

# AGENDA SUPPLEMENT (1)

**Meeting:** Cabinet

**Place:** Kennet Room - County Hall, Bythesea Road, Trowbridge, BA14 8JN

**Date:** Tuesday 10 October 2023

**Time:** 10.00 am

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**The Agenda for the above meeting was published on 2 October 2023. Additional documents are now available and are attached to this Agenda Supplement.**

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This Agenda and all the documents referred to within it are available on the Council's website at [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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5 **Public Participation** *(Pages 3 - 18)*

Questions and responses document.

DATE OF PUBLICATION: 9 October 2023
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Wiltshire Council

Cabinet

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## Agenda Item 5 – Public Participation

Questions from Celia Beckett – Chair of Hilperton Area Action Group

To Cllr Nick Botterill, Cabinet Member for Finance, Development Management and Strategic Planning

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### Statement

Our questions are regarding Figure 30 Conclusion following Public Consultation in the document Revised Spatial Strategy (September 2023).

This states:

**Trowbridge** *There was little objection to the scale of growth at the town, or to the role of the town as a Principal Settlement and main focus for growth. Some prospective developers argued that a level of growth could be higher, but largely to help promote alternative land for development. Any substantial increase in scales of growth at the town would potentially require a review of Green Belt boundaries around the town. The scale of forecast housing need does not appear to justify such a step.*

**Rest of HMA** *There was considerable concern about the proportion of new homes proposed at rural settlements in the area. The scale of growth should be reduced to avoid harming the value of the countryside.*

### Question (23-78)

On what information are these statements based? How are Trowbridge and rest of HMA defined? During the consultation in 2021, 375 responses were received regarding the Trowbridge plan of which 92% were totally opposed to the plan for the North East of Trowbridge.

### Response

The County has been divided into four Housing Market Areas (HMAs). Settlements have differing prospects for growth associated with their attractiveness to investment and because of the existing structure of their economies. This influences the scales of growth to plan for at each settlement, both in terms of what locations and types of business to plan for, but also how many additional workers can be anticipated and the number of new homes that will be needed. Trowbridge is a Principal Settlement and primary focus for future growth in the Trowbridge Housing Market Area.

Revising the Spatial Strategy was an iterative process informed by several factors and a range of evidence. The statement referred to is taken from Figure 30 in the Revised Spatial Strategy report. This explains the high-level conclusions reached about the

scale of growth at each settlement in the HMA and the rest of the HMA at Stage 5 of the process from the public consultation carried out up until then. It is not intended to be a statement about responses in relation to specific sites.

**Question (23-79)**

Since the closure of the public consultation in March 2021 how many constituents have written in to Nick Botterill to object to the plan for North East Trowbridge?

**Response**

Cllr Botterill has been receiving letters about the proposals for North East Trowbridge since 2021. However, only comments made during the consultation periods for the local plan can be taken into account as part of the Local Plan preparation. The consultation report for the Local Plan consultation in 2021 provides a statistical review of the comments received and how many respondents they were received from.

[Previous consultations - Wiltshire Council](#)

Brownfield sites with development potential are submitted to the Council through its Strategic Housing and Economic Land Availability Assessment (SHELAA). As part of the activity to compile the Brownfield Land Register, the Council assesses sites that have been submitted to the SHELAA to determine whether they meet the criteria in the 2017 Regulations and thus whether they should be added to the register. The Council does not attempt to assess all brownfield sites in Wiltshire for the Brownfield Land Register, as it does not have a record of each and every brownfield site.

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**Agenda Item 5 – Public Participation**

**Questions from Mel Boyle – Local Plan Chippenham**

**To Cllr Nick Botterill, Cabinet Member for Finance, Development Management  
and Strategic Planning**

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**Statement**

In response to my question to the last cabinet meeting was the below answer:

"The Ambulance site is currently the subject of a planning application for housing, should this be permitted it will feature in a future housing land supply statement and brownfield land register."

But the Government website says:[https://www.gov.uk/guidance/brownfield-land-registers?fbclid=IwAR2QhLh6R04mLEWRQv53H\\_6ZUSaF2adNktbMXXgceyuLi9quM11sXtdUKDA#how-do-local-planning-authorities-decide-whether-a-site-should-be-entered-on-a-brownfield-land-register](https://www.gov.uk/guidance/brownfield-land-registers?fbclid=IwAR2QhLh6R04mLEWRQv53H_6ZUSaF2adNktbMXXgceyuLi9quM11sXtdUKDA#how-do-local-planning-authorities-decide-whether-a-site-should-be-entered-on-a-brownfield-land-register)

Can registers include sites that already have planning permission?

Brownfield land registers must include all sites which meet the relevant [criteria](#) **regardless of their planning status.**

Paragraph: 010 Reference ID: 59-010-20170728

Revision date: 28 07 2017

**Question (23-80)**

Which is correct? If sites should be on the register regardless of their planning status shouldn't the ambulance station and all other sites over 5 dwellings be on the register?

**Response**

In accordance with the 2017 Regulations, Brownfield Land Registers should include sites which benefit from planning permission. This is the approach the Council takes when compiling its register.

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Strategic Housing and Economic Land Availability Assessment (SHELAA). As part of the activity to compile the Brownfield Land Register, the Council assess sites that have been submitted to the SHELAA to determine whether they meet the criteria in the 2017 Regulations and thus whether they should be added to the register. The Council do not attempt to assess all brownfield sites in Wiltshire for the Brownfield Land Register, as do not have a record of each and every brownfield site.

**Question (23-81)**

At the Olympiad Local Plan event on 3 October in answer to a question it was said that the 2090 (5,850) required houses was increased to 2525 (6,285) was to cover shortfalls in other towns and villages, what is the breakdown of other towns and villages where the 435 dwellings have come from?

**Response**

The South Chippenham site allocation is allocated to provide approximately 2,525 dwellings as part of a mix of uses. This is more than the residual housing requirement of 2,090 (as at April 2022) for Chippenham. Chippenham is a Principal Settlement, has good prospects for growth and is comparatively less constrained than other settlements, hence there is a more generous supply of land for housing development. If you have concerns about the number of homes being planned for, these should be set out in a response to the Regulation 19 consultation.

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**Agenda Item 5 – Public Participation**

**Questions from Chris Caswill**

**To Cllr Ashley O'Neill - Cabinet Member for Governance, IT, Broadband, Digital, Licensing, Staffing, Communities and Area Boards**

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**Statement**

Your administration has recently sanctioned a revision of the front pages of the Council web site. I address this question to you because it is a matter of policy rather than a technicality. The net result of this revision is that it now takes *six* clicks for a member of the public to get access to the agenda of this Cabinet meeting, and any other Council committees. Three of those clicks at least are counter intuitive if one is searching for a committee agenda.

**Question (23-82)**

Were you aware of this significant barrier to effective public participation?

**Response**

We are not aware this causes a barrier to public participation. Both the old and new website pages are navigated to the agenda page with the same number of clicks. A copy of the revised document is also available upon request. However, we do recognise these pages need to be reviewed.

**Question (23-83)**

Was the new interface tested for its public accessibility to Council decision making?

**Response**

The interface was tested for accessibility but not specifically Council decision making. The website change on 22<sup>nd</sup> August only made amendments to the front page we have not at this time changed any of the pages beyond this.

**Question (23-84)**

Would you agree that it appears to reflect a dislike (at best) of public engagement with Council decision making?

**Response**

The number of page clicks are in fact the same for the old and new interface.

**Question (23-85)**

what steps will you take to improve this situation?

**Response**

In the following months we will work through with services to review the content on web pages. In the first instance we applied a new theme and mirroring the content we have today on our homepage. We will be looking at user journeys and accessibility to ensure that the site meets the needs of our residents. As part of this exercise, we will also be engaging with residents and members seeking feedback on those pages. Please let us know if you would like to be part of the process. We are passionate about getting this right for our users.

These are some of the things we are already considering:

1. Move the “Cabinet meetings” section to the top of the [Cabinet](#) page, so you don’t have to scroll past all the cabinet members to reach it.
2. Include a direct link to the meeting dates and agendas to the sidebar, so it’s accessible from all pages.
3. Consider renaming the page to something more descriptive, such as “Cabinet members and meetings”, which would help search engines and enable us to update the link on the main website homepage.
4. Update “This link” to be more descriptive.
5. Consider promoting the latest meeting in the featured section of the main website homepage for maximum exposure.



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**Agenda Item 5 – Public Participation**

**Questions from Andrew Nicolson**

**To Cllr Richard Clewer – Leader of the Council and Cabinet Member for Economic Development, Military-Civilian Integration, Heritage, Arts, Tourism, Health and Wellbeing**

**Cllr Caroline Thomas – Cabinet Member for Transport, Street Scene and Flooding**

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**Statement**

Referring to the 24th November 2022 letter from B&NES Leader Kevin Guy to Cllr Clewer (copy of letter is attached along with the original letter from Cllr Richard Clewer):

**Question (23-86)**

Is Wiltshire Council now

(i) working with B&NES on policies similar to their package of measures, as set out in their Journey to Net Zero policy, and taking up its offer to share on leadership in the area of clean air zones and create similar plans to help residents?

(ii) supporting Western Gateway's Manda Rigby on increasing rail freight, and exploring opportunities including the proposed East of Bath Express or 'Wiltshire Whippet' bus?

**Response**

Wiltshire Council remains strongly opposed to BaNES' proposals to introduce further weight restrictions in Bath (including those currently in place over Cleveland Bridge), and the continuing adverse impacts experienced in Wiltshire.

There are no current proposals to introduce Clean Air Zones in Wiltshire however the Council's draft Air Quality Action Plan (AQAP) went out to public consultation between 24 July to 4 September 2023.

The AQAP contains a list of proposed measures and actions that we will take to improve air quality, and specifically the reduction in levels of nitrogen dioxide, in 8 areas where levels have been found to be excessive.

Responses to the consultation are being considered and, if appropriate, changes will be made to the draft plan to produce a final version prior to its adoption by the council.”

Wiltshire Council has a key officer and Member role in the Western Gateway Sub National Transport Body (STB).

The STB is one of 7 across the country and is formed by an alliance of the following eight Local Authorities and one Combined Authority:

- Bath and North East Somerset Council
- BCP Council (Bournemouth, Christchurch & Poole)
- Bristol City Council
- Dorset Council
- Gloucestershire County Council
- North Somerset Council
- South Gloucestershire Council
- Wiltshire Council
- West of England Combined Authority

The STB exists to facilitate and promote collaborative working between authorities, and has undertaken a range of projects to that end, including development of freight, coach and cycling strategies as well as work being carried out at scale on assessing demand for EV infrastructure.

**Question (23-87)**

Can you give examples of

(i) good joint working with neighbouring authorities (other than in the WGSTB) on active travel, public transport, rail freight and roads,

(ii) problems in joint working with these authorities?

**Response**

Wiltshire Council has a key officer and Member role in the Western Gateway Sub National Transport Body (STB).

The STB is one of 7 across the country and is formed by an alliance of the following eight Local Authorities and one Combined Authority:

- Bath and North East Somerset Council
- BCP Council (Bournemouth, Christchurch & Poole)
- Bristol City Council
- Dorset Council
- Gloucestershire County Council
- North Somerset Council
- South Gloucestershire Council
- Wiltshire Council

- West of England Combined Authority

The STB exists to facilitate and promote collaborative working between authorities, and has undertaken a range of projects to that end, including development of freight, coach and cycling strategies as well as work being carried out at scale on assessing demand for EV infrastructure.

<p>7th November 2022 Cllr Kevin Guy Leader Bath and North East Somerset Council Email - <a href="mailto:Kevin.Guy@BATHNES.GOV.UK">Kevin.Guy@BATHNES.GOV.UK</a></p>	<p>Cabinet Office County Hall Bythesea Road Trowbridge Wiltshire BA14 8JN  Our Ref: RC/PT/Bath CAZ Your Ref:</p>
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Dear Kevin

**Re. Cabinet 10th November 2022 – Proposal to vary the Bath CAZ Charging Order: Response from Wiltshire Council**

I am aware that your Cabinet is going to consider a report this week, recommending that you consult on varying the Bath CAZ Charging Order 2021 - to introduce a charge for Euro VI diesel HGVs exceeding 12 tonnes.

You have made it very clear that this would have the net effect of disincentivising all diesel powered HGVs weighing over 12 tonnes from using the CAZ area as a through route.

I am also aware that your repairs to Cleveland Bridge are now completed, however you have decided to keep a temporary 18T weight restriction in place.

I thought it might be helpful if I gave my views on both of those aspects, prior to your Cabinet meeting.

In terms of the proposal to vary the CAZ charging Order, there is no indication that I can see of the forecast impacts of such a change.

The Cabinet report hints of there being “initial feasibility assessments” but it appears that you are asking for your Members to support an action with little, if any evidence, upon which they might form a view.

Our own correspondence with Defra last December produced the following opinion:

*“(Defra’s) starting point is that I would expect any proposals to modify a CAZ under the auspices of the NO2 programme to be fully evidenced and fit within the current Clean*

*Air Zone framework and associated guidance including a thorough assessment of potential displacement”.*

My view is that your ‘starting point’ should be the same, and decision making at this stage in the absence of forecast outcomes will be otherwise compromised.

You will not be surprised that I remain strongly opposed to your continued efforts to improve conditions in Bath at the expense of Wiltshire and other authorities, particularly the potential impacts in Westbury, Corsham, Bradford on Avon and other West Wiltshire towns.

I will be considering all means possible to prevent you from doing that – both in terms of your CAZ proposals, and your continued restrictions on Cleveland Bridge.

I would be grateful if you will convey my views in full to your Cabinet Members.

Yours sincerely

Richard Clewer,

Leader

Climate Change, MCI, Economic Development, Heritage, Arts, Tourism and Health and Wellbeing

Direct line: 01225 718277

Email: [richard.clewer@wiltshire.gov.uk](mailto:richard.clewer@wiltshire.gov.uk)

**Councillor Kevin Guy Bath &  
North East Somerset Council**

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Our ref:KG/er

Your ref:

Councillor R Clewer  
The Leader of Wiltshire Council  
Wiltshire Council

Correspondence sent via Email

Date : 24<sup>th</sup> November 2022

Dear Cllr Clewer

Thank you for your letter of 7<sup>th</sup> November, which was carefully considered before cabinet agreed on 10<sup>th</sup> November to consult on varying the Bath CAZ Charging Order 2021 to introduce a charge for Euro VI diesel HGVs exceeding 12 tonnes.

I note also that your letter was appended to a press release which Wiltshire Council issued on Friday 11<sup>th</sup> November.

I appreciate you setting out your perspective on the local interventions my authority is proposing to address the impact of HGVs on the heritage and amenity setting of our UNESCO World Heritage Site, and be ambitious in improving air quality. I am committed to putting the health and wellbeing of my residents at the forefront of all decision making within the city and wider areas.

Whilst I recognise that you may consider the progressive policy making of this council as challenging, I can assure you that feasibility based upon actual traffic data and modelling has been undertaken to understand the impacts. In line with the original Clean Air Zone, where you have not raised any evidence of increased HGV traffic beyond typical day-to-day variability from your traffic counts conducted on your network, we again suggest that the impact on your network will be low. However, this is part of **our overall package of measures within our approved policies that affect all vehicle types.**

This includes increased parking charges, improved Park & Ride services, the introduction of Liveable Neighbourhoods, with associated road closures, and long-term plans to explore workplace parking levies and other demand management schemes, as set out in our published Journey to Net Zero policy.

We would like to continue to work with you and your officers to help you bring forward policies of a similar nature, sharing best practice and data, ensuring that we are working for the benefit of the region rather than just locally. For example, we need to work together to consider the impact of decisions, such as those in Colerne where HGVs were directed to use Bannerdown Road within B&NES. I am not aware that my officers were engaged or gave agreement before your authority placed signage along the A4 directing HGVs to use this route.

A number of other authorities have taken advantage of our offer to share with them how we are leading in the area of clean air zones, as an example with our innovative Financial Assistance Scheme. Our expertise is very much welcomed as councillors and officers do their best to protect the health and wellbeing of their residents. We would be willing to also help you create plans to protect your residents in a similar way, at costs which reflect the shared needs of our communities and the need for us to work together to ensure their health and wellbeing.

Regarding Cleveland Bridge, I am afraid that you are simply mistaken. We are currently analysing the data from the monitoring equipment that has been installed and as soon as we are in a position to provide the necessary levels of certainty regarding the structure, we will move to remove the temporary weight limit from the bridge. As I am sure your officers have informed you, safety on the highway is subject to a number of checks and balances and these will always take precedence over any calls for reopening.

I look forward to continuing to work together with you and our other regional partners on the wider strategic study that is currently underway with National Highways to consider the long-term plan for strategic north-south movements as part of the M4 to Dorset Coast Connectivity Study, which may provide long term certainty on the use of the A350 route for HGV traffic and provide the necessary investment. I also understand that my colleague, Cllr Manda Rigby, in her role as freight lead for Western Gateway is working extremely hard to explore the feasibility of moving more freight through our region on the rail network, and I trust you will be supporting her in this endeavour.

I also look forward to continuing to explore other opportunities with you to promote sustainable travel between Wiltshire and B&NES, including the next steps for the East of Bath Express study, which will help us both to reduce traffic and reach our net-zero aspirations and obligations.

Yours sincerely

Councillor Kevin Guy  
Leader of Bath and North East Somerset Council

**Wiltshire Council**

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**Agenda Item 5 – Public Participation**

**Questions from Rob Marsh – Pewsey Community Land Trust Ltd**

**Cllr Nick Botterill – Cabinet Member for Finance, Development Management and Strategic Planning**

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**Statement**

Pewsey Community Land Trust [PCLT] was registered as a Community Benefit Society on 15 November 2019. A key purpose is to take forward a one-off opportunity to develop affordable housing in collaboration with the Police & Crime Commissioner and Pewsey Parish Council, who both own adjacent land in the heart of Pewsey including a bus shelter, redundant public toilets, an empty police house and disused police station. There has been considerable engagement with and support from local residents and other organisations to refine this vision into a DRAFT Community Right to Build Order [CRtBO] proposal. This proposes development of modern, sustainable, affordable housing for up to 17 people in the middle of Pewsey with good access to public transport, public facilities, schools, community organisations and employment opportunities.

We have enjoyed outstanding support over the last four years from our Wiltshire Council link officers - our current officer attends almost all our meetings and provides excellent advice, guidance and signposting to local & national expertise on Community Land Trusts and Community Led Housing. Our local MP, Danny Kruger, has also visited and offered his support and encouragement and been in contact with Cabinet members.

Despite this positive progress and considerable work and expense, there is much urgency to move forward in securing the required approvals and funding mix from Homes England and elsewhere. Inflation means construction costs are rising so viability is being put at risk. There is a risk of losing the site if bureaucracy drags on. Consultation fatigue for local residents could undermine their formal support which is needed at the statutory referendum stage. At this stage any attempts to approach potential funders are likely to be nugatory.

**Issue**

We face a major blocker which prevents further progress, consultations on the draft proposal or approaching potential funders.

We provided our FCA approved and registered rules last April to Wiltshire Council but have still made no progress in gaining confirmation that we meet the criteria as a community led organisation for initiating a CRtBO proposal.

This means the initial consultation on our draft proposal (which we started several months ago) has been stalled / detailed by the Council. Many other statutory consultees have therefore not had formal sight of our draft proposals. Indeed, we understand even the Council are unwilling to open the proposal (draft CRTBO) sent to them several months ago asking for their comments on the DRAFT.

We applaud the support given by our link officer and appreciate significant workloads and resource pressures on officers and members but feel we need to ask you to consider the following questions.

**Question (23-88)**

Please confirm our status as an appropriately constituted body - able to issue a draft CRTBO proposal. Other CLTs have been approved to issue CRtBOs by their LPA, using the same corporate legal framework of primary and secondary rules that we have been using, so there is legal precedent.

**Response**

This is a matter of statutory process being considered by the Neighbourhood Planning Manager and legal on whether the requirements have been met for Pewsey Community Land Trust (PCLT) to be able to create a Community Right to Build Order (CRtBO). Officers are aware of the PCLT recent new approach submission which officers are considering and will respond soon.

**Question (23-89)**

Please confirm they will open and review the DRAFT CTRBO - rather than leaving it unopened - accepting that it is of course only a draft proposal needing constructive feedback to improve the next version of the proposal which will be subject to a further subsequent statutory consultation and external examination regarding compliance with regulations.

**Response**

See above

**Question (23-90)**

Please confirm that PCLT can circulate the DRAFT CTRBO proposal to all other statutory and local consultees without further delay.

**Response**

See above

**Question (23-91)**

Please confirm that in principle they would consider a s.106 request to support some partial funding for this development in order to meet their approved Pewsey NDP.



**Response**  
See above

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