 to provide an explanation of the meaning 'dual-hatted' members, paragraphs 17 and 18, and 22.

For Protocol 4, *Planning Code of Good Practice*, the Committee agreed the changes as set out in the document attached to the report, subject to revisions to paragraphs 5.3 and 6 to be drafted by the Monitoring Officer to bring these paragraphs in line with the rest of the document.

For Protocol 12, *Code of Conduct*, the Committee noted the suggested changes and deferred a decision until concluding discussion of the item under Minute 34 below.

In relation to Protocols 2, 3 and 4 the Committee, therefore,

Resolved:

To recommend Council to adopt the revised documents as attached to these minutes.

34 Code of Conduct: Registration and Disclosure of Additional Interests

The Monitoring Officer presented a report on whether the Council's Code of Conduct should be amended to provide for the registration and disclosure of additional interests in accordance with the Council's power under the Localism Act 2011. Parish, Town and City Councils had been consulted on the issue and their responses were summarised in the report.

It was noted that many of these councils had adopted the same Code as Wiltshire Council, as the principal authority, and therefore any changes to Wiltshire Council's Code might impact upon these councils; they could decide to go with the changes, stay as they are or do something different. It was preferable from the point of view of consistency and enforcement for most councils to have the same Code of Conduct, but this was ultimately a matter for each council.

Members were minded to adopt an advisory approach rather than a mandatory one involving amendment of the Code of Conduct. The DCLG's revised guide for councillors 'Openness and transparency on personal interests' in Appendix D to the report would assist with this and should be drawn to the attention of parish, town and city councils.

The Committee were also advised by the Monitoring Officer that Wiltshire Council's Code of Conduct at paragraph 6 in any event requires councillors to 'declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties, and must take steps to resolve any conflicts arising in a way that protects the public interest'

The Committee went on to consider whether the Council's Constitution should be amended to include a requirement for councillors with a disclosable pecuniary interest to withdraw from a meeting when business relating to their interest is being considered. Opinion was divided on this issue but overall the Committee were minded to support the introduction of such a requirement.

Finally, the Committee considered whether the Code of Conduct should include more specific provisions on gifts and hospitality, as suggested in one of the consultation responses. However, they felt that this was already sufficiently covered by the existing Code, at paragraph 2, 'you must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.'

The Committee, therefore,

Resolved:

To recommend Council:

(1) Not to amend the Code of Conduct to impose a requirement to register additional interests over and above the statutory disclosable pecuniary interests, but to rely on the existing provisions of the Code, in particular, paragraph 6, and guidance from the DCLG 'Openness and transparency on personal interests' and to draw this guidance to the attention of parish, town and city councils.

(2) To amend the Council's Constitution to require councillors with a disclosable pecuniary interest to withdraw from a meeting when business relating to their interest is being considered.

(3) Not to make any changes to the Code of Conduct on gifts and hospitality on the basis that the existing provision is adequate.

35 Status Report on Complaints

The Monitoring Officer introduced a report on Complaints received and processed since the last meeting of the Standards Committee.

It was noted that fewer complaints had been brought under the new regime and so far no complaints had been referred for investigation. The Committee considered the reasons for this, including the extent to which this was attributable to the absence of specific provisions on behaviour in the Code of Conduct. The Committee felt that a review of the operation of the council's arrangements under the new standards regime was now appropriate as these had been in place for 12 months. The Committee, therefore,

Resolved:

To note the contents of the complaints status report and ask the Monitoring Officer to review the operation and effectiveness of the Code of Conduct and Complaints Procedure in the light of the first year of operation of the new arrangements and to report back to the Committee at its next meeting in October.

36 Draft Annual Governance Statement 2012/13

The Monitoring Officer presented the draft Annual Governance Statement for 2012/13, which had been considered by the Audit Committee on 18 June 2013 and was due to be considered by Cabinet on 23 July. The draft had been sent to the council's external auditors, KPMG, for consideration and comment, and would be referred back to the Audit Committee for final approval on 4 September 2013.

The Committee had particular regard to the relevant ethical governance sections of the draft Statement, with which they were satisfied. They noted that the draft was consistent with guidance from CIPFA.

The Committee

Resolved:

To confirm that the Standards Committee were content with the draft document and noted that this would go back to the Audit Committee with any further changes on 4 September 2013 for approval and publication with the Statement of Accounts.

37 Forward Plan

The Forward Work Plan was received and noted. A request for the Committee to consider an item on councillors being added to the staff benefits scheme was referred to the Monitoring Officer to consider if it was a matter for the Standards Committee. It was,

Resolved:

To approve the Forward Work Plan, subject to the addition of an item requesting the Monitoring Officer to update the Committee on the position regarding dispensations for voting on the setting of council tax and the budget.

38 Urgent Items

There were no urgent items.

(Duration of meeting: 2.00 - 3.45 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

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STANDARDS COMMITTEE

DRAFT MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 9 OCTOBER 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Desna Allen, Cllr Allison Bucknell, Cllr Trevor Carbin, Cllr Howard Greenman, Cllr Russell Hawker (Substitute), Cllr Julian Johnson (Chairman), Cllr Howard Marshall, Cllr John Noeken (Vice Chairman), Cllr Paul Oatway, Cllr Ian Tomes and Cllr Christopher Williams

39 Apologies for Absence

Apologies were received from Councillors Terry Chivers, Horace Prickett and Miss Pam Turner.

Councillor Chivers was substituted by Councillor Russell Hawker.

40 Minutes

The minutes of the meeting held on **10 July 2013** and the attached proposed constitutional changes were presented. It was,

Resolved:

To approve as a true and correct record and sign the minutes.

41 Declarations of Interest

There were no declarations.

42 Chairman's Announcements

The Chair thanked officers for the training session on Standards Hearings, Reviews and Dispensation Sub-Committees for Members that had taken place at 1030 on 09 October 2013.

43 Public Participation and Questions

There were no questions or statements submitted.

44 **Standards Hearing Sub-Committee**

The minutes of the meeting of the Standards Hearing Sub-Committee on 30 July 2013 as approved by the Sub-Committee on 03 September 2013, and the minutes of the Sub-Committee on 03 September 2013 (as attached) were presented.

It was,

Resolved:

To accept the minutes of the Standards Hearing Sub-Committees on 30 July 2013 and 03 September 2013.

45 **Review of the Effectiveness of the Code of Conduct and Complaints Procedure**

The Localism Act 2011 introduced a new standards framework which came into effect on 1 July 2012. Wiltshire Council, as a principal authority, was required under the provisions of the new legislation to make a number of significant changes to its arrangements governing standards of member conduct. In July 2013 the Committee requested an update on the Code of Conduct and the Complaints procedure since its implementation.

The Monitoring Officer therefore presented a report and appendices reviewing the operation and effectiveness of the new arrangements from 1 July 2012 to date.

It was highlighted that there had been few complaints since the implementation of the new arrangements, and that to date there had been no complaint which had been referred for investigation which had been received since the new procedure had been put in place. The only investigations had related to complaints made under the old regime, but dealt with under the new arrangements.

Attention was drawn to suggestions for improvements to the operation of the current procedure from the Independent Persons who advised both subject members and the Monitoring Officer during the complaints procedure, including simplifying the communication of the process to prospective complainants, streamlining investigations, maximising the opportunity for alternative resolutions of complaints at an early stage, and other steps as detailed in the report. These would be followed up by the Monitoring Officer

Concerns were raised by some members in relation to comments from the Independent Persons that the absence of clear provision on the expected standards of behaviour of elected councillors in the Code of Conduct was resulting in cases being rejected that might otherwise have been put forward for investigation, with the risk of potentially undermining public confidence in the process.

The Committee noted the summary on the outcome of complaints received so far under the new regime but felt that it was too soon to give any proper assessment of the effectiveness of the council's code and arrangements and that more time was need to allow these to bed down.

The Committee also noted the trends drawn from other authorities in the country on the code of conduct and process for handling complaints. In order to assess the effectiveness of these arrangements some members felt that it was necessary to ascertain from the public the extent to which the arrangements were upholding high standards of conduct in local government and public confidence in local democracy. There was discussion on how this might be explored.

The issue of political proportionality on the sub-committees of the standards committee was raised and there was unanimous support for the current position to be reversed so that these were no longer subject to political proportionality. This would open the membership of the sub-committees to more members and help avoid any perception that the sub-committees are politically driven. However, this approach to membership could only be implemented if no Councillor voted against the proposal at full council.

At the conclusion of debate, it was,

Resolved:

- 1) To note the report from the Monitoring Officer**
- 2) To ask the Monitoring Officer to consider how to assess the effectiveness of the council's standards arrangements from the public's perspective, to obtain further information on the position nationally and to report back to the Committee.**
- 3) To recommend Council to amend the terms of reference of the Standards Committee to remove the requirement for political proportionality in relation to its sub-committees, but including a requirement of a maximum of two elected members from any political group on any sub-committee.**

46 The Local Government Ombudsman's Annual Letter for the Year Ended 31 March 2013

The Annual Review letter to the Council from the Local Government Ombudsman (LGO) providing a summary of statistics on the complaints made to the LGO regarding Wiltshire Council was presented., It was noted that there had been a total of 63 complaints, against an average of 36 for Unitary Authorities in general, although there was no comparison based on size, as Wiltshire was a large Unitary Authority.

It was noted with some disappointment that more detailed information would not be forthcoming from the LGO due to a change in their business processes

during the year. It was noted from the summary report accompanying the letter that complaints were made across a broad range of services, highlighting no major concerns with any particular service, and officers were providing good responses to the LGO on complaints.

Resolved:

To note the Annual Review letter from the Local Government Ombudsman.

47 Status Report on Complaints Under the Code of Conduct

The Monitoring Officer introduced the report, noting the total number of complaints since May 2012 as 42, and that since the implementation of the new standards regime in July 2012, no complaints had been referred for investigation except for cases that predated the new regime.

Resolved:

To note the Status Report on Complaints under the Code of Conduct.

48 Update on Dispensations for Voting on the Council Tax and Budget

The Monitoring Officer gave a verbal update on the latest position concerning the need for members to obtain a dispensation to vote on the budget or the setting of council tax. There had been no change to the law but revised guidance from the Department of Communities and Local Government (DCLG) now specifically states that dispensations are not required.

The Monitoring Officer clarified that the guidance did not have the force of law, although the issuing of that guidance did in his view lower the risk of any successful prosecution for breach of the rules on disclosable pecuniary interests. The Monitoring Officer advised that he would continue to consult with colleagues in other local authorities with a view to issuing advice to members in the near future.

Resolved:

To note the update from the Monitoring Officer.

49 Forward Plan

The proposed forward plan was noted, and the dates of additional future committees confirmed as 02 April 2014, 09 July 2014 and 08 October 2014.

50 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00 - 3.00 pm)

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AUDIT

DRAFT MINUTES OF THE AUDIT MEETING HELD ON 4 SEPTEMBER 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Richard Britton, Cllr Tony Deane (Chairman), Cllr David Jenkins, Cllr Julian Johnson, Cllr John Noeken (Substitute), Cllr Stephen Oldrieve, Cllr Helen Osborn, Cllr Sheila Parker (Vice Chairman), Cllr David Pollitt and Cllr James Sheppard

Also Present:

Cllr Jane Scott OBE and Cllr Dick Tonge

49 Apologies and Membership Changes

Apologies were received from Councillors Stewart Dobson, Howard Greenman and Linda Packard.

Councillor John Noeken replaced Councillor Stewart Dobson for this meeting only.

50 Chairman's Announcements

There were no Chairman's announcements.

51 Minutes of the Previous Meeting

The minutes of the meeting held on 18 June 2013 were presented and it was

Resolved:

To approve the minutes as a true and correct record.

52 Members' Interests

There were no disclosable interests declared.

53 Public Participation and Committee Members' Questions

There was no public participation.

54 Report to those Charged with Governance

The Committee considered the covering report of the Service Director, Finance, along with reports which had been prepared by the Council's external auditor, KPMG. The report summarised the conclusions and key issues arising from the recent audit of the Council's financial statements for the year ending 31 March 2013 and KPMG's assessments of the Council's arrangements to secure value for money in its use of resources.

Chris Wilson, Partner, KPMG and Tara Westcott, Audit Manager, KPMG led the Committee through the significant points of the report as detailed below:

- One audit adjustment to the draft financial statements was identified, which related to a technical accounting adjustment. The adjustment was due to one balance being reported as a debtor instead of as a creditor. Processes are being reviewed to tighten procedures for 2013/2014. This adjustment does not affect either the cost of providing services or the net worth of the Council. This has been adjusted by the Council.
- KPMG concluded that the council continued to evidence a strong financial reporting process and produced draft financial statements of high quality.
- KPMG concluded that the Council had made proper arrangements to secure economy, efficiency and effectiveness in its use of resources.
- KPMG anticipated issuing an unqualified VFM audit opinion by 4 September 2013.

The Chairman, on behalf of the Committee thanked all those involved in the preparation of the Council's accounts and congratulated them on achieving an excellent report from KPMG.

The Committee had the opportunity to raise points of interest, in particular comments were made about (i) the audit adjustment detailed in bullet point one above, (ii) the downward revaluation of the new office building, representing phase 1 of the renovation of County Hall and how it was reflected in the accounts.

Resolved:

- a) That the Committee receive the draft accounts for 2012/2013.**
- b) That the Chairman of the Audit Committee be authorised to sign the management representation letter**

Note :

The above resolution is linked to minute 56 below.

55 **Annual Governance Statement**

The Service Director of Law and Governance, Ian Gibbons, outlined the changes that had been made since the Audit Committee considered the draft Annual Governance Statement (AGS) on 18 June 2013. He informed the Committee that the AGS had been presented to both the Standards Committee on 10 July 2013, Cabinet on 23 July 2013 and to KPMG the Council's external auditors. The AGS had been revised to reflect the comments made.

The Service Director of Law and Governance reported that since the report had been published, the new Business Plan 2013-17 had been agreed by full council on 3 September and paragraphs 11 and 53 of the AGS would be updated to reflect this. He also confirmed that the AGS conformed to CIPFA guidance.

Members raised a number of points of interest, in particular comments were made about (i) additional funding for the Safeguarding of Children and Young People and (ii) the management of significant reductions in Government funding.

Resolved:

That the Annual Governance Statement 2012/13 for publication with the Statement of Accounts be approved, subject to minor amendments to reflect the approval of the new Business Plan 2013-17.

56 **Statement of Accounts 2012/13**

The Committee considered the report of the Service Director of Finance on the Council's Statement of Accounts 2012/13.

The report detailed the process and requirements for the production and publication of the annual Statement of Accounts and how the draft Statement was required to be certified by the Chief Finance Officer then subject to external independent scrutiny by the Council's appointed auditors – KPMG.

Members of the Audit Committee raised a number of issues over the presentation of the accounts which officers responded to in particular the following issues were raised:

- The deficit in the Local Government Pension Scheme and how this could be resolved
- The recommended level of reserves

Members thanked all officers involved in the preparation of the accounts for producing an easy to understand guide and congratulated them for achieving a near balanced budget.

Resolved:

- a) That the draft Statement of Accounts for 2012/13 be received**
- b) That the Audit Committee Chairman be authorised to sign the letter of the Statement of Responsibilities for the Statement of Accounts**
- c) That all Council Officers and officers from KPMG be thanked for the excellent work in preparing the Statement of Accounts for 2012/13**

Note: This resolution is linked with minute 54 above.

57 **Date of next meeting**

That the next meeting will take place on 17 September, 2013 starting at 2:00pm in the Council Chamber at Monkton Park, Chippenham.

58 **Urgent Items**

There were no urgent items.

(Duration of meeting: 1.00 - 2.05 pm)

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AUDIT

DRAFT MINUTES OF THE AUDIT MEETING HELD ON 17 SEPTEMBER 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Richard Britton, Cllr Trevor Carbin (Substitute), Cllr Tony Deane (Chairman), Cllr Howard Greenman, Cllr David Jenkins, Cllr Julian Johnson, Cllr Helen Osborn, Cllr Linda Packard, Cllr Sheila Parker (Vice Chairman), Cllr David Pollitt and Cllr James Sheppard

Also Present:

Cllr Dick Tonge

59 Apologies and Membership Changes

Apologies for absence were received from Councillors Stephen Oldrieve and Jane Scott.

Councillor Oldrieve was substituted by Councillor Trevor Carbin.

There were no changes to the membership of the Committee.

60 Chairman's Announcements

There were no announcements.

61 Members' Interests

There were no interests declared.

62 Public Participation and Committee Members' Questions

There were no questions or statements submitted.

63 Internal Audit Progress Report 2012-2013

The first Internal Audit Progress Report for 2013/14 was presented by the representatives from the South West Area Partnership (SWAP). It was highlighted that there had been no non-assurances identified during the course of the audit. A correction was made to page 5 of the Internal Audit Work Plan,

clarifying that the outturn performance results were as at the end of August 2013, not February 2013. The detailed audit plan and monitoring statement, identifying key dates and slippages of planned audit stages was also presented, and it was confirmed that despite this there were no potential significant risks identified for the period April-August 2013.

A debate followed, where the need for planned dates of completion for each stage of an audit, enabling the Committee to clearly identify where slippages occurred in the process, was requested and further detail was sought on recommendations the internal auditors had made and if they were accepted was sought. It was agreed with SWAP that the Committee Members would be consulted on which specific information they would like to receive in future updates, in time for the next meeting of the Committee. The possibility of the Committee viewing the detailed internal reports from SWAP on the auditing process was raised, including added value, and it was agreed the Monitoring Officer would investigate the required processes to achieve that request.

In response to queries it was clarified that the Balfour Beatty Highways contract was in the process of being signed off by Legal Services.

After discussion,

Resolved:

To note the findings from the IA audits to date, and to note that SWAP are to consult with the Committee Members to determine which content should be included in future IA audit reports.

64 **Price for Certification - Update**

The Service Director (Business Services) presented a report updating the Committee on the current position regarding the recommendations in the KPMG Interim Audit 2012/13 report regarding the IT control environment, as requested by the Committee on 18 June 2013.

It was stated that officers had met with KPMG on 31 July 2013 regarding additional certification from CGI, formerly known as Logica) and compliance with required appropriate standards as detailed fully in the agenda papers. It was noted that as a result of Logica's acquisition by the Canadian company CGI in August 2012, compliance with legislation which officers believe would comply with KPMG's requirements. Representatives from KPMG confirmed positive action had been taken and that progress was moving in the right direction.

After discussion,

Resolved:

- 1) To note that the requirement identified by KPMG for CGI to obtain certification to ISAE3402 has been successfully mitigated though the ongoing approach outlined in section 2 of the agenda report.**

- 2) **To note and agree that KPMG will provide the Council with feedback and consultation on key Information Services procedures to ensure they support audit objectives.**

65 **National Fraud Initiative 2012**

The Service Director (Finance) presented the report briefing members on the work and outcomes for the Council in relation to the National Fraud Initiative data matching exercise for 2012/13, operated by the Audit Commission. It was stated the exercise matches data held by Local Authorities and other audited public bodies to prevent and detect fraud.

It was noted that as of 30 August 2013 the council had processed in excess of 4000 matches, identifying overpayments totalling £31,673, and that approximately 1400 matches remained to be processed.

A discussion followed where the cost to recover and amount recovered of the overpayments versus the fee to take part in the exercise was raised, along with how the council conducted the exercise. It was stated that a specific team of officers was being assigned to undertake the exercise and any future exercise, in addition to other duties, and that while the amount recovered as a result of the exercise was not large, identifying and preventing any level of fraud remained a priority. In response to queries it was clarified that no matches had been identified under the 'Right to Buy' section of the exercise.

Resolved:

To note the update.

66 **Internal Audit Review - KPMG**

The Review of Internal Audit Function report produced by KPMG was presented, and it was noted that no incidences of non-compliance from the internal auditors. Five areas of partial compliance had been noted, but it was stated none had been of substantial functions. Overall there was a figure of 4% partial compliance.

A debate followed, where members raised that the focus in the report should include the effectiveness of bringing about changes through internal audit, and not merely effectiveness in following rules and procedures, but it was noted that the report's facts and conclusions supported that appropriate work and processes were being undertaken.

Resolved:

To note the report from KPMG.

67 Risk Management Update

The Risk Management Update was presented, noting all risks as identified by the Corporate Risk Management Group (CRMG). Out of a total of thirteen risks a total of one was identified as high risk, concern over appropriate levels of security and safety of confidential/sensitive data. It was stated that an improvement plan had been put in place to be led by the Head of Governance, with staffing resources put in place to implement the plan.

Members considered the list of Corporate Risks as detailed in the agenda papers, and debated whether additional risks should be included. The impact of the council's voluntary redundancy programme and the related continual reorganisation of teams and reshuffling of staff were raised as potential corporate risks. The Committee did not accept the omission of the risks from the list as being service level risks only

Details were also sought on the composition of and meeting schedule of the CRMG, and it was stated the group met approximately every six weeks and membership includes the Service Director (Finance) and other Service Directors, with input from Legal, Insurance and other services. Specific mention was made to risk 1059, 'Failure to monitor/reduce overspend', and it was stated an update on the risk would follow at the next Committee meeting.

At the conclusion of debate, it was,

Resolved:

To note the latest position regarding the Council's risks that are identified in the current Corporate Risk Register as detailed in Appendix A of the report, with the inclusion of risks regarding the Voluntary Redundancy Programme and Staff Reorganization, confirming the status of the high level risks being reported from service areas and that the Risk Management Strategy and the processes associated are to be reviewed to ensure that arrangements are fit for purpose to monitor progress against the new Business Plan.

68 Date of next meeting

The date of the next meeting was confirmed as 18 December 2013.

69 Urgent Items

- i) The Chair detailed concerns relating to the service to the Committee as a result of high staff turnover and sought assurances any issues would be resolved. It was also requested a single officer from the team of the Service Director (Finance) be nominated to act as the focal point for report production and finalization to ensure consistency in quality of reports.

- ii) The creation of a Working Task Group on Internal Audit in line with previously agreed Terms of Reference was noted and the following membership suggested:

Cllr Richard Britton
Cllr David Jenkins
Cllr Stephen Oldrieve
Cllr David Pollitt

It was requested that any suggestions for lines of enquiry or proposals be sent to Democratic Services and then the lead member of the Task Group once agreed.

(Duration of meeting: 2.00 - 3.00 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line (01225) 718504, e-mail kieran.elliott@wiltshire.gov.uk

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OFFICER APPOINTMENTS COMMITTEE

**DRAFT MINUTES OF THE OFFICER APPOINTMENTS COMMITTEE MEETING
HELD ON 18 OCTOBER 2013 AT THE PRATCHETT ROOM - COUNTY HALL,
TROWBRIDGE BA14 8JN.**

Present:

Cllr Nick Fogg, Cllr Jon Hubbard, Cllr Fleur de Rhé-Philippe, Cllr Jane Scott OBE (Chairman)
and Cllr Jonathon Seed (Substitute)

1 **Apologies**

An apology for absence was received from Cllr John Thomson who was substituted by Cllr Jonathon Seed.

2 **Minutes of Previous Meeting**

Resolved:

To confirm and sign as a correct record the minutes of the Committee meeting held on 18 December 2012, subject to recording the apologies of Cllr Jon Hubbard who was substituted by Cllr Chris Caswill.

3 **Declaration of Interests**

There were no declarations of interest.

4 **Chairman's Announcements**

There were no Chairman's announcements.

5 **Public Participation**

There were no members of the public present or councillors' questions.

6 Appointments following Changes to the Senior Management Structure

The Committee received a joint report by the Corporate Directors in which it was stated that in Part II of the meeting candidates would be proposed for appointment to the following posts on the grounds of suitable alternative employment:-

- a. Associate Director, Highways & Transport
- b. Associate Director, Economic Development & Planning
- c. Associate Director, People & Business Services
- d. Associate Director (with CCG), Quality Assurance, Commissioning, Performance, Schools & Early Years Effectiveness
- e. Associate Director, Adult Care Commissioning, Safeguarding & Housing
- f. Associate Director, Legal & Governance and Monitoring Officer
- g. Associate Director, Communications, Community Area Boards, Libraries, Arts, Heritage & Culture
- h. Associate Director, Finance, Revenues & Benefits and Pensions

It was also noted that the Committee would also be asked to conduct a competitive selection process to appoint to the role of Associate Director, Environment & Leisure prior to appointing to that post.

Cllr Jon Hubbard referred to an instance where a Member experienced difficulties in receiving a response to an enquiry and wondered if the new expanded role of associate director might hinder the efficient response to Members' enquiries. During discussion it was acknowledged that Members might find it useful to receive some guidance on the level at which Members should consult with officers, it being acknowledged that very few enquiries, other than possibly those of a strategic nature, should be referred to a corporate or associate director.

Resolved:

To ask the officers to produce a protocol for Members setting out some guidance on the correct level at which Members should seek advice from officers.

7 Urgent Items

There were no items of urgent business.

8 Exclusion of the 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 business specified in Minute No. 9 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part 1 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.

9 Appointments following Changes to the Senior Management Structure

On considering confidential reports by the Corporate Directors,

Resolved:

To make appointments to the following posts with effect from 21 October 2013 on Grade HAY M3, £94,076 - £103,711 as set out below:-

- i. Associate Director, Highways & Transport – Mr Parvis Khansari.
- j. Associate Director, Economic Development & Planning – Mr Alistair Cunningham.
- k. Associate Director, People & Business Services – Mr Barry Pirie.
- l. Associate Director (with CCG), Quality Assurance, Commissioning, Performance, Schools & Early Years Effectiveness – Ms Julia Cramp.
- m. Associate Director, Adult Care Commissioning, Safeguarding & Housing – Mr James Cawley.
- n. Associate Director, Legal & Governance and Monitoring Officer – Mr Ian Gibbons.
- o. Associate Director, Communications, Community Area Boards, Libraries, Arts, Heritage & Culture – Mrs Laurie Bell.
- p. Associate Director, Finance, Revenues & Benefits and Pensions – Mr Michael Hudson.

At this point Cllr Nick Fogg left the meeting.

The Committee thereupon conducted a competitive selection process to appoint to the role of Associate Director, Environment & Leisure prior to appointing to that post.

After discussion,

Resolved:

To appoint Ms Tracy Carter to the post of Associate Director, Environment & Leisure with effect from 21 October 2013 on Grade HAY M3, £94,076 - £103,711.

(Duration of meeting: 9.30 am - 12.50 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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OFFICER APPOINTMENTS COMMITTEE

**DRAFT MINUTES OF THE OFFICER APPOINTMENTS COMMITTEE MEETING
HELD ON 18 OCTOBER 2013 AT THE PRATCHETT ROOM - COUNTY HALL,
TROWBRIDGE BA14 8JN.**

Present:

Cllr Jon Hubbard, Cllr Laura Mayes (Substitute), Cllr Fleur de Rhé-Philippe and
Cllr Jane Scott OBE (Chairman)

10 **Apologies**

Apologies for absence were received from Cllr Nick Fogg and Cllr John Thomson, who was substituted by Cllr Laura Mayes.

Members of the Committee expressed their disappointment that the Independent Group was unable to find a Member to substitute for Cllr Nick Fogg at the meeting because with only four Members of the Committee being present this could result in an equality of votes which would then require the Chairman to use her casting vote which was not desirable.

11 **Declaration of Interests**

There were no declarations of interest.

12 **Chairman's Announcements**

There were no Chairman's announcements.

13 **Public Participation**

There were no members of the public present or councillors' questions.

However, Mr Jon Houlihan form Gatenby Sanderson was in attendance, acting as a consultant to the Committee.

14 **Urgent Items**

There were no items of urgent business.

15 **Exclusion of the 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 business specified in Minute No. 16 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part 1 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.

16 **Appointment of Associate Director, Children's Social Care, Integrated Youth, Preventative Services 0-25 SEN/Disability Service**

The Committee conducted a competitive selection process to appoint to the role of Associate Director, Children's Social Care, Integrated Youth, Preventative Services 0-25 SEN/Disability Service prior to appointing to that post.

After discussion,

Resolved:

To appoint Mr Terence Herbert to the post of Associate Director, Children's Social Care, Integrated Youth, Preventative Services 0-25 SEN/Disability Service from a date to be negotiated on Grade HAY M3, £94,076 - £103,711.

(Duration of meeting: 1.45 - 5.35 pm)

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STAFFING POLICY COMMITTEE

MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 10 JULY 2013 AT THE PRATCHETT ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Allison Bucknell (Chair), Cllr Mike Hewitt, Cllr Jon Hubbard, Cllr David Jenkins, Cllr Gordon King, Cllr Bill Moss, Cllr David Pollitt, Cllr Fleur de Rhé-Philippe and Cllr John Smale (Vice Chairman)

Also Present:

Cllr Anthony Trotman

25 Apologies for absence

Apologies for absence were received from Cllr Jane Scott, who was substituted by Cllr Bill Moss and from Cllr Stuart Wheeler, who was substituted by Cllr Fleur de Rhe-Philippe.

26 Minutes of Previous Meeting

Resolved:

To confirm and sign as a correct record the minutes of the Committee meeting held on 22 May 2013.

Arising therefrom

Minute No.18 – Appointment of Sub-Committees

Resolved:

To amend the membership of the following sub-committees as set out below:-

(a) Senior Officers Employment Sub-Committee

Cllr Mike Hewitt, Cllr Jon Hubbard & Cllr Stuart Wheeler.

(Substitute Members: Cllr Fleur de Rhe-Philippe, Cllr David Jenkins, Cllr Gordon King, Cllr Mark Packard, Cllr Jane Scott, Cllr John Smale & Cllr Ian Thorn.)

(b) **Appeals Sub-Committee**

Cllr Allison Bucknell, Cllr David Jenkins & Cllr Stuart Wheeler.

(Substitute Members: Cllr Fleur de Rhe-Philipe, Cllr Mike Hewitt, Cllr Jon Hubbard, Cllr Gordon King, Cllr Bill Moss, Cllr Mark Packard & Cllr Ian Thorn.)

(c) **Grievance Appeals Sub-Committee**

Cllr Allison Bucknell, Cllr Mike Hewitt & Cllr Gordon King.

(Substitute Members: Cllr Peter Evans, Cllr Jon Hubbard, Cllr David Jenkins, Cllr Bill Moss, Cllr Mark Packard, Cllr Ian Thorn & Cllr Tony Trotman.)

27 **Declarations of Interest**

There were no declarations of interest made at the meeting.

28 **Chairman's Announcements**

The following announcement was made:-

Outcome of first round of Voluntary Redundancy (VR) applications The Corporate Directors had met on Monday 8 July 2013 to review all applications received in the first round of the Council's Voluntary Redundancy (VR) programme.

Decisions on round one applications were as follows:-

Applications accepted	228	(70%)
Applications declined	99	(30%)
Total applications	327	(100%)

Service Directors had been informed of decisions for their service areas and would confirm the outcomes of applications to all staff who had applied by Monday 15 July 2013. The outcome would be sent by email or by telephone/letter to those without email access.

Service Directors, or their nominated manager, would then arrange to meet all applicants from Tuesday 16 July onwards to provide them with a formal notification letter confirming the decision and the next steps in the process.

The second round of the programme would be open until 5.00pm on Friday 12 July and applications were continuing to be received. Service Directors were being kept informed of any applications within their service areas.

The third and final round of the VR programme would open on Monday 15 July and run until 5.00pm on Friday 26 July.

29 **Public Participation**

There were no members of the public present or councillors' questions.

30 **Flexible Employee Benefits Report**

Consideration was given to a report by the Service Director, HR & OD seeking the Committee's approval to a new staff benefits scheme.

After some discussion,

Resolved:

- (1) **To approve the new benefits scheme for staff and foster carers.**
- (2) **To note that the new benefits scheme would be referred to the Standards Committee for consideration as to whether the scheme should be made available to Members of the Council.**
- (3) **To request the Officers to look into the possibility of this scheme being extended to other groups of workers, such as those working in the voluntary sector, and to report back to this Committee at its meeting in November 2013.**
- (4) **To request the Officers to present a progress report to the March 2014 meeting of this Committee, setting out the amount of take-up for this scheme.**

31 **Urgent Items**

There were no urgent items of business.

(Duration of meeting: 10.45 - 11.40 am)

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STAFFING POLICY COMMITTEE

DRAFT MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 4 SEPTEMBER 2013 AT PITMAN ROOM - COUNTY HALL, TROWBRIDGE.

Present:

Cllr Peter Evans (Substitute), Cllr Jon Hubbard, Cllr David Jenkins, Cllr Gordon King, Cllr David Pollitt, Cllr Jane Scott OBE, Cllr John Smale (Vice Chairman in the Chair), Cllr Anthony Trotman (Substitute) and Cllr Stuart Wheeler

32 Apologies for absence

Apologies for absence were received from Cllr Allison Bucknell, who was substituted by Cllr Peter Evans and Cllr Mike Hewitt, who was substituted by Cllr Tony Trotman.

33 Minutes of Previous Meeting

Resolved:

To confirm and sign as a correct record the minutes of the Committee meeting held on 10 July 2013.

34 Declarations of Interest

There were no declarations of interest made at the meeting.

35 Chairman's Announcements

There were no Chairman's announcements.

36 Public Participation

There were no members of the public present or councillors' questions.

37 **Overview of Role of Chaplaincy Service**

The Chairman introduced and welcomed Revd. Rob Thomas, Rector of St James' Church, Trowbridge and Chaplain at County Hall, who was attending the meeting to explain the role of the Chaplaincy Service.

Revd Thomas explained that the Chaplaincy Service was available to all staff and also members of the Council irrespective of their religion or beliefs and was available at any of the Council's main hubs at County Hall, Trowbridge, Monkton Park, Chippenham and Bourne Hill, Salisbury. The Service was resourced by the local churches and was provided by 12 ordained ministers from across the County. They offered a listening confidential and unbiased service to:

- help individuals reflect on personal, workplace and other issues,
- provide personal encouragement and support, and
- signpost to other services where appropriate.

Revd Thomas stressed that the clergy did not provide a counselling service.

In addition to confidential meetings, the chaplaincy team would be available in staff rest areas for informal discussions, the dates for which would be publicised in *The Wire*, on posters and on fliers. Staff were able to access the service during working hours without having to make up the time.

Members acknowledged the importance of this service and thanked Revd Thomas and his team of clergy for the valuable work they so willingly and enthusiastically undertook.

38 **Local Government Pension Scheme (LGPS) and Trust Schools Status within the Pension Fund**

Consideration was given to a report by the Service Director, HR & OD which sought agreement to allow co-operative trust schools continued access to the Local Government Pension Scheme (LGPS) for their current and future non-teaching employees.

After some discussion during which some concern was expressed concerning the cost of implementing the proposals,

Resolved:

- a. **To agree that all non teaching staff employed by the governing bodies of Longleaze Primary, Lyneham Primary, Noremars Junior and St Sampsons Infants schools are eligible for continued membership of the LGPS following a change in the school's category.**

- b. To agree that schools who change from community/voluntary controlled to foundation category in the future, are granted eligibility for continued membership of the LGPS for existing non teaching staff (and future employees).
- c. To request that a fundamental look be made of the Local Government Pension Scheme membership in conjunction with the Wiltshire Pension Fund Committee and that report on the outcome be made to the next meeting of this Committee on 6 November 2013.

(Note: Cllr David Pollitt requested that his vote against the motions be recorded.)

39 Proposed Amendment to Senior Manager Pay Scales

Consideration was given to a report by Cllr Jane Scott, Leader of the Council which outlined a proposal to apply the current median market pay rate to scale point 2 of the pay scales for the roles of corporate, associate and transformation programme directors, in line with the Council's current pay policy statement.

In introducing her report, Cllr Scott explained that recent pay data had indicated that the pay scales for these senior officers were now significantly adrift of the median pay rates for similar sized posts in other public sector organisations and this had highlighted significant pay related issues for the Council's most senior officers. Furthermore, retention of some staff at this level was becoming problematic and there was a serious possibility if the current situation was allowed to continue that there would be a serious threat to the delivery of vital services to the people of Wiltshire.

Cllr Scott explained that the re-alignment of senior management pay scales had been independently reviewed by an external body of professional advisors; the Hay pay benchmarking group. It stated that the pay scales, at median level were not competitive and not reflective of the changes in the wider market place. The advisors also highlighted that for the Council to deliver service excellence and its innovative programmes, it needed to be able to recruit and retain high calibre staff with the right skills and expertise.

It was noted that since 2009, the senior management structure had reduced from 33 senior managers (cost of around £3.5 million) to 21, which was a significant saving of almost £1.2 million. It was proposed to further reduce the number of senior managers to reflect the priorities agreed in the business plan for the next four years (approved at council earlier that week). Consultation on these proposals was due to start on 11 September. If the Committee approved these proposals, then this restructure would save up to £500,000, in addition to the £1.2 million already saved. It was intended that following this restructure,

the pay scales for the remaining senior managers would be adjusted so as to be equitable and in line with the agreed policy to pay at the median level.

After a lengthy and thorough discussion,

Resolved:

- (1) To apply the current median market pay rate to scale point 2 of the pay scales for the roles of corporate, associate and transformation programme director, in line with the Council's current pay policy statement.**
- (2) To agree that the payment of any nationally agreed JNC annual pay award to corporate, associate and transformation programme directors ceases with effect 31 March 2014, and that a periodic review of the market pay data only is used to determine the pay levels for this role.**

40 **Delivering the Business Plan - June 2013**

The Committee received a quarterly workforce report, excluding fire, police and schools staff, for the quarter ended 30 June 2013 concerning:-

Staffing Levels
Sickness Absence
New Health and Safety RIDDOR related injuries
New Disciplinary and Grievance Cases
Voluntary Staff Turnover
Employee Costs

During discussion the following points were highlighted:-

- The headcount during this quarter had decreased by 106 to 5159, largely due to Highways & Streetscene in Neighbourhood Services being outsourced. However, the headcount in full time equivalents had increased by 14 to 3903, an increase of 0.4%. This was due to Children & Families Social Care and Adult Care & Housing Strategy both increasing their FTEs by 50 and 37 respectively and also the introduction of staff from Public Health which increased the headcount by 40 (36FTE).
- Sickness rates during the quarter had decreased to 2.2 FTE days per FTE, this being 0.2 FTE days lower than for the same quarter in 2012. The sickness rate for the period 1 August 2012 to 30 June 2013 was 8.9 FTE days per FTE, this being 0.9 days lower than the benchmark rate.

Resolved:

To note the contents of the report.

41 **Seasonal Flu Vaccinations for Staff**

The Committee considered a report by the Service Director, HR & OD which outlined the intention to extend the offer of seasonal flu vaccinations to all staff who undertook critical service delivery roles.

It was explained that in previous years, and in line with the Council's vaccination policy and advice from the Department of Health, a free flu vaccination had been offered to those staff who provided personal care to service users, this amounting to about 350 staff. Staff had been advised of their eligibility, arranged their own vaccinations and claimed the cost back from the Council. Any claims had been funded from service budgets but the take up had been low.

Following on from the integration of public health, a working party was set up comprising public health, occupational health, emergency planning, communications & human resources to review this process. The working party recommended that this scheme should be extended to include all staff considered to be critical to business continuity in order to minimise the risk to the Council in the event of a major flu outbreak.

The Committee noted that initial estimates suggested that 950 staff would be eligible but this figure would need to be confirmed.

The preferred approach would be for the Council to purchase vouchers at a discounted rate of about £6.75 per employee, which would then be given to eligible staff who could receive their vaccinations at various high street providers such as Boots, Tesco or Sainsbury's in exchange for their voucher.

During discussion, Members expressed support for such a scheme but considered that thought should be given to offering the service to all staff at the discounted rate of £6.75 per vaccination.

Resolved:

- (1) To approve the proposal to extend the offer of seasonal flu vaccinations to all staff who undertook critical service delivery roles.**
- (2) To request the officers to look into the possibility of offering the service to all remaining employees of the Council at a discounted rate of £6.75 per vaccination and to report back.**

42 **Senior Officers Employment Sub-Committee**

Resolved:

To receive and note the minutes of the Senior Officers Employment Sub-Committee meeting held on 16 July 2013.

43 **Date of Next Meeting**

Resolved:

To note that the next meeting of this Committee was due to be held on Wednesday 6 November 2013 in the Pratchett Room, County Hall, Trowbridge, starting at 10.30am.

44 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 am - 12.35 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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WILTSHIRE PENSION FUND COMMITTEE

MINUTES OF THE WILTSHIRE PENSION FUND COMMITTEE MEETING HELD ON 25 JULY 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Tony Deane (Chairman), Cllr Brian Ford, Tony Gravier, Cllr Charles Howard (Vice-Chair), Cllr Mark Packard, Mike Pankiewicz, Cllr Sheila Parker and Cllr Graham Payne

Also Present:

Jim Edney, Joanne Holden and Cllr Dick Tonge

38 **Membership**

To note that Councillor Mark Edwards was no longer a substitute of the Committee.

39 **Attendance of Non-Members of the Committee**

Councillor Richard Tonge.

40 **Apologies for Absence**

Apologies for absence were received from Councillor Des Moffat, Mr Tim Jackson and Mrs Lynda Croft.

41 **Minutes**

The minutes of the meeting held on **04 June 2013** were presented for consideration and comment. It was,

Resolved:

To APPROVE as a true and correct record and sign the minutes.

42 **Chairman's Announcements**

Through the Chair there were the following announcements:

- 1) Induction packs which had been prepared for a proposed training session which had to be cancelled, had been circulated electronically to the Committee. Further training would be arranged for the Autumn 2013.
- 2) Two conferences of potential interest to Committee members were scheduled for October:
 - i. Local Government Pensions Investment Forum in London, 3 October 2013.
 - ii. Baille Gifford Seminar in Edinburgh, 2-3 October 2013.

Those interested in attending were directed to contact the Head of Pensions.

43 **Declarations of Interest**

There were no declarations.

44 **Public Participation and Councillors' Questions**

There were no statements or questions submitted.

45 **Review of Membership of the Wiltshire Pension Fund Committee**

The Head of Pensions introduced a report on the Review of the Committee's Membership requested at the last meeting. It was noted that the number of employer bodies admitted in the Fund had increased, but that as the admitted employer body representatives on the Committee did not currently face re-selection under existing rules, or re-election as with local authority representatives, opportunity for the admitted employer bodies to be represented was limited.

Options to increase opportunity for representation were presented as detailed in the report papers, including introducing a fixed term for representatives before a re-selection process or increasing the number of employer body representatives on the Committee. It was noted that in order to maintain the required ratio of elected member majority by the Administering Authority on the Committee, the number of elected members would need to be increased in the event of an increase in non-elected members.

During the course of debate, it was also noted that details on current member attendance statistics would be provided in the Annual Report of the Pension Fund Committee, and there were discussions on potential terms limits.

At the conclusion of debate, it was,

Resolved:

- a) **To agreed that the representatives for the employer organisations serve a 4 year fixed term from appointment; and**

- b) **On expiry of the 4 year fixed term, applications for the position will be sought (from the incumbent and the applicable employer bodies) and an appointment process undertaken by the Committee should more than one application be received for the role; and**
- c) **To agree to publish meetings attendance records in the Annual Report; and**
- d) **Ask the Head of Pensions to update the Fund's Governance Compliance Statement in the light of decisions made at this meeting.**

46 **Pension Fund Risk Register**

The Head of Pensions presented the updated Pensions Fund Risk Register, drawing attention to three significant changes since the last Committee.

The change to PEN003 – insufficient funds to meet liabilities as they fall due – was stated to be the result of the acceleration in the maturity cash profile of the Fund as a result of changes to outsourcing and redundancy programmes. It was stated that such a development was natural and causes more of an operational issues to ensure sufficient cash to meet outgoings, but investment income currently more than covers any shortfall but that there would be careful monitoring to ensure that the investment strategy is reviewed should the position change significantly.

There was also a further change to PEN011 and PEN012 regarding lack of expertise of Pension Fund officers and overreliance on key officers due to a vacancy within the Pension team, but that external advisers were being used to mitigate this risk in the short term as required and the recruitment process for the position was underway.

The final change was to PEN018 – failure to implement the LGPS 2014 reforms – and was a new risk added to the register to focus on the new scheme to ensure the Fund was prepared for the changes that would come into force for April 2014.

A debate followed, where the Committee discussed the upcoming LGPS reforms and the transitional rules that were to be followed, and requested an update on risk PEN018 at the next meeting.

It was,

Resolved:

To note the update and the measures being undertaken to mitigate the current medium risks.

47 **Draft 2012-13 Annual Report**

The Service Director (Finance) introduced the draft annual report 2012-13 for the Pension Fund, thanking the Fund Investment and Accounting Officer and her team for their work over the past year, and was hopeful that Wiltshire would be among the first council's in the country to have their Statement of Accounts signed off by their auditors.

It was highlighted that no real issues had been raised by the council's auditors in the report to date, and that there were no expected concerns to bring to the Committee's attention, with only minor drafting changes noted.

The Committee welcomed the report, and thanked officers for their work over the past year.

It was,

Resolved:

To approve the draft Wiltshire Pension Fund Annual Report & Financial Statements 2012-13 for publication, subject to the completion of the audit.

48 **Review of Academies**

The Head of Pensions introduced the report, noting that there were currently 59 academies in Wiltshire, but clear and definitive guidance from the Department of Communities and Local Government on how Pension Funds should treat them did not exist and that officers had considered actuary and legal advice to form a consistent approach. A consultation and further guidance is expected in autumn 2013.

It was stated that different areas of the country treated academies differently, but they often had higher rates than their respective Local Education Authorities due to different member profiles and shorter deficit recovery periods, which could range from 7-14 years rather than 20, as they cannot be seen as secure as tax raising bodies. It was also noted that a government statement on 2 July 2013 on a Fund guarantee for pension's liabilities of academies had not been clear, and can potentially be withdrawn.

The Committee was informed the 2013 valuation of academies was ongoing and the Fund would review its approach as part of this process.

A debate followed, where the difficulties of some academies to handle the financial implications of independence was raised, as well as the need for a balanced approach once government guidance had been established. The increasing risk as more schools were becoming academies was a concern for some members, and it was determined that further work was required on the risks of the timescales of the deficit recovery periods.

The Committee discussed the need to consult with academies as the situation progressed, and it was agreed the Service Director (Finance) would ensure the matter was raised at the School Forum in October 2013 to raise awareness of the issues, which engaged with most Wiltshire academies.

At the conclusion of debate, it was,

Resolved:

To note the report and ask for a further update at the September meeting of the Committee.

49 **Statement of Investment Principles (SIP)**

The Fund Investment and Accounting Manager presented the Statement of Investment Principles (SIP), including decisions taken by the Committee in February and June 2013 and amendments to the Stewardship Code.

It was,

Resolved:

To approve the 2013 Statement of Investment Principles.

50 **Proposed Terms of Reference for the Investment Sub-Committee**

The Head of Pensions introduced a report detailing proposed Terms of Reference for an Investment Sub-Committee, as agreed at the June meeting of the Committee, to make decisions on medium term investments of 3-7 years utilizing up to 5% of Fund assets, where timescales meant it would not be practical to call a meeting of the entire Committee.

The Committee discussed how the Sub-Committee would operate, and it was confirmed that proper procurement processes would be followed and normal regulations abided by with decisions made by the Sub-Committee, and it was stated the advisers to the Fund, Mercers, would not receive a commission from any recommendations brought to the Sub-Committee for determination.

It was also raised by some members that a Swindon Borough Council member should be one of the voting members of the Sub-Committee, and that all Members of the Committee were welcome to attend any meeting of the Sub-Committee, which would be bound by the same rules of public meetings as the regular committee, and that a review of the system would take place after 12 months of operation.

After debate, it was,

Resolved:

To approve the setting up of an Investment Sub-Committee for the purpose of Opportunistic Investing based on the Terms of Reference on

the Appendix attached to the report with the deletion of “redeemable after 7 years as a maximum” in 1.3 of the Appendix .

51 Local Government Pension Scheme (LGPS) Reforms Update

The Head of Pensions introduced a report on the latest updates to the Local Government Pension Scheme Reforms, and drew attention to paragraph six of the report which detailed Wiltshire Members and officers of the Fund had nominated to the shadow Scheme Advisory Board and its sub-committees. Attention was also drawn to the proposed Fund’s response to the LGPS 2014 Consultation and Discussion Paper – New Governance Arrangements and highlighted a response would be drafted in September for the ‘Call for Evidence’ from the Department of Communities and Local Government.

The Committee discussed the update and proposed responses, and also agreed that minutes from any sub-committee and committee of the shadow Board would be circulated to Members.

It was,

Resolved:

- a) note the appointments to the shadow national Scheme Advisory Board and sub committees; and**
- b) agree the proposed response to the DCLG LGPS 2014 Consultation paper as per Appendix A; and**
- c) agree to proposed response to the DCLG: Discussion Paper – New Governance Arrangements LGPS 2014 as per Appendix B; and**
- d) note a proposed response to the ‘call for evidence’ will be presented to September 2013 Committee meeting.**

52 Date of Next Meeting

The date of the next meeting was confirmed as Thursday 19 September 2013.

53 Urgent Items

There were no urgent items.

54 Exclusion of the Public

It was,

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 business specified in Minute Numbers 55 - 58 because it is likely that if members of the public were present there would be 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.

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

55 **Implementation of a Stabilisation Policy for the 2013 Valuation**

Representatives from the Fund's Actuary presented a confidential report reviewing the Stabilisation policy, asking members to approve the continuation of the policy for long term secure employers within the Fund.

Details were given of how different scenarios were tested, and the details were sought about who the policy would apply to, being the secure employers such as the Fire and Police services and Councils, as well as affordability of the police.

After discussion, it was,

Resolved:

- a) Note the presentation from the Fund's Actuary; and
- b) Agree to retain the current Stabilisation policy to be applied to the secure employers with the Fund which is to limit increase / decreases in employer contributions to +1 or -1% per annum from 1 April 2014 onwards; and
- c) Agree to maintain the current "Contribution Rate Relief" policy for non-secure employers.

56 **Review of Manager Fees update**

Joanne Holden (Investment Adviser – Mercers), presented a verbal update to the Committee on the outcome of negotiations between Mercers and Investment Managers on the subject of altering the fees payable by the Fund, and presented several options with regards fixed or performance related fee rates.

Following debate, it was,

Resolved

To approve the new proposed fee structures from Baillie Gifford (retaining the performance related approach) and Legal & General.

57 **Western Asset Management - Review of 2012-13 & Plans for the Future**

Representatives from Western Asset Management gave a presentation and report on the review of their mandate of the Pension Fund, and took questions from the Committee.

Following which, it was,

Resolved:

To thank the representatives from Western Assets Management for their attendance and presentation.

(From 1250-1330, Councillor Tony Deane was absent from the room, and the Vice-Chairman, Councillor Charles Howard, was in the Chair)

58 **Barings - Review of 2012-13 & Plans for the Future**

Representatives from Barings gave a presentation and report on the review of their mandate of the Pension Fund, and took questions from the Committee.

Following which, it was,

Resolved:

To thank the representatives from Barings for their attendance and presentation.

(Duration of meeting: 10.40 am - 2.15 pm)

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WILTSHIRE PENSION FUND COMMITTEE

DRAFT MINUTES OF THE WILTSHIRE PENSION FUND COMMITTEE MEETING HELD ON 19 SEPTEMBER 2013 AT CIVIC CENTRE, ST STEPHENS PLACE, TROWBRIDGE. BA14 8AH.

Present:

Cllr Tony Deane (Chairman), Cllr Charles Howard (Vice-Chair), Cllr Des Moffatt, Cllr Mark Packard, Mr Mike Pankiewicz, Cllr Roy While (Substitute) and Cllr Philip Whitehead (Substitute)

Also Present:

Jim Edney, Joanne Holden (Mercers), Catherine McFayden (Hymans) and Cllr Dick Tonge

59 **Membership**

There were no changes to the membership of the Committee.

60 **Attendance of Non-Members of the Committee**

Councillor Richard Tonge.

61 **Apologies for Absence**

Apologies for absence were received from Councillors Sheila Parker and Graham Payne, and Mrs Lynda Croft and Mr Tim Jackson.

Councillor Parker was substituted by Councillor Phillip Whitehead.

Councillor Payne was substituted by Councillor Roy While.

62 **Minutes**

The minutes of the meeting held on 25 July 2013 were presented for consideration. It was,

Resolved:

To APPROVE as a true and correct record and sign the minutes.

63 **Chairman's Announcements**

Through the Chair it was announced that the Pensions team would be making presentations for Swindon Academies on 01 October 2013 and Wiltshire Academies on 21 October 2013. The Chair encouraged Members to attend the next Schools Forum on 03 October 2013 to familiarise themselves with some of the issues for Schools and Academies that was relevant to their work on the Pension Fund Committee.

64 **Declarations of Interest**

There were no declarations.

65 **Public Participation and Councillors' Questions**

There were no questions or statements submitted.

66 **External Audit Report**

Duncan Laird from KPMG presented the Final External Audit Report 2012/13. It was stated that very few adjustments, mostly of a presentational nature, had been recommended prior to KPMG signing off their positive opinion of the council's accounts on 4 September 2013.

A discussion followed the presentation of the report, and in response to queries it was stated that it could be possible for KPMG to sign off the accounts by the end of July in future, depending on how quickly the council was able to finalize the work, and it was a goal of the council to ready the accounts in such a time. In response to comments about IT effectiveness it was confirmed the issues related to council wide issues with the SAP system, not Pensions specific issues, and that the issues did not pose a financial risk.

It was,

Resolved:

- 1) **To thank KPMG for their report and accept the Final External Audit Report 2012/13, and**
- 2) **To thank officers for their work which resulted in the very positive report.**

67 **Pension Fund Risk Register**

The Head of Pensions presented the updated Pensions Fund Risk Register, noting there had been no significant changes since the last Committee meeting.

Attention was drawn to an update to PEN003 - Failure to implement the LGPS 2014 Reforms - where work was continuing on a communications strategy on the implementation of their reforms, and that the website for the fund would contain a tool to allow members to compare their benefits between the old and new schemes.

It was also noted that with regards risks PEN011 and PEN012 regarding lack of expertise of Pension Fund officers and overreliance on key officers due to a vacancy within the Pension team, the vacancy had not yet been filled due to the current uncertainty facing the structure of funds nationally and the outcome of the current 'Call for evidence' from the Government. As part of the Lord Hutton review of Public Sector Pensions funds were being encouraged to work more collaboratively so officers continue to discuss with other administering authorities to explore possible areas of collaboration or sharing of resources. Therefore this post will be recruited on a seconded basis until plans for structural reforms are issued by the Government in May 2014.

A discussion followed where the issue of liquidity within the Fund was raised, and it was stated that currently there was still more money coming into the Fund than being paid out, although this would change at some point in the future, and that there was £25 million of investment income made available to cover any temporary shortfall. In response to queries it was stated the Fund's position was about average for its peers.

At the conclusion of discussion, it was,

Resolved:

To note the update and the measures being undertaken to mitigate the current medium risks.

68 **Budget Monitoring 2013-14 Report**

The Fund Accounting and Investment Manager presented a report on the current budget monitoring position for the Wiltshire Pension Fund for the year 2013/14. It was stated there had been a £1.2 million underspend to date. This was mainly a result of lower investment manager fees due to both performance fee levels not being triggered for Baillie Gifford, and the termination of the Edinburgh Partners mandate and its funds transferred to the passive L&G mandate.

A discussion followed where an overspend for Actuarial Services was queried, and it was explained this was the result of additional cost arising from benefits advice to cover the vacant Pension Manager position, along with an increased costs for the triennial Valuation as a result of the increasing number of employers within the Fund.

It was,

Resolved:

To note the current position.

69 **Officers' Training Update**

A verbal update from the Head of Pensions on Officer training was presented. It was re-iterated that this was important that the relevant skills and knowledge were held and maintained within the team to mitigate risk PEN11: Lack of Expertise of Pension Officers on the Risk Register. It was stated that training plans were progressing well and that the Pensions team had a training budget of £17,500, with approximately £4,000 remaining unallocated.

Details were sought on the specifics of officer training, and it was explained that there was training for the administration team included regular monthly bite-size sessions on areas so as Data Protection, LGPS 2014 changes, handling benefit statements, annual allowances changes and other scenarios, and that external courses were organized were necessary. For qualifications, it was noted that three staff were undertaking a foundation degree in Pension Administration, with a further two undertaking a diploma in the same.

It was also stated that a focus on efficiency prevailed throughout all training. It was,

Resolved:

To note the update.

70 **Funding Strategy Statement**

The Head of Pensions introduced the draft Funding Strategy Statement for the Fund, noting that the draft would undergo a 20 day consultation period. Additional details on understanding employer obligations, changing maturities and risk among issues were noted.

It was,

Resolved:

- 1. To approve the draft Wiltshire Pension Fund - Funding Strategy Statement 2013; and**
- 2. To publish the Funding Strategy Statement following the completion of the consultation period.**

71 **'Call for Evidence' Draft Response**

As requested by the Committee at its meeting on 25 July 2013, the Head of Pensions presented a draft response to the Department of Communities and Local Government (DCLG) 'Call for Evidence' responding to questions on the proposed Local Government Pension Scheme (LGPS) reforms, which needed to be sent to the DCLG by 27 September 2013.

It was stated further evidence from the advisers to the Fund had been submitted since the publication of the draft response, should be incorporated into the

response. It was also noted by members that the emphasis was on good governance. Reducing operational costs, while a significant objective, had a low impact on a Fund's overall funding level which were far greater impacted by market fluctuations, and that a focus on manager's fees was not very useful without context, where low fees might be an indicator of poor performance or a less robust investment strategy.

The Committee discussed the questions from the DCLG, and whether the merger of Funds in future or merely increased co-operation was a more efficient structure, and assessed the draft responses proposed.

At the conclusion of debate, it was,

Resolved:

To delegate to the Chairman of the Wiltshire Pension Fund Committee, Head of Pensions and Service Director (Finance) to approve the final response to the DCLG, following the inclusion of the latest evidence into the responses and taking into account the comments from the Committee.

72 **Proposed Appointment to the Investment Sub-Committee**

At the meeting on 25 July 2013, the Committee approved the setting up of an Investment Sub-Committee (ISC) for the purpose of Opportunistic Investing. The Membership was to include three voting members of the Pension Fund Committee

It was noted that all Members were welcome to attend ISC meetings, but that only the Members as listed in the report would have voting rights, and that two of the three ISC members would be the Chairman and Vice-Chairman of the Committee unless unable to attend, where another Member would be appointed in their place.

Following discussion, it was,

Resolved:

To agree that the third voting member of the ISC is allocated to a Swindon Borough Council representative on the Wiltshire Pension Fund Committee.

73 **Date of Next Meeting**

It was confirmed that the next regular meeting of this Committee would be held on **Wednesday 6 December 2013**. There would be an additional meeting on **Thursday 10 October 2013** at 10.30am at St John's Parish Centre for the presentation of the 2013 Triennial Valuation results.

74 **Urgent Items**

There were no urgent items.

75 **Exclusion of the 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 business specified in Minute Numbers 76-80 because it is likely that if members of the public were present there would be 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.

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

76 **Update on 2013 Triennial Valuation**

A verbal update from the Fund Actuary, Hymans, on the progress of the 2013 Triennial Valuation was presented. It was stated that the update was regarding initial calculations and that a full report would follow at the special meeting of the Committee on 10 October 2013.

It was further stated that the Fund Stabilization Policy as previously agreed was unchanged, although the deficit had grown in monetary terms by 50%.

Questions were raised regarding the planned rise in employer contributions, and it was also confirmed there were no retrospective changes to the current Stabilisation Policy and Contribution Rate Relief being offered to employers to manage these increases.

At the end of discussion it was,

Resolved:

To note the update.

77 **Investments Quarterly Progress Report**

The Fund Investment and Accounting Manager presented the Investments Quarterly Progress Report, highlighting the performance against the benchmark for various mandates of the fund, along with a confidential report from the advisers to the Fund, Mercers.

The Committee discussed the reports and noted those mandates which had been underperforming, but also that the Fund had undergone many changes in the past few years, and that at the current time it was decided to keep on watch those mandates which were underperforming and await further reports.

It was,

Resolved:

To note the updates and thank Mercers for their report.

78 **Investment Review - Proposed Amendment to Property Mandate**

The Head of Pensions presented a confidential report updating the Committee on the implementation of the investment strategy and proposing an amendment to the current Property mandate with CBRE.

The Committee discussed the merits of the proposed amendments to the listed mandates and any associated risks.

At the end of discussion, it was,

Resolved:

- a) **to note the progress made transitioning assets between Edinburgh Partners and Legal and General;**
- b) **to note the progress made with the procurement exercise to appoint an Emerging Market Multi Asset manager;**
- c) **to agree the expansion of the property mandate to include a global element of initially 25% Global 75% UK, with the intention of moving to 50% Global 50% UK in the longer term.**

79 **Partners Group - Review of 2012-13 & Plans for the Future**

Sarah Brewer and Michael Barben from Partners Group gave a presentation and report on their mandate of the Pension Fund, and took questions from the Committee on the progress and future plans for that mandate.

Following which, it was,

Resolved:

To thank the representatives from Partners Group for their attendance and presentation.

80 **M&G - Review of 2012-13 & Plans for the Future**

Gary Parker and John Atkin from M & G gave a presentation and report on the review of their mandate of the Pension Fund and future plans, and took questions from the Committee.

Following which, it was,

Resolved:

To thank the representatives from M & G for their attendance and presentation.

(Duration of meeting: 10.40 am - 2.10 pm)

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WILTSHIRE PENSION FUND COMMITTEE

DRAFT MINUTES OF THE WILTSHIRE PENSION FUND COMMITTEE MEETING HELD ON 10 OCTOBER 2013 AT SUITE 2 - ST JOHN'S PARISH CENTRE, 2 WINGFIELD ROAD, TROWBRIDGE, BA14 9EA.

Present:

Cllr Tony Deane (Chairman), Cllr Brian Ford, Cllr Charles Howard (Vice-Chair), Cllr Des Moffatt, Cllr Mark Packard, Mr Mike Pankiewicz and Cllr Sheila Parker

Also Present:

Jim Edney, Catherine McFayden (Hymans), Robbie McInroy (Hymans)

81 **Membership Changes**

It was reported that Cllr Oliver Donachie had been appointed as the Swindon Borough Council Substitute Member of the Committee.

The Committee noted that due to extensive reorganisation at Wiltshire College, Mrs Lynda Croft would not likely be able to attend the Committee until 2014.

The Committee also noted there had been a request for the Committee to contain a representative of Wiltshire Academies.

82 **Attendance of Non-Members of the Committee**

None.

83 **Apologies for Absence**

Apologies were received from Mr Tim Jackson, Mrs Lynda Croft, Cllr Graham Payne and Cllr Dick Tonge, Cabinet Member with responsibility for Finance.

Cllr Sheila Parker gave apologies she would be late and arrived at the meeting at 1230.

84 **Chairman's Announcements**

The Committee was updates on the Council response to the DCLG 'Call for Evidence' as detailed at the meeting of the Committee on 19 September 2013 and was awaiting a response from central government.

It was stated that the Chairman had been placed on the Value or Money and Collaboration Sub-Committee of the Shadow Local Government Pension Scheme Advisory Board, and the Head of Pensions appointed as a Member of the Governance and Standards Sub-Committee.

The Committee was also updated on the recent meeting of the Schools Forum where a paper was presented by the Head of Pensions in relation to the Fund's approach to academies and to update on the latest developments.

It was also announced that a consultation had just been issued by the Government on "Pooling arrangements for Academies within the Local Government Pension Scheme". As the closing day of 15 November 2013 was prior to the next Committee meeting, the draft response from the Wiltshire Pension Fund would be agreed with the Chairman and circulated by email to the Committee members for comment prior to submission.

It was also announced that there had only been one response to the employer consultation on the Funding Strategy Statement. The comments were noted but it was felt it did not require any material change to the document. Consequently, the draft Funding Strategy Statement would be published as agreed in draft form at the last committee meeting.

85 **Declarations of Interest**

There were no declarations.

86 **Public Participation and Councillors' Questions**

There were no questions or statements submitted.

87 **Date of Next Meeting**

The date of the next meeting was confirmed as Wednesday 04 December 2013.

88 **Urgent Items**

There were no urgent items.

89 **Exclusion of the Public**

In accordance with the motion listed in the agenda, by assent it was,

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 business specified in Minute Number 90 because it was likely that if members of the public were present there would be 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 outweighed the public interest in disclosing the information to the public.

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

90 **2013 Actuarial Valuation Report**

A confidential report was introduced by the Head of Pensions, including the attached confidential appendix, on the outcome of the 2013 Actuarial Valuation of the Wiltshire Pension Fund, detailing the legislative requirement for a triennial valuation, the main considerations for the Committee including the process of the valuation, actuarial assumptions utilised during the process, Investment Returns and deficit recovery periods.

It was also reported that officers would be discussing with employer bodies theoretical contribution rates for the coming three years after the meeting of the Committee.

The Committee then received a presentation on the valuation results in further detail from Catherine McFayden and Robbie McInroy from Hymans Robertson, the Actuaries of the Fund.

A discussion followed, where questions on the impact of assumptions including of life expectancy, asset performance, interest rate adjustments, the 2014 Local Government Pension Scheme changes and other factors were raised, along with queries on the level of liabilities and the market value of the Fund assets.

At the conclusion of debate it was,

Resolved:

- a) **To receive the paper and verbal report of the Actuary;**
- b) **To note the assumptions that have been agreed with the Actuary, as set out in paragraphs 13 to 25 of the report;**
- c) **To note the summary outcomes of the valuation as set out in paragraphs 29 to 31 of the report;**
- d) **To note the theoretical contribution rates for the next three years as summarised in the Appendix to the report, for presentation to the employer bodies on 10 October 2013 after the Committee meeting; and,**
- e) **To note that discussions will be held with those non-secure employer bodies regarding Contribution Rate Relief and that an update will be presented to the December Committee meeting.**

(Duration of meeting: 10.35 am - 12.45 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

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WILTSHIRE POLICE AND CRIME PANEL

MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING HELD ON 12 JUNE 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Abdul Amin, Cllr Glenis Ansell, Cllr Andrew Bennett, Brand, Cllr Richard Britton, , Cllr Brian Ford, Malcolm Grubb, Cllr Russell Hawker, Cllr Charles Howard, Cllr Peter Hutton, Cllr Julian Johnson, Amanda Newbery, Cllr Linda Packard and Cllr Teresa Page

Also Present:

Dr Carlton Brand - (Corporate Director, Wiltshire Council), Kirsty Butcher – (Senior Democratic Services Officer, Wiltshire Council), Kevin Fielding – (Democratic Services Officer, Wiltshire Council), Prof Allan Johns – (OPCC), Kieran Kilgallen – (Chief Executive OPCC), Sarah Kyte – (OPCC), Angus Macpherson – (PCC) and Chris McMullin – (OPCC)

1 **Election of Chairman**

Nominations were sought for the position of Chairman for the municipal year 2013/14.

Decision

- **Councillor Cllr Richard Britton was elected Chairman of the Wiltshire Police and Crime Panel for the 2013/14 municipal year.**

Councillor Richard Britton in the Chair

2 **Election of Vice-Chairman**

The Chairman sought nominations for the position of Vice-Chairman of the Wiltshire Police and Crime Panel for the 2013/14 municipal year.

Decision

- **Councillor Brian Ford was elected Vice-Chairman of the Wiltshire Police and Crime Panel for the 2013/14 municipal year.**

3 Apologies for Absence

There were no apologies.

4 Minutes and matters arising

Decision:

- **The minutes of the meeting held on 26 March 2013 were agreed as a correct record and signed by the Chairman.**

5 Declarations of interest

Councillor Peter Hutton declared a non-pecuniary interest as he was the Portfolio Holder for Public Protection at Wiltshire Council.

6 Chairman's Announcements

The Chairman welcomed everyone to the first meeting of the Panel since the local elections.

Introductions were given by all in attendance.

The Chairman raised the question as to who were the Swindon BC substitutes, it was agreed that this was still being resolved, but should be sorted out within the next couple of weeks.

7 Public Participation

There were no questions asked or statements given.

8 PCC update report

The Panel noted the diary report attached.

In response to questions the Commissioner confirmed the need for a consistent and joined up CCTV provision with the right protocols of retention. Governance arrangements were discussed at the Commissioner's meeting with Avon and Somerset on 9 June 2013 together with the opportunity to mould and engage in regional debate. The Commissioner expressed his keenness to have a framework agreement which brought the region together both strategically and operationally.

9 PCC Annual Report

The Commissioner presented the Annual Report 2012/13.

The Panel noted the Annual Report attached.

Questions and points raised from the report included:

- The Chairman advised that the Panel would have liked to have viewed a draft of the Annual report.

Anti-social Behaviour

- Will you continue to try and improve anti-social behaviour (ASB) figures?
a. Yes, ASB is one of the core themes in the Crime Plan.
- Strategic Priority Balance Scorecard for the year show a downturn to the half year – why?
a. A written response will be provided to this question
- How can the figures contained in the annual report for ASB be improved?
a. We all have a part to play in tackling ASB, communities need to be innovative in their approach, if we are to move forward. Partnership working is very important if we are to make positive steps in this area. The key is engagement, not enforcement.
- The importance of community funding for the victims of ASB, and not just the perpetrators of it.
- The Importance of good dialogue with local communities.
a. Area Boards have a big role to play in this.
- There is a worry that going to high level commissioning will lose the synergy that the CSP produced at grass roots level with others
a. We are currently looking at one pot of money for Wiltshire and Swindon, and to commission jointly for services needed

The Chairman requested a summary of the outcome of this line of development.

- The Panel showed concern over the expectation that the leaders of both Wiltshire and Swindon will know about all local issues and hoped that the PCC engage with the local force and Area Boards / Localities when looking at funding for ASB

Unlocking Resources

- Can the Panel be re-assured that the Police will be able to spend more time on the beat, rather than dealing with paper work etc?
 - a. *The Chief Constable is confident that this can be achieved.*

Performance Level Tables

- Why are these tables not in the annual report?
 - a. *Data is currently shown in the old Wiltshire Police Authority format, the OPCC would ensure that future data would be provided as requested to the Panel.*

Policing Levels

- The Panel requested the data for Policing levels during the previous year.
 - a. *Agreed that the OPCC would provide the Panel with this data.*

Trafficking of Controlled Drugs

- Is there a strategy level in place?
 - a. *Yes, a strategy level is in place. The Force is looking to improve on its arrest/conviction rates.*

Neighbourhood Watch

- The importance of working with these groups was noted. A strong Neighbourhood Watch partnership was vital, as was the need to feed into the process.

The Chairman thanked the Commissioner for the report.

10 **OPCC Risk Register**

The Commissioner outlined the OPCC Risk Register and advised that it was very much a work in progress. He welcomed the help and support of the Panel in finalising the structure of it.

Decision

- **That a Task & Finish Group consisting of Cllrs Ansell, Bennett, Britton and Ford with Malcolm Grubb and relevant OPCC staff would be set up to look at the Risk Register structure.**
- **That at the request of the PCC, this item would be taken at the start of future meetings.**

11 **PCP/PCC Protocol**

The Commissioner advised that he was looking to pull together good working practices, with the OPCC still in its infancy it was vital that both good and bad practices were scrutinised.

The Panel felt that it was vital that they were working with the OPCC.

It was agreed that the OPCC would keep the PCP informed of progress/developments with the protocol.

12 **Performance Reporting Framework**

Amanda Newbery outlined the Performance Framework document that was tabled at the meeting.

Decision

- **That the OPCC would produce a template which could be “married up” to include comments from a PCP working group and sent to the PCP on a quarterly basis for completion.**

13 **Complaints against the Commissioner**

A report, “Complaint Investigations, Appeal Determinations and Monitoring of Wiltshire Police Professional Standards by the Office of the Police and Crime Commissioner”, drafted by Allan T Johns – Independent Adjudicator and Complaints Investigator was tabled at the meeting.

The report is attached to these minutes.

Questions and points made included:

- That complaints should be dealt with in a more timely manner.
 - a. *The time that it takes for Wiltshire Police to deal with its complaints does stack up when viewed against other forces.*
- Is the Police complaints handling system aligned with the various Ombudsman scheme?
 - a. *It draws in various Parliamentary and Health ombudsman legislation.*
- It was requested that future reports are submitted as part of the quarterly report process in tablet format.

14 **Forward Work Plan**

The Panel noted the forward work plan.

- The Chairman requested that the MEL survey data be made available to the Panel at the September meeting.

15 **Future meeting dates**

Decision

- **It was agreed that future Panel meetings would take place at venues around throughout the County.**

The next meeting of the Police and Crime Panel will be on Monday at 16 September 2013.

Future meeting dates were:

26 November 2013.

(Duration of meeting: 10.00 am - 12.15 pm)

The Officer who has produced these minutes is Kevin Fielding, of Democratic Services, direct line 01249 706612, e-mail Kevin.fielding@wiltshire.gov.uk

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WILTSHIRE POLICE AND CRIME PANEL

DRAFT MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING HELD ON 16 SEPTEMBER 2013 AT ASSEMBLY ROOM - DEVIZES TOWN HALL, DEVIZES, SN10 1BN.

Present:

Cllr Abdul Amin, Cllr Andrew Bennett, Cllr Richard Britton (Chairman), Cllr Oliver Donachie (Substitute), Malcolm Grubb, Cllr Charles Howard, Cllr Peter Hutton, Cllr Julian Johnson, Amanda Newbery and Cllr Linda Packard

Also Present:

Kirsty Butcher – (Senior Democratic Services Officer, Wiltshire Council), Kevin Fielding – (Democratic Services Officer, Wiltshire Council), Prof Allan Johns – (OPCC), Kieran Kilgallen – (Chief Executive OPCC), Angus Macpherson – (PCC) and Chris McMullin – (OPCC)

Cllr Sue Evans and Cllr Maureen Penny

1 Apologies for Absence

Apologies were received from Cllr Brian Ford – Swindon Borough Council and Cllr Russell Hawker – Wiltshire Council.

2 Minutes and matters arising

Decision:

The minutes of the meeting held on 12 June 2013 were agreed as a correct record and signed by the Chairman.

3 Declarations of interest

There were no declarations of interest.

4 Chairman's Announcements

- i. The Chairman advised that he was looking into the setting up of a South West regional Police & Crime Panel Forum. Responses were yet to

be received from Dorset, whilst Avon & Somerset were reviewing the situation.

- ii. The Chairman expressed concern that the Overview & Scrutiny Committee of Swindon Borough Council had summoned the PCC to attend one of its meetings. The Chairman was advised that this was in relation to the PCC's role with regard to the Safety Partnership.

5 Public Participation

There were no questions asked or statements given.

6 Quarterly Data

The Commissioner introduced the Quarterly Report – Quarter 1 2013/14.

The Commissioner advised that the report aimed to provide the public and the Police and Crime Panel with an informative update about the progress made to deliver the priorities set out in the Police and Crime Plan. The Commissioner thanked the PCP for looking at the OPCC's Risk Register and advised the panel that the report was a living document, which was updated at two week intervals.

Risk Register: Kieran Kilgallen – Chief Executive of the Office of the Police & Crime Commissioner then went through the 20 recommendations which had been sent to the chairman of the panel and which was circulated at the meeting.

Points and questions raised included:

- Value for money – the PCC would take on board the PCP's views on this.
- Resilience – may be an issue because of the recruitment of specialist services.
- What is the Audit Committee's role in risk assessing?
a. None whatsoever under the new regime.
- Does IT assets mean technological assets?
a. Yes, which would involve better accounting and auditing of these assets.

Performance: Angus Macpherson advised that he and members of the OPCC had been out and about at various weekend events including the Salisbury Spectacular and the Emergency Services Show, to highlight the role of the PCC. The OPCC continues to have a presence at the Wiltshire Council Area Boards.

Reducing Crime and Anti-Social Behaviour (ASB): Chris McMullen – OPCC outlined the report.

Points made included:

- The panel felt that there needed to be a breakdown of the 8198 (Year to date figure) of crimes and anti-social behaviour incidents. In discussion it was felt that this might best be provided by giving PCP members access to the iQuanta recording system. OPCC would look into this.
- The Commissioner briefly outlined the role of the Special Constabulary in Wiltshire, and advised a new Police training scheme would shortly be starting in Swindon, it would then be rolled out to Chippenham and Salisbury.
- Wiltshire Police were commended for their focus on the concerns expressed by woman at night.

Protecting the most vulnerable in society

- Cllr Hutton made the point that rogue traders caused a good deal of distress to many vulnerable people in our society.

Putting victims and witnesses first

- The -15.4% “Victims referred to victims support” was noted by the panel.

Reducing offending and re-offending

- The panel felt that the “reducing offending and re-offending” data should be recorded quarterly.

OPCC was asked to include quarterly KSI (Killed and Seriously Injured) figures for road casualties.

Driving up the standards of customer service

Professor Johns advised that:

- That there had been seventeen appeals against findings of Wiltshire Police’s investigations into complaints.

- Two had been upheld.
- Seven had not been upheld.
- Four taking no further action.
- Everything investigated - strict legal criteria to be met by complaints - four were not considered valid.
- Two were under consideration.
- Three investigations into complaints against the Chief Constable.
- Two were not upheld.
- One had chosen not to complain, one that has gone to IPCC.
- One under investigation.
- One grievance had been taken by another force, expecting the report to be finalised in about eight weeks.
- Annualised stats show drop in complaints 463 August 2012 to 332 August 2013.
- Conduct cases - don't have meaningful figures - conduct regime changed by law in 2012. It has been on the increase from 21 to 28 – there are no major concerns, but would need to look over a longer time span to come to any firm conclusions.
- Anti-corruption - no cases which might require PCC to refer to IPCC, work intelligence based.
- IPCC referrals - PCC right in law to refer matters to the IPCC, no cases judged to be necessary.

There followed a five minute break.

Ensuring unfailing and timely response to calls for assistance.

- The figure of 56.8% level of public satisfaction with police visibility was noted.

Unlocking the resources to deliver

- The Panel requested that this data be taken as a separate agenda item at future meetings.

Finance

Kieran Kilgallen outlined the Wiltshire Police Budget Monitoring Report.

- It was agreed that the 2013 accounts would be circulated to all panel members when available.

The chairman reminded the PCC of his undertaking that the panel will be put in the position of being able to review his precept proposal in the context of his overall budget and any changes to his Police and Crime Plan.

Innovation Fund

The Commission outlined the report which was noted.

Points made:

- Wiltshire Police Outbox scheme – A multi-agency scheme to refer young people to boxing clubs and to support, guide and mentor them. The scheme would give individuals a positive focus, reducing their anti-social and/or criminal behaviour. The first areas to be covered would be Swindon, Devizes, Trowbridge and Marlborough, with Chippenham rolled out in due course.

7 **PCC Diary report**

The Commissioner outlined the report, which was noted.

The Panel also noted the various collaborations taking place between neighbouring PCCs, and that a corresponding regional PCP forum would be helpful.

8 **Draft PCP / PCC protocol**

The members of the panel were asked to consider the amended draft PCP/PCC protocol with the following amendments:

- Paragraph 4.1 - The PCP has been given power under the Act to review or scrutinise any decisions made or other action taken by the PCC in

connection with the discharge of their functions. To enable this, the Act states that the PCC must provide the PCP with any information which the PCP may reasonably require in order to carry out its functions. The PCC may also provide the PCP with any other information which the PCC may think appropriate.

- Paragraph 4.2 - The Act amends the Local Government Finance Act 1988 to require that finance reports produced by either the PCC's or the Chief Constable's Chief Finance Officer be made available to each member of the PCP
- Paragraph 4.3 - The PCP has the right to request information which it reasonably requires. Whilst "reasonably required" is not defined in the Act the PCC and their office recognize that the PCP may require wide ranging information from the PCC on an ad-hoc basis
- Section 29 of the Act states that the PCP may require the PCC, and members of the PCC's staff, to attend before the PCP (at reasonable notice) to answer any question which appears to the PCP to be necessary in order for it to carry out its functions. Section 29 also states that if the PCP requires the PCC to attend before the PCP, the PCP may (at reasonable notice) request the Chief Constable to attend before the PCP on the same occasion to answer any question which appears to the PCP to be necessary in order for it to carry out its functions.

It was agreed by members of the panel that Cllr Richard Britton would sign off the revised PCP/PCC protocol as soon as the final changes had been agreed by the PCC.

It was also agreed that the Protocol Working Group would be dissolved.

9 **Public Opinion Survey**

Kieran Kilgallen outlined the Public Opinion Survey Results – 2012/13. This survey is carried out annually. It conducts telephone interviews with a minimum of 4,224 residents of Wiltshire and Swindon spread evenly across the 11 sector areas of the Constabulary ensuring that the results received were statistically significant at sector level.

Public Opinion Survey Results 2012-13 along with a force wide summary had been produced and was attached to the survey results.

The survey results, broken down into Community Areas, were being sent to the Wiltshire Council Area Boards, for inclusion in the agenda packs.

Points made:

- The term “Teenagers hanging around” should be changed to something more meaningful.
- That the NPT Teams should be liaising with the Area Boards over youth activities.
- The number of teenagers hanging around did appear to vary from sector to sector, how could this be addressed?
- More value in drilling down into “hanging around”, to get a better understanding what it is would greatly help to resolve this statistic.

10 **Health and Safety Audit**

Kieran Kilgallen outlined the report that was included in the agenda pack, and which was noted.

11 **Community Safety Fund applications**

Kieran Kilgallen outlined the report, which was noted.

Points made:

- The Chairman felt that the funding arrangements had been arrived at in a somewhat disjointed manner. He hoped that OPCC would be able to adopt a more structured approach for the next financial year with more emphasis being given to the Service Level Agreements with providers – whether council or private/voluntary sector.
- The panel looks forward to getting a detailed breakdown of how and to whom the PCC intends to allocate the CSP funding next year
- It was felt that a diagram would have been helpful.

12 **Strategic Partnership between Wiltshire Council and Wiltshire Police**

The chairman outlined the Wiltshire Council Cabinet report which sought to provide headline details of the work undertaken in relation to the Project Initiation Document (PID) outlining the development of the joint transformation programme between Wiltshire Council, the Office of the Police and Crime Commissioner (OPCC) and Wiltshire Police.

The report outlined the next steps relating to this area of work and sought Cabinet approval for ongoing delivery of the programme, including the delegation to Dr Carlton Brand, Corporate Director, in consultation with the Leader of Council, of authority for any staff transfers that may be required.

The report was noted by the panel.

13 **Forward Work Plan and future meeting dates**

The Forward work Plan was noted. Members were invited to suggest topics/areas for scrutiny in the furtherance of the panel's role in supporting the Commissioner in the delivery of his Police and Crime Plan.

(Duration of meeting: 10.00 am - 1.25 pm)

The Officer who has produced these minutes is Kevin Fielding, of Democratic Services, direct line 01249 706612, e-mail kevin.fielding@wiltshire.gov.uk

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Wiltshire

Clinical Commissioning Group

WILTSHIRE HEALTH AND WELLBEING BOARD

DRAFT MINUTES OF THE WILTSHIRE HEALTH AND WELLBEING BOARD MEETING HELD ON 12 SEPTEMBER 2013 AT BOARDROOM, TRUST HEADQUARTERS, SALISBURY HOSPITAL, ODSTOCK ROAD, SALISBURY, WILTSHIRE SP2 8BJ.

Present:

Dr Gareth Bryant (Wessex Local Medical Committee), Dr Toby Davies (CCG Chair of SARUM Group), Debra Elliott (NHS England), Carolyn Godfrey (Corporate Director), Christine Graves (Healthwatch), Chief Executive Salisbury Hospital (Peter Hill), Chief Executive Great Western Hospital (Nerissa Vaughan), Cllr Keith Humphries, (Cabinet member) Angus Macpherson (PCC), Cllr Laura Mayes (Cabinet member), Cllr Jemima Milton (Portfolio Holder), Maggie Rae (Corporate Director), Dr Stephen Rowlands (CCG Chairman), Cllr Jane Scott OBE (Leader of the Council and Chairman) and Deborah Fielding (CCG Chief Officer)

Also Present:

Laurie Bell (Service Director), David Bowater (Senior Corporate Support Officer), James Cawley (Service Director), Julia Cramp (Service Director), Jocelyn Foster (Bath RUH), Ian Gibbons (Service Director), Julie Hankin (Avon & Wiltshire Mental Health Partnership), Phil Matthews (Chair of the former WIN), Maggie McDonald (Senior Scrutiny Officer), Cllr John Noeken (Chairman of the Health Select Committee) and Robin Townsend (Interim Service Director).

1 Chairman's Welcome, Introduction and Announcements

The Chairman welcomed everyone to the first formal meeting of the Board, noting that the Board had been in shadow form to establish priorities prior to becoming statutory in April 2013 via the Health & Social Care Act 2012.

Attendees were reminded that the Board had a duty to encourage integrated working between health and social care commissioners across the county and the Chairman looked forward to working with all partners of the Boards.

Before proceeding through the agenda, it was confirmed that a request had been received for the Vision Ahead item to be considered immediately following

Item 5 (Joint Health & Wellbeing Strategy). As there were no objections to the change in order this was agreed.

2 **Confirmation of Vice-Chairman**

Dr Stephen Rowlands (CCG Chairman) was confirmed as Vice Chairman of the Health and Wellbeing Board.

3 **Apologies for Absence**

Apologies for absence were received as follows:

Chief Executive Bath RUH (James Scott)
Patrick Geenty (Wiltshire Police Chief Constable)
Cllr Ian Thorn (Opposition Group representative)
Iain Tully (Avon & Wiltshire Mental Health Partnership)
Ken Wenman (South West Ambulance Service Trust)

Joss Foster (Bath RUH) attended on behalf of James Scott. Dr Julie Hankin (AWP Clinical Director for Wiltshire) deputised for Iain Tully.

4 **Declarations of Interest**

There were no declarations of interest received.

5 **Joint Health & Wellbeing Strategy**

Maggie Rae, Corporate Director Wiltshire Council, introduced the Joint Health and Wellbeing Strategy which the Board had a statutory function to prepare and approve.

In considering the strategy the Board were reminded that the Shadow Health and Wellbeing Board had been involved in the preparation of the strategy presented today which had also taken into consideration the views of the voluntary sector, area boards and the public as part of the consultation.

Deborah Fielding, Chief Officer CCG, confirmed that all parties had worked well together to produce the joint strategy which covered the mandate well and had resulted in an exciting approach. This was fully supported by the Corporate Director with statutory responsibility for children's services.

In opening up discussion to the floor, the NHS England representative, Debra Elliott, welcomed the document, confirming that she felt this would form a good building block for future strategies and requested that the minutes reflect her thanks to the work that had taken place in forming the strategy.

The Chairman, in drawing the Boards attention to the proposals as outlined in the report, requested an additional recommendation that an annual report

highlighting progress should be brought back for consideration. However, this should not deter update reports being presented in the interim period where significant changes were made.

It was therefore proposed that a short paper on performance monitoring of the Strategy be presented to the next meeting of the Board in November.

To communicate the content of the strategy effectively an easy read version and appropriately branded version would be requested.

In concluding discussion it was resolved as follows:

Resolved:

That the Board:

- 1) Notes the findings of the consultation on the draft Joint Health and Wellbeing Strategy;**
- 2) Adopts the revised version of the Strategy presented to the Board as the final version;**
- 3) Reaffirms its commitment to reviewing the strategy again in 2014; and**
- 4) Receive a progress report on the Strategy at its next meeting in November 2013 with further updates provided as and when necessary thereafter.**

6 Vision Ahead

Phil Matthews, Chairman of the former Wiltshire Involvement Network (WIN), was in attendance to present the Vision Ahead report which looked at the support provided for those with sensory impairments in the county and how this could be improved.

In presenting the report Mr Matthews confirmed that the work undertaken had resulted in 24 recommendations, details of which were detailed within the report.

James Cawley, Service Director Wiltshire Council, emphasised the positive work undertaken to produce the report, the good partnership working and agreed that individual organisations should be encouraged to consider the recommendations provided and find ways to implement where possible.

The Board welcomed the report and proposed that the Adults Joint Commissioning Board take forward the recommendations made.

Resolved:

That the recommendations contained within the Vision report be passed to the Joint Commissioning Board to progress.

7 **OFSTED report on Wiltshire Children's Services**

Cllr Laura Mayes, Cabinet member for Children's Services, gave a verbal update following the recent unannounced Ofsted Inspection in July.

Cllr Mayes was pleased to confirm that a judgement had been made in August that the classification of the team had now moved from inadequate to adequate. Thanks were given to Carolyn Godfrey, Corporate Director with statutory responsibility for children's services, and her team acknowledging the significant changes that were brought about in order to achieve the change in status.

Cllr Mayes commented that she was now much more confident in the quality of services, however, there was still more to do and the Council was not complacent. The aspiration was to provide an outstanding service for children and young people.

For those wishing to view the Ofsted report this could be found via the following link:

www.ofsted.gov.uk

Resolved:

To note the update provided.

8 **Winterbourne View Action Plan**

James Cawley, Service Director Wiltshire Council, presented the joint report from Wiltshire Council and Wiltshire CCG which provided details on progress made in relation to the Department of Health's (DoH) recommendations.

In presenting the report attention was drawn to areas requiring further work as outlined which included governance arrangements and the roles and responsibilities within the team which was progressing well with regular discussions on progress taking place.

Joint Commissioning was also identified as an area requiring further work with confirmation that the Joint Commissioning Board was to consider a report at its October meeting which would include an update on the expected standards identified by the DoH.

Attention was drawn to Appendix 2 of the report (Action Plan) which having been in place for a significant period of time had resulted in most of the actions now being completed.

Confirmation was given that the Wiltshire residents who had been placed at Winterbourne View were now safe and comfortable and being looked after well.

To ensure the Board remained fully updated on progress made, it was proposed that a report from the Joint Commissioning Board would be presented to the Board at its next meeting in November.

Resolved:

- 1) That the Board note the report and progress made in relation to the Department of Health report 'Transforming Care: a National Response to Winterbourne View Hospital'.**
- 2) That an update report be presented to the Board at its next meeting in November 2013.**

9 Trowbridge Birthing Centre

Nerissa Vaughan, Chief Executive Great Western Hospital (GWH), presented the report provided on the temporary transfer of maternity services from Trowbridge Birthing Centre.

In presenting the report clarification was made that a visit by the Care Quality Commission (CQC) in December had resulted in concerns over midwifery staffing levels which had not met national guidelines. Although it was understood that in part this was caused by natural reductions such as holidays and sickness levels, the Trust had invested a further £250k towards staffing and the Centre was now in a position to reopen on 30 September 2013.

The Chairman proposed that a joint press release from the Board and GWH be released providing clarification of the Centre opening date and that a briefing note should also be provided to Wiltshire Councillors at the same time.

In discussing lessons learnt, the Chief Executive apologised for the way the information had been made public.

The Chairman thanked Nerissa Vaughan for the update and it was resolved as follows:

Resolved:

- 1) To note the update provided; and**

- 2) That a joint press release from the Health and Wellbeing Board and Great Western Hospital and a Councillor briefing note would be provided to include details of the reopening dates of the Birthing Centre.

10 Community Services Transformation

The Chairman clarified that there were several service transformation projects underway at present but that the report presented today related to adult community services. Children's services commissioning was being reviewed and would be on a future agenda for the Board's consideration.

The Chairman introduced Debbie Fielding, Chief Officer Wiltshire CCG, who was asked to present the report on adult Community Services Transformation.

In presenting the report note was made that the Board, in its shadow form, had also considered several update on the review of adult community service provision. It was also noted that an important part of the proposed service provision would be the clustering of GP hubs and the CCG were working closely with GP colleagues to develop services around GP practices. With this in mind, it was proposed that primary care services would be based around 23 clusters, each with a population of around 20,000. A Care Coordinator would be assigned to each cluster and it was understood that there was almost a full complement now appointed.

The above model of care would be aligned to meet the needs of the population throughout their lives, striving to ensure people were able to live independently at home for as long as possible.

The priorities for joint health and social care development were also highlighted. These included the STARR scheme (for supporting those coming both in and out of hospital), multi-disciplinary working and work around Transfer of Care. Noting the latter it was confirmed that a pilot project had been running at the Bath RUH to identify patients who, with the right packages of care, should be better placed to leave hospital at an earlier opportunity.

It had been noted that a rapid response within one hour of crisis contributed to reducing unnecessary admissions. The Care Coordinators would take on the responsibility of working within this timeframe and were expected to work in conjunction with a simple point of access for healthcare professionals.

In noting the positive joint commissioning of voluntary and community sector services already in existence, the Community Transformation Programme would also be exploring other opportunities in this area.

Maggie Rae, Corporate Director Wiltshire Council, thanked all involved in the current delivery of community services and was pleased to see the proposed

local service model presented, noting the national mandate issued by central government for integration of health and social care services by 2018.

The Board recognised the need for cultural change and for the public to be kept abreast of services changes in the future, noting that as the integration of service developed there would be a natural change in culture and expectations. Strong, clear and consistent communication of this message would also be required.

All were in agreement with the content of the report and its aims but recognised that the timeframes around the retendering of contracts could be problematic.

The Chairman, in expressing concern over the timeframe, noted that it could impact on integrated services with uncertainty on how partnership working could be developed given that future providers would not be known.

The Chief Executive of GWH reiterated that the hospital, as the current community services provider under contract, were also concerned with the impact retendering of contracts could have in terms of service delivery for the local population, delaying investment in services and creating uncertainty for staff.

Clarification was made that the report clearly outlined the expected service model for the community and that initial guidance received from central government implied that retendering of contracts, which had already been extended by a year, would need to take place as outlined.

The Chief Executive of GWH asked that the Board take into consideration the cost implications to the GWH as the current provider to meet the needs of the proposed model.

In noting the differing models of integrated services around the country and uncertainty on legislative requirements around tendering it was suggested that the views of NHS England should be sought.

Deborah Fielding confirmed that a meeting was due to take place between the CCG and NHS England the following week. It was therefore suggested that at this meeting information on working arrangements around the country as well as clarification on whether any flexibility remained in relation to the tendering of contracts would be sought. Following this meeting an options paper would then be prepared by the CCG for consideration by the CCG Board prior to a report being presented to the Health and Wellbeing Board.

Maggie Rae noted the concerns raised by GWH and clarified that the Council would also be impacted by the service realignment, noting that the Council would be required to reorganise its care model in line with that of any partner organisations.

Further comments included that further comparison work could be undertaken on other local authorities and working patterns for health professionals. Borough of Poole Council had undertaken a review of health and social care working arrangements and drawn on best practice from Holland and it was felt considering their working model might be of benefit.

In concluding discussion the Chairman thanked all in attendance for the positive debate that had been undertaken at the Board's first public meeting and resolved as follows:

Resolved:

- 1) To note progress made to date;**
- 2) To receive an update on the model of care at the Board's next meeting;**
- 3) To receive an update on the vision for integration at the next meeting of the Board; and**
- 4) That following the CCG Board meeting in October, where the outcome of the meeting between the CCG and NHS England will be discussed, an update on the discussion would be circulated to Board members for consideration. To be circulated before the next meeting.**

11 Pharmaceutical Needs Assessment (PNA)

Maggie Rae, Corporate Director Wiltshire Council, presented the report on Pharmaceutical Needs Assessment (PNA), noting that the Board was required by statute to develop and publish the PNA by 1 April 2015.

The Board were asked to note that a small working group had met to discuss the requirements, the membership of which were outlined within the report. The working group having considered the requirements placed upon the Board felt that the inherited PNA was fit for purpose and made proposals for the future development of the PNA. This included proposals for consultation and sign off on a new PNA ahead of April 2015.

The Chairman thanked the Corporate Director for the report and the Board resolved as follows:

Resolved:

That the Board:

- 1) Accept the recommendations from the PNA group that the inherited PNA is fit for purpose;**

- 2) **Agree the proposed timeline for publishing the first HWB PNA and inclusion of the PNA on the forward plan for July 2014 and February/March 2015;**
- 3) **Delegate the PNA process and decisions to the PNA working group which includes two Health and Wellbeing Board members (Cllr Keith Humphries and Steve Rowlands); and**
- 4) **Delegate the updating of the PNA to the Director of Public Health and the Public Health lead.**

12 **Funding for Serious Case Reviews**

James Cawley, Service Director Wiltshire Council, presented the report on funding for serious care reviews which requested that a full partnership approach to adult case reviews should be undertaken, including equal financial contributions from each of the commissioning bodies.

Ensuing discussion included the difference in funding arrangements between Children's and adults safeguarding noting the statutory functions placed on the LSCB.

In noting the differences in approach to the children and adult boards and that the adult board was to become affected by statute in the future it was proposed that a report on the funding approach of both Boards (not just for serious case reviews) be considered by the Board in due course.

The Service Director clarified that the proposal for funding applied to commissioning partners only and as such requested that the Police and Crime Commissioner (PCC), CCG and Wiltshire Council representatives consider whether equal contributions of around £15k each would be acceptable.

All were in favour of the proposal and each would ensure that written confirmation of this would be provided.

Resolved:

That the involved partners (namely Wiltshire Council, CCG and PCC) contribute on an equal basis towards the cost of serious case reviews (envisaged to be approximately £15k).

13 **Disabled Children and Adults Pathfinder project**

Julia Cramp, Service Director Wiltshire Council, was in attendance to present a report which outlined the requirements of the Children and Families Bill, provided a brief update on progress in relation to the Pathfinder project and

consultation to create a fully integrated 0-25 Special Educational Needs and Disability (SEND) Service.

In presenting the report clarification was made that the Bill required organisations to work together to jointly commission services across education and care and to ensure clear guidance existed on those services.

The Service Director confirmed that the authority was in a good position to meet the requirements which included streamlining arrangements and creating an Education, Health and Care Plan for each young person by September 2014.

It was noted that the vision of the Bill for an integrated service focusing on the needs of children, young people and their families, was in line with the work already undertaken by the Pathfinder project and that the decision to re-align service structures for the creation of the SEND service had been fully supported by Cabinet. Formal consultation with effected staff on the proposed structure was underway.

The Board noted the importance of ensuring that guidance on the service was available in an easy to read format for those using the service itself. Specific reference was made to a recent easy read report presented to Swindon Borough Council as an indication of what might be required. The JSNA report referred to was produced by the Swindon Advocacy Movement (SAM) and could be found via the following link:

<http://ww5.swindon.gov.uk/moderngov/documents/s61668/LD%20-%20Appendix%202.pdf>

The Chairman thanked the officer for the report.

Resolved:

To note the update provided.

14 **Disabled Children Charter**

Julia Cramp, Service Director Wiltshire Council, introduced a report on the Disabled Children Charter which requested that the Boards consider signing up to the Charter, noting the commitment this would place upon it in doing so.

The Charter had been created to support HWBs in meeting their responsibilities towards children and young people with disabilities and SEN and was aligned with current SEND legislation changes as referred to within the previous item.

The Board were supportive of signing up to the Charter noting the commitments as outlined within the report.

Resolved:

- 1) That the Board agree to sign up to the Disabled Children's Charter; and
- 2) That an update report would be brought back to the Board in 12 months on progress.

15 **Countywide Health Prospectus**

Debbie Fielding, Chief Officer CCG, presented the draft Prospectus for the Board's consideration and comment.

In presenting the prospectus it was confirmed that at the formation of the CCG there had been a requirement to produce a 2 year plan (Clear and Credible Plan), detailed strategy and commissioning plans. Details of this plan were considered by the Shadow Board and were available on the following website:

<http://www.wiltshireccg.nhs.uk/publications/reports-and-strategies>

NHS England had now requested that CCGs produce a prospectus based on the 2 year plan that was easily understood by the public. The version provided for discussion was at a very early draft stage whilst the communications team developed a more user friendly version.

Clarification was provided that the 2 year plan referred to above applied to 2013/14 and the CCG would be issuing details of its commissioning intentions for the following 3 to 5 years thereafter.

In seeking the views of the Board, confirmation was provided that the document would include further information on partnership working. The Wiltshire Council and CCG communications teams would assist further in this area.

Resolved:

- 1) The CCG is asked to note the comments of the Board; and
- 2) That Wiltshire Council and CCG Communication teams liaise to progress references to partnership working within the Prospectus.

16 **Date of Next Meeting**

The next meeting of the Wiltshire Health and Wellbeing Board would take place at 3pm on Thursday 21 November 2013.

17 **Urgent Items**

The Chairman asked that thanks be given to the Chief Executive of Salisbury Hospital for allowing the first formal meeting of the Board to be held at the venue.

All Board members were reminded that all partners were encouraged to request any relevant items for inclusion on future agendas.

With this noted, the CCG requested that the NHS England 10 year strategy (A Call to Action) be included as an agenda item at the next meeting to be held in November as it was felt that the consultation around the strategy should be led by the Board. The consultation would be an opportunity to ask the community of Wiltshire to identify the health priorities within the resources available.

Resolved:

That the NHS England 10 year strategy (A Call to Action) would be considered as the first item at the next meeting of the Board in November.

(Duration of meeting: 3:00 pm – 5:10 pm)

The Officer who has produced these minutes is Sharon Smith, of Democratic & Members' Services, direct line 01225 718378, e-mail SharonL.Smith@wiltshire.gov.uk

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**MINUTES of a MEETING of the WILTSHIRE & SWINDON FIRE AUTHORITY
held at the WILTSHIRE FRS TRAINING & DEVELOPMENT CENTRE, DEVIZES
on THURSDAY 26 SEPTEMBER 2013**

Present : Cllrs G Payne (Chairman), A Bennett, E Clark, C Devine, P Edge,
Mrs M Groom, R Jones, J Knight, N Martin, C Newbury and R Wright.

35 Minutes of Last Meeting

The minutes of the meeting held on 30 May 2013 were confirmed and signed.

36 Apologies

Apologies for absence were received from Cllr G Perkins.

37 Members' Interests

Cllr P Edge declared a personal interest in the business under Minute 42, in as much as he was a former Retained Firefighter and former member of the Retained Firefighters' Union.

38 Membership

The Clerk reported that on 9 July 2013 Wiltshire Council had made a change to its appointments to the Authority. The Chairman thanked Cllr Marshall for his service and welcomed Cllr Knight.

39 Chairman's Announcements

- a. The Chairman thanked Brig Robert Hall, former Chairman of the Wiltshire Fire Authority, for his service to the Authority and presented him with a token of appreciation.
- b. The Chairman and Cllr Martin thanked the Fire Service for their participation in Project Salamander and noted that this was of tremendous value to the community.
- c. The outgoing Clerk to the Authority, Mr Keith Strickland, was commended for his work with the Authority in particular and for his 45 years work in the public sector in general. Mrs Lindsay Gowland, who would be succeeding Mr Strickland at the end of the year, was warmly welcomed.
- d. The Chairman thanked the officers involved in the Emergency Services Show at Hullavington on 8 September 2013 which had been a great success. It was noted that the 2014 show was anticipated to take place on 7 or 14 September 2014.
- e. The Chairman commented positively on the refurbishment of the Training and Development Centre.

40 Questions from the Public

Mr Tony Littler, Chairman of the Wiltshire Branch of the Fire Brigades' Union enquired whether Members of the Authority were aware that the FBU represented all uniformed members of the Service, both wholetime and part-time. As advance notice of the question had not been received, the Chairman undertook to give a written response.

41 Programme and Scrutiny Board.

A report of a meeting of the Committee held on 10 September 2013 was received.

42 Request by Retained Firefighters Union for Local Representation

Cllr Edge absented himself for this item.

On considering a paper by the Chief Fire Officer,

Resolved:

To accept the paper and to approve the formal recognition of the RFU for negotiation and collective bargaining rights at a local level.

43 Facing the Future

A report by the Chief Fire Officer on the Service's perspective on Sir Ken Knight's Report "Facing the Future" was received.

44 Annual Report 2012/13

The Programme and Scrutiny Board's annual report for 2012/13 was received.

45 Finance Review and Audit Committee

The minutes of the meetings of the Finance Review and Audit Committee for 25 June 2013 and 19 September 2013 were received.

46 Public Safety Plan 2014/2017

On considering a paper by the Chief Fire Officer and the final version of the Public Safety Plan.

Resolved:

- a. *To approve the Public Safety Plan as presented for publication.*
- b. *To thank the officers for their work in the preparation of the plan.*

47 Strategic Transformation Programme

A report by the Chief Fire Officer on the Strategic Transformation Programme was received.

48 Protection, Prevention and Intervention

A short visual presentation was made to members.

49 Review of Workstreams

On considering a paper on proposed changes to the Workstreams,

Resolved:

To accept the paper and to approve the restructuring and terms of reference of the Workstreams as set out in the paper.

50 Committee and Workstream Memberships and Quorum Requirements

On considering a paper by the Clerk to the Authority on Committee and Workstream Membership and the quorum requirements and also the comments of Cllr Newbury regarding the allocation of committee places according to political proportionality.

Resolved:

- a) To agree that members be appointed to the formal committees of the Authority (i.e. Finance Review & Audit, Urgency, Ethics and Staffing Committees) other than in accordance with political proportionality.
- b) To appoint the following members to the vacant places on the under-mentioned committees and outside bodies:

committee/body	member
Urgency committee	Cllr Edge
Ethics committee	Cllr Jones
Staffing Committee	Cllr Knight
LGA General Assembly	Cllr Edge
Wiltshire Assembly	Cllr Knight
Appeal pool	Cllr Bennett

- c) Noting that Standing Orders require at least one member from each of the two constituent authorities to be present at a formal meeting for a meeting to be quorate, to appoint deputy members in situations where the membership of a committee includes only one member from a particular constituent authority, having regard to the political group to which the latter member belongs.
- d) In accordance with (c) above, to appoint the following members to be deputies in respect of the under-mentioned members of the committees concerned, and to authorise the Clerk to the Authority to accept notification of the attendance of one of the deputies in the third column in place of the member in the second column:

committee	member	deputy members
Urgency Committee	Cllr Bennett	Cllrs Perkins and Martin
Ethics Committee	Cllr Martin	Cllrs Bennett and Perkins
Staffing Committee	Cllr Martin	Cllrs Bennett and Perkins

- e) To appoint the following members to the three re-constituted workstreams:

workstream	lead member	other members	
People & Development	Cllr Mrs Wayman	Cllr Jones	Cllr Perkins
Service Delivery	Cllr Mrs Groom	Cllr Bennett	Cllr Knight
Governance & Assurance	Cllr Wright	Cllr Devine	Cllr Clark

(Note: The above resolutions were approved *nem con*, i.e. without any vote to the contrary.)

51 Appointment of Clerk to the Authority

It was noted that Mrs Lindsay Gowland had been appointed as the successor to the current Clerk to the Authority, by the Selection Panel established at the last meeting of the Authority

52 Dates of Meetings in 2014

The following dates were fixed as dates for meetings of the Authority in 2014:

13 February

19 June

25 September

18 December

(all at 10.30am)

53 Exclusion of the Public

Resolved :

In accordance with Section 100A(4) of the Local Government Act 1972, to exclude the public from the business specified in minute no.54 below because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 3 and 4 of Part 1 of Schedule 12A to the Act.

54 Industrial Action

An oral report by the Chief Fire Officer on the recent Industrial Action by the Fire Brigades Union was received.

(Duration of meeting 10.30 a.m. to 12.59 p.m.)