

Wiltshire Council

Council

29 July 2014

Item 5 - Public Participation

From Mr Geoff Yates

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

Question 1

Wiltshire has failed to follow the recommendation of Scrutiny following Scrutiny's findings in 2006

In March 2014 the response to an EIA screening application from Swindon Council for proposed modification to J16 was made by an Officer despite Wiltshire having accepted Scrutiny's recommendation in 2006 for **all** " Out of County" applications to be delegated to a Cabinet Member. Why was this recommendation ignored?

Response

Wiltshire Council respond occasionally to 'Out of County Applications' ie applications on land made within an adjoining authority, but which are referred to Wiltshire for comment given the possibility of cross border implications. In this instance, the EIA screening opinion related to land within Wiltshire, and therefore the description 'out of county' does not apply.

Question 2

Wiltshire's refusal to agree the proposed layout for J16 was still valid at the time the Officer gave his screening opinion

The Officer's opinion that there was no need for a planning application was given in March 2014 despite Wiltshire Council's having not agreed the proposed layout in 2007 and before Cabinet withdrew that disagreement on 17th June 2014.

Members of the public have been denied the opportunity to comment on several occasions and when there has been a public meeting at the request of their local member their interests have not been considered by Cabinet.

Response

Requirements relating to the provision of a screening opinion as to whether development is EIA development is covered by Regulation 4 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Regulation 4 carries no requirement for the Local Planning Authority to locally advertise or publicise the

receipt of a screening opinion request or the eventual opinion given. The requirements for making adopted screening opinions available to the public are set out in regulation 23 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

There is no interdependency between the screening opinion and Cabinet's resolution.

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From Mrs Veronica Stubbings

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

Question 3

How will Wiltshire Council address the impact on Wiltshire' residents of the congestion on feeder roads that will be caused by increasing the flow of traffic at Junction 16?

Wiltshire has failed in its responsibility to the people it represents in not considering, or giving an opportunity to the public to comment on the impact that increasing the circulation at Junction 16 will have on the feeder roads or on the safety issues at the Junction. The feeder roads are not trunk roads. Consultants for Wiltshire, Halcrows found in 2006 that increasing the circulation at the Junction would cause severe congestion on the feeder roads, particularly along Wootton Bassett High Street and Wharf Road. Scott Wilson consultants for CPRE found there are safety issues at the junction and his Honour Judge Hickinbottom found in his Judgement of June 2009 that there has to be a paramountcy of safety at the Junction and a planning application would trigger the need for an EIA (Para 95 of the 2009 Judgement)

Response

All of these issues were fully considered and consulted upon when planning permission for the scheme was granted in 2005 and during the subsequent judicial review. Wiltshire Council and the Highways Agency have a responsibility for technical approval, and optimising the traffic signals so as to minimise approach queues and delays will carry a high priority. To this end, modelling work is being carried out by Swindon Borough Council as part of the design process.

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From Mrs Charmian Spickernell, CPRE

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

Question 4

Re the appointment of representatives to outside bodies, is it correct that the Chairmen of outside bodies are mandated to report back to Wiltshire Council and has Wiltshire Council as a unitary authority applied the same terms as Wiltshire County Council applied previously, for example, has it mandated SWLTB representatives or the Chairmen of the SWLTB to report back to Wiltshire Council from the SWLTB ?

Response

The Council is represented on a number of local, national and regional organisations including the Swindon and Wiltshire Local Transport Board (SWLTB). The Council has within its constitution, Protocol 3 – Guidance to members on outside bodies. which sets out advice to members considering appointments to outside bodies. The Council is represented on the SWLTB by Cabinet members Councillors Toby Sturgis and Fleur de Rhé-Philipe. Both Councillors have routinely kept the Council informed of SWLTB developments and in particular, how they affect Wiltshire and also provided Council feedback to the SWLTB. It must be remembered that SWLTB members act in the interest of the area as a whole and not the geographic interests of their respective member organisations.

Additionally, the agenda and minutes of the SWLTB are public and can be accessed from the following link:

<http://ww5.swindon.gov.uk/moderngov/ieListMeetings.aspx?CIId=940&Year=0>

Question 5

Given the large amounts of money that are set to come through the Government's Growth Deal for infrastructure, and the number of road based projects compared to projects for sustainable transport, will the way Wiltshire's share is allocated be debated by Wiltshire Council?

(According to the SWLEP website, in addition to the first tranche of £11.3million a further £55.9million is set to start in 2016 and it is being said that with £70 million from local partners this will add up to £199.3million and provide 1500 jobs and 2000 houses)

Response

The recent fully or provisionally approved LGF funding for transport schemes in Wiltshire is:

£1.4m towards junction improvements that support expansion of Dyson in Malmesbury
£7.1m for improvements along the A350 at Chippenham and
£16m for Chippenham Station Hub

That clearly represents a good balance of road/sustainable transport projects arising from the first round of negotiation – the Council will play a fundamental role in identifying priorities for continuing rounds, and any key decisions will be publicised and made in the usual way.