

AGENDA SUPPLEMENT (1)

Meeting: Council
Place: Council Chamber - County Hall, Trowbridge BA14 8JN
Date: Tuesday 4 February 2014
Time: 10.30 am

The Summons for the above meeting was published on 24 January 2014 and indicated that the documents detailed below would be to follow. These are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Yamina Rhouati of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718024 or email Yamina.Rhouati@wiltshire.gov.uk

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

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

6 Public Participation (Pages 1 - 6)

Three questions and one statement submitted by members of the public are attached.

8 Councillors' Questions (Pages 7 - 16)

Eight questions submitted by Wiltshire Councillors are attached.

13 Minutes of Cabinet and Committees (Pages 17 - 32)

The Minutes of the Cabinet Meeting on 21 January 2014 are attached.

The Minutes of the Standards Committee Meeting on 20 January 2014 are attached.

DATE OF PUBLICATION: 31 January 2014

Wiltshire Council

Council

04 February 2014

Item 6 - Public Participation

From Mr Tom Corbin

Question 1

Is it not a slap in the face of every Wiltshire Council employee for Wiltshire Councillors to accept these massive hikes in members SRAs when council employees have suffered years of pay freeze and below inflation pay rises that are effectively also pay cuts, 252 redundancies, voluntary or not they are still financially led. Shortly after the latest redundancies this Council authorised a massive hike in Directors wages, which understandably led to a public outcry. How is it then that this Council saw fit to increase members SRA payments to such levels when knowing that there would be no public support?

What is this council going to do to show its own staff that they really do matter in light of the last 6 months?

Response

The report of an independent Remuneration Panel was considered by Full Council on 12 November 2013. At the meeting Members agreed to accept the recommendations of the independent remuneration panel, convened to review members allowances.

I thought that it would be useful just to recap that the panel was convened under The Local Authorities (Members' Allowances) Regulations 2003. The regulations require all local authorities to set up and maintain an advisory independent remuneration panel to review and provide advice on members' allowances. All councils are required to convene a remuneration panel and seek its advice before making changes or amendments to members allowances and they must 'pay regard' to the panel's recommendations before setting new or amended allowances.

The Independent Remuneration Panel last undertook a detailed review of the Members' Allowances Scheme in Wiltshire in 2009. A review was carried out in 2012 to update the scheme following changes to the standards regime introduced by the Localism Act in 2012, the new governance arrangements for the Health and Wellbeing Board and the Police and Crime Panel and following revised scrutiny arrangements

The review in 2013 was the first full detailed review since 2009. In undertaking the review, the panel considered a range of evidence and the recommendations made by the panel were independent of any elected member of Wiltshire Council and were based on the post and role required and not based on any individuals currently in a post or role.

As there is a motion on the agenda to discuss this subject, members who wish to will have the opportunity to respond at the appropriate time.

Statement of Mr Corbin

As the only member of public present at the November meeting of the Full Council I paid great attention to what was being said, indeed I would have liked to have been able to speak on the debate. Through all the motions that came and fell and for all the votes against the motions there was one particular lack of forthcoming information that I was most interested to hear. Just one independent Councillor spoke up in favour of the report for the specific reason that they felt that the 1% increase was necessary as they are struggling to get by on their current standard allowance. They did not go into detail as to how the rise in SRA would affect them.

But here it is, I think the current basic level is wrong - adding £122 to the basic allowance was not enough. I believe that the SRAs should have stayed low, after all the more special responsibilities you wish to take on the more you will receive in allowances. However this fails to address the baseline issue that I believe the Independent Councillor was raising.

Whilst as Councillors you give yourselves over to working for the local communities, hopefully acting as a representative person of that community. However if you look at the demographic of people in this chamber you will soon realise that most people here are either of retirement age or not too far from it. If you wish to encourage younger working age people to put themselves forward to be Councillors you have to show that in carrying out their duties you will cover their loss in earnings.

In debating item 7a) rescinding of the motion that set your increases in allowances, I want to hear you say you are worth it, that you need these agreed increases to cover the costs because right now the public perception is that you are all just quietly lining your pockets!

Wiltshire Council

Council

04 February 2014

Item 6 - Public Participation

From Mrs Charmian Spickernell, Campaign for the Protection of Rural England (CPRE)

To Councillor Fleur de Rhé-Philipe, Cabinet Member for Economy, Skills and Transport

Question 2

Re Transport Schemes being prioritised for matched funding, M4 Junctions 15, and 16 and A350 widening north of Chippenham.

Junction 16 Improvements

Given that:

1. Originally this was part of the Wichelstowe permission but is now said to be needed generally. (Applications to the north of the Junction have been granted on appeal)
2. The junction has a size constraint with narrow bridges over the motorway so there are limitations to improving the traffic flow. If traffic flow is improved, congestion on the small feeder roads will be increased.
3. There are safety issues with the proposed layout, the details are still to be finalised and Wiltshire has not agreed the layout. (Junction 16 is in Wiltshire)
4. There is a case, supported by the LEP Chairman, for looking strategically at a rail solution, re-opening Wootton Bassett Station. The possibility of new stations west of Mannington and at Moredon should also be considered.
5. Government funding is coming through the Local Economic Partnership (LEP), and Wiltshire has two representatives on the Local Transport Body(LTB) within the LEP but there is no opportunity for members of the public to ask questions before LTB/LEP Meetings. A consultation was held in September but the responses, which did raise important issues regarding process and projects, do not appear to have been addressed.

The cost for Junction 16 improvements is said to be £8million and this has to be match funded, how is this going to be financed and have all the issues raised above been taken into account?

Response

Based on the outcome of a Department for Transport (DfT) approved prioritisation process, the M4 Junction 16 Improvement was approved as a 'prioritised scheme' by the Swindon

and Wiltshire Local Transport Body (SWLTB) at its first meeting on 8 July 2013 (see <http://ww5.swindon.gov.uk/moderngov/ieListDocuments.aspx?CId=940&MId=6298&Ver=4>).

Subsequently, following confirmation of the SWLTB's allocated funding level of £11.3m on 16 July 2013, the M4 Junction 16 Improvement was submitted to the DfT on 30 July 2013 as one of the SWLTB's 'prioritised schemes' (the others being the A350 Chippenham Bypass Improvements and M4 Junction 15 Improvement). This submission was formally approved by the SWLTB at its meeting on 2 October 2013 (see table below and <http://ww5.swindon.gov.uk/moderngov/ieListDocuments.aspx?CId=940&MId=6359&Ver=4>).

Table 3: Prioritised Schemes

Local Transport Authority	Scheme	Estimated scheme cost ¹	Included in Programme		
			Dft funding	Local contribution	Funding shortfall
Wiltshire Council	A350 Chippenham Bypass Improvements	£2.25m	£1.67m	£0.58m	TBC
Swindon BC / Wiltshire Council	M4 J16 Improvement	£8m	£5.92m	£2.08m	TBC
Swindon BC	M4 J15 Improvement	£5m	£3.70m	£1.3m	TBC
Total			£11.29m	£2.98	TBC

Notes:

1. Based on estimated scheme. Further work is recommended to be undertaken to establish the exact level of local/third party contributions.

The three 'prioritised schemes' are now being progressed in accordance with the DfT's Transport Business Case guidance. Following this guidance will ensure that the business case for each scheme is sound and the evidence base (for example on congestion, safety and environmental issues) is robust. Assessments equivalent to Strategic Outline Business Cases were completed as part of the prioritisation process and at its meeting on 2 October 2013, the SWLTB approved draft Appraisal Specification Reports for the development of Outline Business Cases. Further information on the proposed approach to developing the relevant Outline Business Cases was approved by the SWLTB at its meeting on 8 January 2014 (see <http://ww5.swindon.gov.uk/moderngov/ieListDocuments.aspx?CId=940&MId=6398&Ver=4>).

It is anticipated that Outline Business Cases will be submitted to the SWLTB's meeting on 16 April 2014 at which time further information will be available on the Swindon and Wiltshire Local Enterprise Partnership's emerging 'Strategic Economic Plan' (SEP) which has to be submitted to Government as part of the Local Growth Fund – the SWLTB's funding is now effectively part of the Local Growth Fund.

In terms of the consultation exercise undertaken over the summer, the results of this process were reported to the SWLTB at its meeting on 2 October 2013 where the following was stated:

- 3.7 The prioritisation process and outcomes have been consulted on for 6 weeks and no fundamental issues have been raised. A summary of the consultation is shown in **Appendix 1** and a verbal update will be provide at the meeting. Scheme specific consultation will take place through the business case development.

With regard to rail, a number of options were considered as part of the long list of potential local major transport schemes reported to Wiltshire Council's Cabinet meeting on 21 May 2013 (see <http://cms.wiltshire.gov.uk/ieIssueDetails.aspx?IId=35934&Opt=3>). Subsequently, Westbury Additional Platform has been included in the SWLTB's 'contingency scheme' list and Wilton Station, Royal Wootton Bassett Station and Corsham Station have been included in the SWLTB's 'development scheme' list.

Item 6 - Public Participation

From Mrs Charmian Spickernell, Campaign for the Protection of Rural England (CPRE)

To Stuart Wheeler, Cabinet Member Cabinet Member for Hubs, Heritage & Arts, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services)

Question 3

How many consultants is Wiltshire Council employing generally and how much are they being paid?

Response

A verbal response will be given at the meeting.

Wiltshire Council

Council

04 February 2014

Item 8 - Questions from Councillors

From Councillor Terry Chivers, Melksham Without North Division

**To Councillor Toby Sturgis, Cabinet Member for Strategic Planning,
Development Management, Strategic Housing, Property, Waste**

Question 1

Councils across England hold £1.5bn in unspent money from section 106 agreements.

a) How much unspent money is this Council holding in 106 agreements, and b) how much has been returned to developers' since this Council was formed?

Response

a) At 31 December 2013, Wiltshire Council held a total balance of £26,825,416.36 in unspent Section 106 monies. The split of these funds was as follows

Public Open Spaces	£10,709,470.33
Highways	£8,259,410.25
Education	£3,507,075.06
Affordable Housing	£4,146,621.50
Other Departments	£202,839.22

Total **£26,825,416.36**

This balance is spread across more than 800 individual agreements, each with separate conditions relating to how and when the funds may be spent.

There are various reasons why these funds might remain unspent. Some of the balances relate to maintenance agreements covering a 20 year period; a suitable amount is contributed to the Council maintenance budget each year.

Other amounts are effectively deposits that cannot be spent until work is completed on the relevant development, in some cases these balances will be refunded if the development does not take place. Further balances have been allocated to specific parish schemes and will be released at the appropriate time.

During the 2012/2013 financial year more than £3 million was spent from the Section 106 monies that Wiltshire council holds.

b) In respect of any unused amounts that have been returned to developers on implemented planning permissions, the Council has returned £16,135 from 2009 to date in relation to a Section 106 agreement entered into by a predecessor Council.

Item 8 - Questions from Councillors

From Councillor Jeff Osborn, Trowbridge Grove Division

**To Councillor Jonathan Seed, Cabinet Member for Communities, Campuses,
Area Boards, Leisure, Libraries and Flooding**

Question 2

I wish to congratulate the Cabinet Member for the planning, incident response and now recovery that went into the recent flooding across much of Wiltshire. I know that we are yet not out of danger, but I would like to put on public record my thanks and gratitude to all of the staff, across all services, contractors and partner agencies, who worked so hard and effectively, including over the holiday period. This, I know, is much valued by the people of Wiltshire.

Sadly, flooding throughout the county is likely to become a regular event. As such it is important that we use the recent experiences to learn and develop our response plans to ensure we minimise wherever possible the impact to citizens, their homes and businesses. Could the Cabinet member please include the following learning points in the post incident review that I understand will be taking place, and could he also encourage scrutiny to play an essential role in that review:

- Customer contact: Consider alternative telephone reporting arrangements that avoid the necessity for calls to be routed via remote call centres where operators are not familiar with the county geography (emergency on call and Clarence)
- Web site information: Develop a process to improve the consistency of information published between the web sites of the key partner agencies; Wiltshire Council, Police, Environment Agency and external bodies like BBC Wiltshire and other media.
- The role of elected members: Some members were actively and effectively engaged in supporting their communities, whilst others seemed confused about their role in the incident. This needs to be developed and clarified.
- Town and Parish Councils: We need to encourage all parishes to develop and adopt their flood plans quickly and to nominate their flood wardens and develop local counter measures to protect vulnerable homes and businesses ahead of the next flood event. Some parishes have done this very well but others have not and this is a major risk for some communities.

Could I encourage all members in the Chamber today to join me in thanking everybody in the community who worked so hard on these recent events.

Response

A verbal response will be given at the meeting.

Wiltshire Council

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04 February 2014

Item 8 - Questions from Councillors

From Councillor Jeff Osborn, Trowbridge Grove Division

To Councillor Stuart Wheeler, Cabinet Member for Hubs, Heritage & Arts, Governance (including information management), Support Services (HR, Legal, ICT, Business Services, Democratic Services)

Question 3

I am given to understand that some members who are eligible for Special Responsibility Allowances (SRA), have indicated that they will not be taking the "back pay" that resulted from the Council decision on 12 November 2013.

May the Council be informed if this is the case and given the names of the said members?

Also are there any members who have declined their increase in SRA and could Council be informed of their names?

Response

A verbal response will be given at the meeting.

Wiltshire Council

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04 February 2014

Item 8 - Questions from Councillors

From Councillor Helen Osborn, Trowbridge Lambrok Division

To Councillor John Thomson, Deputy Leader of the Council and Cabinet Member for Highways and Streetscene and Broadband

Question 4

At the last Council meeting I asked when the metro count service would operating fully. In my division I have at least two metro counts outstanding and my residents are increasingly concerned as to speed issues.

When will Mr Christmas be replaced and when will we have a fully functioning service?

Response

The metro count service is now operating fully.

We have employed a team to catch up with the backlog and this we expect to be completed within the next 2 weeks.

There are currently no plans to replace Tim Christmas as the metro counts are now being dealt with by the same team, from Balfour Beatty, who deploy the SIDs (Speed Indicator Devices).

If there are queries regarding individual metro counts, the area board managers may be able to help or alternatively please contact the road safety team; Vicky Oates on 01225 701970 vicky.oates@wiltshire.gov.uk

Wiltshire Council

Council

04 February 2014

Item 8 - Questions from Councillors

From Councillor Dr Helena McKeown, Salisbury St Edmund and Milford Division

To Councillor Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property, Waste

Question 5

I am sure you know that Salisbury's street plan was laid down in the early 13th Century; and that the design of streets running parallel to each other, North/South and East/West, which resulted in the formation of chequer squares, is a fine example of Mediaeval town planning. Each chequer early acquired its own unique name, and their central areas contained the gardens of the homes and businesses which occupied the "tenements" which faced the streets. There is extensive reference to Vanner's Chequer in the Heritage Statement of September 2012, which is part of an original planning application in St Edmund and Milford Division.

The Bargate Homes development is accurately called, in their brochure, Vanners Court, since it occupies the historic Vanners Chequer area. In October 2013 local residents and our residents associations contacted our Council regarding the address of three new detached houses which stand in the central garden area of the original chequer and do not abut an existing street and asked **as a matter of urgency** for the Council to designate their postal addresses as Vanners Chequer. It was noted then in writing to the Council that in a planning application published in Salisbury Journal of October 24th 2013, the area is designated as Bedwin Court, for which there is absolutely no historical precedent.

Salisbury City Council have written in support of the preservation of the valuable historical name to our City's History and we would like to know and for a justification of why the Council have been unable to act on behalf of the residents of St Edmund and Milford Division in Salisbury please?

Response

Wiltshire Council has a statutory power to name and number streets and to approve and register official property addresses in the county of Wiltshire.

In line with national best practice guidelines, the preferred option for numbering new properties is always to use existing street names where possible, not least to aid the emergency services. In this particular case, because the layout of the properties were between two existing streets with no through road, the properties were

numbered off the existing streets, half the site was numbered as Bedwin Street and the other half was numbered as Salt Lane.

The development name given by any developer in a brochure is only a temporary name and has no bearing on the official naming of a street. Wiltshire Council support retaining the historic reference of the Vanners Chequer's site and have therefore offered the options of adding a plaque or adding a dedication description to a street sign referencing the historical Vanners Chequer area.

Item 8 - Questions from Councillors

From Councillor David Jenkins, Westbury North Division

**To Councillor Toby Sturgis, Cabinet Member for Strategic Planning,
Development Management, Strategic Housing, Property, Waste**

Question 6

Wiltshire has been identified as an “area under consideration” for exploration and extraction of shale gas. Given the recent decision of the UK’s shale gas companies to expand operations and the Government announcement on possible shale gas incentives, what plans have Wiltshire Council adopted to manage future licence applications that balance the needs of industry whilst protecting local democracy?

Response

The Council will not be responsible for managing any licence applications, should they be offered, for the exploration and production of any shale gas resources in Wiltshire.

The oil and gas licensing system is administered by the Department of Energy and Climate Change (DECC). The Secretary of State for Energy and Climate Change periodically offers licences to search for, and extract, these resources.

DECC plans to conduct a new round of onshore licensing in 2014 and has published for consultation an Environmental Report on its proposals. The consultation is open until 28 March 2014. Once the consultation responses have been taken into account the Government will issue a “Post-Adoption Statement” which will summarise how it intends to proceed in relation to further onshore licensing.

Current onshore oil and gas production licences are called Petroleum Exploration and Development Licences (PEDLs). Operators bid for exclusive rights to an area in competitive license rounds. The operator then has to obtain access rights from landowners and planning permission, which may require an environmental impact assessment. They also need environmental permits from the Environment Agency and Health and Safety Executive approval. They then seek final consent from DECC.

Planning permission is one of the main regulatory requirements and the Council, in its capacity of Minerals Planning Authority for Wiltshire, will be responsible for determining whether to grant permission for the location of any wells and wellpads, and impose conditions to ensure that the impact on the use of the land is acceptable.

Guidance on how shale gas (and other onshore oil and gas) developments should proceed through England's planning system was issued by the Department for Communities and Local Government in July 2013.

Wiltshire Council

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04 February 2014

Item 8 - Questions from Councillors

From Councillor Terry Chivers, Melksham Without North Division

To Councillor Jane Scott OBE, Leader of the Council

Question 7

It was reported in The Western Daily Press, on 22nd November that the hundreds of volunteers, who without this Council would not operate, are charged for tea and coffee when working for nothing for this Council. Considering that you found the money to give yourself, and your inner "Magic Circle" an eye watering pay increase, do you not feel this policy is mean, and should be reviewed?

How much would it cost to provide free hot drinks for the volunteers that work hard for this Council, and would you agree that this policy should be reviewed as soon as possible?

Response

A verbal response will be given at the meeting.

Question 8

After the recent expenses scandal that has seen yourself awarded a 37% pay increase, that now makes you one of the highest paid Councillors in the UK. And also the massive pay increases that were awarded to your Cabinet and the inner "Magic Circle".

Taking into account, the comments from Jacob Rees-Mogg and the "Conservative Home" Web Site and the anger of the residents of Wiltshire many of whom have signed the peoples petition calling for your and the Cabinets resignation. Do you feel that you totally miss-judged the mood of local residents, and do you agree that you are totally out of touch with the residents of Wiltshire?

Response


A verbal response will be given at the meeting.

CABINET

MINUTES of a MEETING held in Kennet Room - County Hall, Trowbridge BA14 8JN
ON Tuesday, 21 January 2014.

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 Glenis Ansell, Cllr Allison Bucknell, Cllr Richard Clewer
Cllr Christine Crisp, Cllr Richard Gamble, Cllr Jon Hubbard
Cllr David Jenkins, Cllr Simon Killane, Cllr Gordon King
Cllr Jerry Kunkler, Cllr Jacqui Lay, Cllr Horace Prickett
Cllr Bridget Wayman, Cllr Fred Westmoreland, Cllr Roy White
and Cllr Philip Whitehead

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

1 Apologies

All Cabinet members were present.

2 Minutes of the Previous Meeting

The minutes of the last meeting held on 17 December 2013 were presented.

Resolved:

That the minutes of the meeting held on 17 December 2013 be approved as a correct record and signed by the Leader.

3 Minutes - Cabinet Transformation Committee

The minutes of the Cabinet Transformation Committee dated 17 December 2013 were presented.

Resolved:

That the minutes of the Cabinet Transformation Committee dated 17 December 2013 be received and noted.

4 Leader's announcements

There were no Leaders announcements.

5 Declarations of interest

No declarations of interest were made.

6 Public participation

The Leader explained that as usual at meetings of Cabinet, she would be more than happy to hear from any member of the public present on any of the items on this agenda.

The Leader acknowledged receipt of a statement and question from Mr Ian James, in his capacity as Chairman – Bremhill Neighbourhood Plan Steering Committee; a statement from Mr James in his capacity as a Bremhill Parish Councillor; a statement from Steve Perry – Chippenham Community Voice and questions from Mrs Anne Henshaw – CPRE, details of which were circulated at the meeting in respect of the item on the review of the Local Development Scheme (minute no. 12 refers).

7 Wiltshire Local Transport Plan 2011-2026: Other Strategies

Cllr John Thomson, Cabinet Member for Highways and Streetscene and Broadband presented a report which sought Cabinet's approval of four sub-documents of the Wiltshire Local Transport Plan (LTP3) 2011-2026: Accessibility Strategy, Cycling Strategy, Powered Two-Wheeler Strategy and Smarter Choices Strategy and to note the forthcoming development of the outstanding sub-documents of the LTP3.

The Transport Act 2000 made it a statutory requirement for local authorities to produce LTPs. The four strategies presented were to promote cycling, walking

and other alternate methods of transport, and if approved would be presented to Council for adoption.

The LTP3 document presented had been prepared following wide ranging consultation, taking into account environmental, economic and social considerations to ensure that it met the requirements of the Department for Transport's guidance and helps support local objectives. Details of the consultation responses were presented. Cllr Thomson guided Cabinet through the key points of the document and answered members' questions.

Cllr Thomson confirmed that the Wheels to Work scheme was still being run by Community First. The results of a recent Council staff travel survey were being analysed with a view to introducing appropriate measures.

Cllr Prickett highlighted the impact that the removal of the 264 bus service would have on North Bradley residents. This would leave residents with one service, the 265 for which the bus stop was some distance away without shelter. Cllr Thomson welcomed further information on this, but explained the difficulties of trying to influence commercial routes rather than those funded or part funded by the Council. He also suggested that Area Board and Community Area Transport Group be explored as possible sources of funding for issues such as the provision of bus shelters.

Cllr Jenkins welcomed the cycling strategy, and asked if the Council planned to provide more bike racks. Area Board funding was seen as a mechanism for such provision.

Cllr Hubbard enquired as to when an audit of charge points would be undertaken to include their location and accessibility. He noted that whilst there was one at the County Hall car park, it was not in a public area. He also asked how many car clubs were in existence and how they were being publicised to increase take-up. Cllr Hubbard raised the issue of residential travel plans and highlighted the increase in density on new developments with inadequate parking and asked what criteria, such as parking spaces per property, and off-street parking opportunities were asked for to minimise parking on pavements.

Cllr Thomson explained the implementation plan would explain how car clubs would be supported and written answers would be provided for his two other questions.

Cllr Kunkler suggested that permissions granted for car ports could reduce on-street parking. Cllr Clewer suggested that residential travel plans for new developments should be shared with those moving into the area.

The Leader explained that the LTP3 was mainly about sustainability. She drew attention to the car parking review currently being undertaken and highlighted that whilst car parking charges was a contentious issue, it was a fact that they funded a number of sustainable transport measures.

Cllr Simon Killane explained that the neighbourhood planning process could be a way for communities to engage in the transport planning process and integrate with the Council's policies.

Resolved:

That Cabinet:

- a) **approves the Wiltshire Local Transport Plan (LTP3) 2011 – 2026: Accessibility, Cycling, Powered Two Wheeler and Smarter Choices strategies and recommends adoption by the Council at its meeting on 4 February 2014;**
- b) **notes that further LTP3 theme strategies and area strategies, and implementation plans are planned to be developed and**
- c) **delegates authority to the Associate Director for Highways and Transport to finalise the document for publication by 31 March 2014.**

Reason for decision:

To ensure the timely publication of a statutory document.

8 Wiltshire Council direct provision - CQC registered care services for adults

Cllr Keith Humphries, Cabinet Member for Public Health, Protection Services, Adult Care and Housing presented a report which briefed Cabinet on the registered services provided in house.

It was noted that all services were fully compliant against Care Quality Commission essential standards of quality and safety. Officers were congratulated for their delivery of a well regarded service.

The Leader encouraged members to read the examples of the people who used respite and emergency care summarised in Appendix 2 to the report, which highlighted some of the complex issues involved in the service delivery.

Cllr Christine Crisp, Chairman of the Health Select Committee confirmed that the report had been considered by the Committee at its meeting on 14 January 2014, where no concerns had been raised.

Resolved:

That Cabinet note the key outcomes of the CQC inspections in relation to the Council run registered services and acknowledge the level of managerial input required in order to achieve such positive outcomes,

which gives assurance to the Council that quality services are being provided.

Reason for decision:

To ensure that members are aware of the high quality of service provision being delivered by the Council's Adult Care directly provided registered services.

9 Wiltshire Council Adult Social Care Winter Plan

Cllr Keith Humphries, Cabinet Member for Public Health, Protection Services, Adult Care and Housing presented a report which gave details of the work undertaken in Adult Social Care to prepare for the anticipated additional demand over the winter period.

The winter plan was a contribution to the Wiltshire Clinical Commissioning Group's Health and Social Care Communities Winter Plan 2013/14 which described the state of 'system readiness' of the whole health and care system for the winter period. The Council traditionally supported the annual NHS winter planning process, but this was the first year that the Council had formalised this support by producing its own written plan, which could then be shared, managed and monitored.

Cabinet thanked the CCG for their efforts. Cllr Christine Crisp, Chairman of the Health Select Committee confirmed that a task group would monitor performance against the Plan.

The Leader, speaking as Chairman of the Health and Wellbeing Board emphasised how important it was to consider and agree such plans and to ensure that through partnership working, the needs of individuals were met.

Resolved:

That Cabinet note the Council's contribution to the winter planning process and the production of an Adult Social Care Winter Plan.

Reason for Decision:

To keep Cabinet informed of the contribution of adult social care in supporting the anticipated rise in demand for health services over the winter period.

10 Wiltshire Dementia Strategy

Cllr Keith Humphries, Cabinet Member for Public Health, Protection Services, Adult Care and Housing presented a report which sought Cabinet's approval of a draft Wiltshire Dementia Strategy for 2014-21 as presented for the purposes of consultation.

The Leader welcomed Ted Wilson, Group Director - N&E Wiltshire Group and Dr Celia Grummitt, Wiltshire Dementia GP Lead who attended the meeting for this item.

The proposed strategy would set the strategic direction for the Council and NHS Wiltshire CCG in supporting people with dementia and their carers and families. It included a commissioning action plan for 2014/2015 which detailed the actions that would be delivered to achieve the objectives and priorities identified.

The aim of the strategy is that all people with dementia in Wiltshire are treated as individuals and are able to access the right care and support, at the right time so that they can live well with dementia and can remain independent and living at home for as long as possible within supportive communities. A DVD on dementia was shown to the meeting which highlighted the issues faced by sufferers and their families.

Mr Wilson commented that the strategy was a great example of joint working to benefit the people of Wiltshire. Dr Grummitt explained that a dementia assessment was now part of the NHS healthcheck offered to people aged between 40 – 75 every five years. She also confirmed that approximately 50% of dementia cases were straightforward in medical terms which meant that patients received care locally by their GP's. This then helped to speed up referrals for more specialist care where it was needed. The element that could take still time was for the comparatively few cases where patients required referral for a scan. It was noted that improvements had been made in reducing the wait for diagnosis and referral to a memory clinic from 9 months to less than four weeks.

The need to develop dementia friendly communities and towns was highlighted and some Area Board's had already pledged their support. It was also agreed that the DVD shown be presented at Area Board meetings.

Cllr Christine Crisp, Chairman of the Health Select Committee confirmed that the Strategy had been considered by the Committee on 14 January 2014. It was pleased with the work that had been done so far and supported the Strategy. It did have some concerns about funding but acknowledged that the formal consultation would help identify the key priorities. The Committee would comment further following receipt of the post consultation report.

Ted Wilson and Dr Grummitt were thanked for their attendance and contribution on this item.

Resolved:

That Cabinet agree the draft strategic direction for services proposed in the Wiltshire Dementia Strategy 2014-2021 and agree that it can proceed to formal consultation.

Reason for decision

To give Cabinet an opportunity to comment and agree the strategic direction proposed in the Wiltshire Dementia Strategy prior to consultation.

11 **Local Government Peer Review**

The Leader presented a report which provided a summary of the feedback received from the Local Government Association following the Peer Challenge that took place in September 2013 and the action plan which had been developed to reflect this feedback and recommendations made.

The Peer Challenge covered five core components: understanding of the local context and priority setting, political and managerial leadership, financial planning and viability, governance and decision making and organisational capacity.

In addition the peer team was asked to focus on how the Council was transforming Wiltshire through innovation in three particular areas.

The council's key strengths were identified as follows:

- A very strong respect and high regard for the council leader. Her clarity and strength of vision, commitment and hard work was recognised. A strong sense of loyalty among officers and partners and the leader is an effective ambassador for the council and Wiltshire.
- A strong and trusted relationship between officers and elected members with a clear appreciation that the council is strongly member led.
- The council has a good reputation in the community. Its vision 'to create stronger and more resilient communities' has resonance locally. Parish and town councils, volunteers and voluntary sector organisations speak positively about the purposeful intent of the council to delegate.
- responsibilities and enable local people and groups to do more for themselves.
- A highly engaged workforce with a real sense of pride in the organisation. Staff consistent that they are proud to work for the council.

The feedback had highlighted many positives, with a clear vision understood by staff and strong relationships with the voluntary sector, Police and other partners.

Recommendations included addressing the budget gap for 2015/16 and beyond, clarifying the desired outcomes for area boards, improving the

effectiveness of scrutiny, strengthening performance management and working closely with the CCG to ensure shared visions and plans.

Cllr Simon Killane welcomed the challenge for scrutiny to focus more on outcomes rather than processes.

Positive developments had been seen in the Local Enterprise Partnership's Strategic Economic Development Plan which provided direction for the area. An area board review was underway and the campus development programme was breaking new ground with the Corsham campus phase one occupation scheduled for June 2014.

The Leader encouraged all members to read the feedback letter and action plan as presented, and noted there would be a further visit in six to nine months time. She emphasised that this was a good Council and paid tribute to the hard work and dedication by members and staff.

Resolved:

That Cabinet:

- a) **Note the feedback and recommendations from the Corporate Peer Challenge**
- b) **Endorse the action plan.**

Reason for decision:

The feedback and action plan recognises the achievements in the first 4 years of Wiltshire Council and assists with areas for improvement.

12 **Review of Local Development Scheme**

Public Participation

Statements and questions were received as follows:


Question and Statement from Ian James, Chairman, Bremhill Neighbourhood Plan, Steering Committee.

Statement from Ian James as Bremhill Parish Councillor

Statement from Steve Perry, Chippenham Community Voice

Questions from Mrs Anne Henshaw – CPRE

Details of the above submissions and responses to them were circulated at the meeting and are attached to the signed copy of the minutes and available on the Council's website along with the agenda for this meeting.

 Cllr Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste presented a report which sought approval of a revised Local Development Scheme (LDS) for Wiltshire in response to the preliminary findings of the Core Strategy Inspector including the introduction of two new Development Plan Documents (DPDs) and to ensure the LDS is up to date.

Cllr Sturgis drew attention to an erratum circulated at the meeting which replaced the development profiles seen in Appendix B of Appendix 1 to the report so that the timetables correspond with 'Table 3: Summary programme for document production'.

Cllr Sturgis in introducing the item explained the context, stating that it would be of great concern if there was no core strategy in place and it was important to adopt at the earliest opportunity to protect the County from inappropriate development.

John Kirkman, CPRE asked how the council was determining the appropriate level of growth for each area based on the disaggregation of 5000. Cllr Sturgis explained that, whilst appreciating there may be some places that couldn't take any more growth, the starting point would be a proportionate split based on the levels of housing in the Plan and then constraints would be looked at.

Mr McDonic, CPRE asked if there would be a public consultation on the outcome of the independent review of affordable housing viability. It was explained that as the examination is the Inspector's process, the Council would submit (the additional work) and it would be for him to advise on the next steps and if a public consultation would be needed. Submission documents would be available on the website.

Mr Morland asked if the starting point for disaggregation would be proportionate to reductions made previously. It was explained it was not as simple as that, and the starting point would be a proportionate split which would be tested at a local level.

Mr James raised concerns over flood and the need to have a sustainable approach to flooding. Cllr Sturgis noted that the Council ensured that any development outside flood risk areas considered the risk to flood plains, working with parish / town councils, Environment Agency and developers.

Cllr Bridget Wayman asked why, given the approved South Wiltshire Core Strategy was the area being asked to take an additional 12% housing. It was explained that the South Wiltshire Strategy had been subsumed into the

Wiltshire Core Strategy currently under examination. Cllr Wayman requested that the Gypsy and Traveller DPD timescale be brought forward.

Resolved:

That Cabinet:

- a) **Approves the Local Development Scheme as set out in Appendix 1 to the report presented (taking into account the replaced Appendix B of Appendix 1 circulated at the meeting).**
- b) **Authorises the Associate Director for Economic Development and Planning, in consultation with the Cabinet Member, to make minor amendments to the Local Development Scheme in the interests of clarity and accuracy before submitting it to the Core Strategy Inspector.**
- c) **Authorises the Associate Director for Economic Development and Planning, in consultation with the Cabinet Member, to amend the Local Development Scheme in response to any comments raised by the Inspector on the revised Local Development Scheme, as appropriate.**

Reason for decision:

Wiltshire Council is required to prepare and keep up to date a Local Development Scheme in line with the Planning and Compulsory Purchase Act 2004 (as amended). Revisions to the Local Development Scheme (August 2012) are required in response to the Inspector's preliminary findings into the examination of the Wiltshire Core Strategy to support a sound Core Strategy, and in order to ensure it is up to date.

13 **Urgent Items**

There were no urgent items.

14 **Exclusion of the Press and Public**

Public Participation

Mr Francis Morland addressed Cabinet on this item expressing concern over the venue for this meeting and concerns over what he believed the item at minute no.15 below was concerned with.


Resolved:

That Cabinet agrees 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. 15 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 paragraph 4 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 4 – information relating to consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

15 Review of positive leisure-time activities for young people

 Cllr Laura Mayes, Cabinet Member for Children's Services presented a report which reviewed how the Council meets its statutory duty to secure for young people aged 13-19 (up to 24 for young people with a learning difficulty) access to sufficient positive leisure time activities which improved their wellbeing and the provision of sufficient facilities for such activities.

Four options were under consideration, details of which were presented. Cabinet considered that consultation be undertaken on all four options with young people, affected staff and other key stakeholders. The results of the consultation would then be presented to Cabinet and taken into account by Cabinet in arriving at a decision.

Resolved:

That Cabinet notes the report presented and agrees to carry out a formal consultation process in relation to all four options detailed in the report presented with young people, affected staff and other key stakeholders to inform the decision making process. The consultation process is a developing process which will inform Cabinet prior to a final decision being made by Cabinet currently scheduled for 22 April 2014.

Reason for decision

To give Cabinet an opportunity to review its statutory duty to secure for young people aged 13-19 (up to 24 for young people with a learning difficulty) access to sufficient positive leisure time activities which improved their wellbeing and the provision of sufficient facilities for such activities. To consider options for the purposes of undertaking a consultation exercise on these options.

Appendices (to signed minutes)

Questions, statements and responses

(Duration of meeting: 10.35 am - 2.10 pm)

<p>These decisions were published on the 30 January 2014 and will come into force on 7 February 2014.</p>

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STANDARDS COMMITTEE

DRAFT MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 20 JANUARY 2014 AT SALISBURY ROOM - COUNTY HALL, TROWBRIDGE.

Present:

Cllr Desna Allen, Cllr Allison Bucknell, Cllr Trevor Carbin, Cllr Terry Chivers, Mr Philip Gill, Cllr Howard Greenman, Cllr Julian Johnson (Chairman), Mr Paul Neale, Cllr John Noeken (Vice Chairman), Cllr Paul Oatway, Cllr Horace Prickett, Mr John Scragg and Miss Pam Turner

1 **Membership Changes**

It was noted that following the Council meeting on 12 November 2013, Councillor Chris Williams had been removed as a member of the Standards Committee.

2 **Apologies for Absence**

Apologies for absence were received from Councillors Ian Tomes and Howard Marshall.

3 **Minutes of the Previous Meeting**

The minutes of the meeting held on 9 October 2013 were presented for consideration.

In relation to Minute 48 - Update on Dispensations for Voting on the Council Tax and Budget - the Monitoring Officer confirmed his view that it was reasonable for councillors to rely on the unequivocal advice from the Government that they are not required to obtain a dispensation to vote on budget and council tax setting. Whilst it is a matter for individual councillors it was difficult to see how a prosecution could be deemed to be in the public interest when councillors were acting on clear guidance from the Government on the issue.

The Committee also discussed the best way to disseminate the advice to Wiltshire Parish Councils.

It was,

Resolved:

That subject to the inclusion of Mr Paul Neale, Mr John Scragg and Mr Philip Gill MBE JP among the list of attendees, to APPROVE as a true and correct record and sign the minutes.

4 **Declarations of Interest**

There were no declarations.

5 **Chairman's Announcements**

There were no announcements.

6 **Public Participation and Questions**

There were no questions or statements submitted.

7 **Status Report on Complaints**

The Monitoring Officer presented an update to the Status Report on Complaints received under the Code of Conduct. It was noted that under the new Standards Regime no complaints had been referred for investigation and that to date no appeals against an initial assessment of 'no further action' had been upheld at the review stage out of a total of thirteen received.

The Committee discussed the report and the reasons for there being fewer complaints, no referrals for investigation and appeals not being upheld. Increased information from the subject member in response to complaints was noted as a factor, as under the old standards regime they had no right of reply at the early stages of a complaint. The beneficial input of the Independent members was also highlighted.

It was felt that further monitoring was required as more complaints were processed, along with information of how similar authorities were experiencing the new regime.

Following discussion, it was,

Resolved:

To note the report.

8 **Recommendations from the Constitution Focus Group**

The Monitoring Officer introduced proposed changes to Part 5 of the Constitution - Access to Information Procedure Rules - as recommended by the Constitution Focus Group at its meeting on 8 January 2014. The changes were to reflect the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. Other changes included a definitions section, clarity over references to council offices and the proper officer for specific actions, notification of private meetings, and other changes to reflect the Council's revised senior management structure

The Committee discussed the proposed changes as detailed in the agenda papers, and noted the Focus Group's suggestion that further clarification regarding the rights of Group Leaders and councillors generally to confidential

Part 2 papers should be drawn up by the Monitoring Officer in consultation with Group Leaders. This could be dealt with as an amendment to Protocol 2 of the Constitution on Councillor-Officer Relations, which already has a section on councillors' access to information. It was suggested that it may be appropriate to change the title of the Protocol given the broad range of issues that it covers.

The requirements for giving notice of items that are proposed to be taken in Part 2 of the agenda as business which is confidential or within the categories of exempt information were noted.

The Committee also noted the ongoing discussions of the Constitution Focus Group on its review of the council's Petition Scheme. A report on the outcome of the Focus Group's consideration will be submitted to the Committee in due course.

Resolved:

To recommend that Council approves the changes to part 5 of the Constitution as detailed in the report.

9 Forward Plan

The Forward Work Programme was presented and noted.

The Chairman also requested that the process of assessing and implementing constitutional changes be looked at, to determine if a more efficient approach could be utilized.

10 Urgent Items

With the approval of the Chairman, the Committee considered a Notice of Motion that had been received for the Council meeting on 4 February, which requested that Council immediately make a change to the Council's Constitution, rather than through the process of assessment by the Constitution Focus Group, then the Standards Committee, before being approved by Full Council.

The Standards Committee agreed that the appropriate opportunity to debate the proposed change could be had at the upcoming Council meeting. Furthermore, it was content for the matter to be considered and determined by the upcoming Council meeting without referral back to the Standards Committee.

(Duration of meeting: 2.00 - 3.00 pm)

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