

**Wiltshire Council**

**Council**

**04 February 2014**

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**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.

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**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.

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**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.

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**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](mailto:vicky.oates@wiltshire.gov.uk)

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**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 13<sup>th</sup> 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 24<sup>th</sup> 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.

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**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.

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**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 22<sup>nd</sup> 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.