

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!

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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/ielIssueDetails.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

It was not cost effective to employ full time consultants. Given this, consultants were engaged as and when required in order to minimise costs.

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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

On behalf of all those involved in the recent response to flooding throughout Wiltshire, I would like to thank Cllr Osborn and others for their support and words of appreciation. Last month we experienced the highest level of rainfall in January for over one hundred years. The impact of this rainfall was inevitably widespread flooding with implications across every part of the authority from highways and drainage to social care and support of the vulnerable.

The response from Wiltshire Council staff has been exemplary and this Authority has been congratulated on our coordination and strong communication strategy, however our response can always be improved and I can confirm that a full strategic debrief of the incident has taken place in recent days and this will be followed by a further programme to review all necessary plans and procedures, thus ensuring we learn the valuable lessons this experience has provided.

Specifically in response to the individual points:

- **Customer contact:** The internal review has already highlighted a need to improve both the information we provide to the public and to simplify contacting the council both in and outside of normal working hours. Flooding is a distressing experience and we want to ensure the public know when and how to contact us. I can confirm contact numbers will form part of the review process.
- Considerable information is available on our web site however learning points regarding communication have been identified and will be implemented. Through the Local Resilience Forum, which brings together the key partner agencies in emergency response, the issue of sharing information and ensuring a consistency particularly with the media and websites was highlighted and action taken. This learning will be cemented into plans and procedures.
- The role of members to support their communities is considered a vital link, particularly when gathering information regarding community impact on the ground. The response team recognised the importance of keeping councillors fully briefed throughout this incident and they widened the distribution lists for the briefing as the event progressed. Keeping Members informed is seen as essential so that councillors can respond to questions from residents. This will certainly be developed and clarified further.
- This authority is regarded as a beacon authority by our agency partners for the way we have coordinated our flood alleviation through the work of our Operational Flood working Groups over many years. I would urge all Members to both attend and take part in the work of these vital coordination groups. The Operational Flood Working Groups have been encouraging parishes to take the time to develop and adopt flood plans, and nominate flood wardens and those that do so are in far better position when flooding occurs. As part of our ongoing review we will be updating the contact details and plans that Parishes have submitted.

This recent severe flooding episode has emphasised the importance for us all to work together to create more resilient communities.

To this end I am today announcing a new Community Flood Resilience Scheme for Towns and Parishes to bid to this Council for sand bags, aqua sacks, sand and portable flood warning signs to be stored locally so that parishes and their flood wardens can act quickly to protect their communities in the event of flooding. This scheme will run in a similar manner to the distribution of gritting salt being issued out to communities.

Finally Members will be aware that this Council has consistently maintained and on occasion increased the discretionary funding allocated to flood alleviation in recent years and Members will note from the publication of the budget for next year that this prudent policy will continue.

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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

The Members' Allowance Scheme makes provision for a councillor or co-optee to elect to forgo any part of his or her entitlement to an allowance by giving notice in writing to the Corporate Director.

In respect of Special Responsibility Allowances to which the question relates, to date, the under mentioned elected members have given written notice that they have elected to forgo all or part of their SRA as follows:

Councillor Jane Scott: to forgo the increase in the Leader of Council Special Responsibility Allowance, to forgo the Health and Wellbeing Board SRA and to forgo any back pay

Councillor Laura Mayes to forgo 50% of the increase in SRA for the role of Cabinet Member

Correction to meeting response:

To add

Cllr Graham Payne to forgo the back pay on the increase to the Area Board Chairman SRA

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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

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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 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.

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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 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 was to be given based largely off the following briefing note:

The council does engage many volunteers to support the delivery of its services, and this engagement supports our vision to build stronger and more resilient communities for Wiltshire. The council does not provide free tea and coffee to any of its employees or volunteers, and there are no plans to review this. I understand that both employees and volunteers collectively contribute towards the provision of refreshments for their use.

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 was due to be made, however Cllr Chivers was not present to receive it.