

Wiltshire Council

Council

24 February 2015

Item 22 - Councillors' Questions

From Councillor Ernie Clark, Hilperton Division

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

Question 1

Does Wiltshire Council own, lease or have any financial interest, in any land within the area known as The Hilperton Gap? If it does, is the interest freehold or leasehold, what is the size (area) of the holding, where exactly is it located and is there any intended use for the land? Why does WC own/lease the land?

Response

Wiltshire Council has a number of land interests within the area known as 'Hilperton Gap'. These are listed below with a brief summary.

- **4a Horse Road-** held freehold as Sheltered Housing **size:976m²**
- **Hilperton Primary School-** playing field held freehold for education purposes **size: 5,073 m²**
- **Hilperton St Michael & All Angel's Churchyard-** held via a management agreement as amenity space **size: 2,082 m²**
- **Hilperton Middle Lane Cemetery-** held freehold as amenity space **size: 3,329m²**
- **Land at 118 Wyke Road, -** held freehold as highways land. This land is subject to a section 278 Agreement legal agreement which requires the council to make this land available in order to enable the relief Road. **size: 349 m²**
- **Land at Victoria Road/Wyke Road-** Held freehold as rural estate land **size: 23,921 m²**

As well as the above parcels of land there is a section 278 Agreement with Wiltshire council regarding the new relief road. This agreement contains various obligations in respect of making the land available to Persimmon in order to enable the construction of the relief road and its dedication as publicly maintainable highway.

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From Councillor Chris Hurst, Royal Wootton Bassett South Division

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

Question 2

Given the very significant population increase in Royal Wootton Bassett over the past few years is it not time for Wiltshire Council to provide more litter bins?

Response

This administration remains committed to three main priorities – to protect those who are most vulnerable in our communities, to boost the local economy; and to support and empower communities to do more for themselves. It will continue to seek and explore ways of reducing expenditure to meet these.

To increase the highway and streetscene asset in the form of new litter bins or salt bins and bus shelters is not sustainable in the future. Many existing litter bins are not ideally located and remain under used. Consideration will first be made to re-siting these for more effective use. Such requests, supported by the Town Council can be brought to the attention of the Local Highways Community Coordinator in the first instance.

However, it is generally accepted that the presence of bins do not always solve the problem of the certain members of the community littering the area. Members of the public who do use bins will make other arrangements where none are present.

The Highway Service will continue to react to litter reports to maintain the area. These may be made through the normal channels to the council's customer service or more directly through the Council's 'App'. Between April 2014- January 2015 only twenty-six littering reports were received relating to Royal Wootton Bassett. Members and the public are encouraged to continue to report problems.

Question 3

In Royal Wootton Bassett, the speed limit around a number of our local schools is 20mph. However, on a prominent road adjacent to a children's play area (New Road) the speed limits remains 30mph. Recent metro counts have show that vehicles drive on average at 35mph in this area but this is below the Council's threshold for traffic calming measures. Residents have been told nothing more can be done. Can this matter be reviewed urgently and is the Council prepared to review its policy in order

to reduce the speed of vehicles around play areas and improve the safety of young children?

Response

The playground in question is located behind a substantial metal palisade fence approximately 5ft high. There is one access point from New Road into the playground via a staggered gate. The police collision database shows that there have been no recorded collisions along this length of New Road in the latest 10 year period. There are playground warning signs, but their location and condition could be reviewed to ensure they are providing adequate warning. This can be requested via the Community Area Transport Group.

The metrocount referred to recorded an average speed of 29.5mph with an 85%ile speed of 34mph. This would indicate that the posted 30mph limit is generally adhered to by the majority of motorists and that measures to reduce speeds are unnecessary. The use of 20mph speed restrictions around schools in Wiltshire is currently being reviewed to ensure that the Council's policy is appropriate and conform to current best practise. The initial findings of this review are due shortly.

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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

Last year across the UK 48000 claims were made to local Councils for damage to cars caused by potholes.

How many claims were made to Wiltshire Council last year, and how many claims were accepted and what was the total amount paid out in claims?

Response

The number of claims made, those paid and the costs of the claims paid in the last calendar year are given in the table below.

All claims for potholes for period 01/01/2014 – 31/12/2014

Total claims received	Total closed as liability NOT accepted - NIL cost	Total closed as liability accepted – claims paid	Cost of claims Paid	% of claims Paid
920	220	567	£141,884.76	72%

As you are aware the flooding in Wiltshire from December to April last year caused a substantial increase in the number of reported potholes in the county. As a result we had an increased number of insurance claims against the Council. The huge increase in reported potholes as a result of the flooding is shown below:

	January – March 2013	January – March 2014	% increase
Total Pothole Reports	2,122	6,809	220%

Wiltshire's liability for a claim is time driven from the time that we are aware of a pothole. It is understandable that if there is a significant increase in the total number of potholes there will be more difficulty in achieving these crucial time limits. Consequently, we receive an increase in claims, but more importantly, an increase in claims where we are liable.

The figures for the last 3 financial years are given below:

	2012-2013	2013-2014	% increase	2014-2015*
Claims made	602	773	28%	358 (430)
Claims Paid	189	439	132%	224 (269)
Value paid	£72,921	£131,839	80%	£43,989 (£53k)

2015-2016 figures are part year to 31/01/2015, ie 10 months (pro-rata full year figures in brackets)

This year's figures to date are included to show that following the abatement of the flooding from April 2014 there has been a significant reduction in potholes, claims and liability. This is a result of better weather and Wiltshire Council's increased investment of £53M on our roads.

We were not the only authority to suffer in this way last year and the entire flood affected areas suffered in a similar way, as you would expect:

Authority	% Rise in claims
Somerset	750%
Worcestershire	400%
Surrey	352%
Dorset	127%

Source Daily Telegraph

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Item 22 - Councillors' Questions

From Councillor Jeff Osborn, Trowbridge Grove Division

To Councillor Richard Britton, Chairman of the Wiltshire Police and Crime Panel

Question 5

Recently it has been widely reported that the Wiltshire Police will be working much more closely with the Avon and Somerset Police. Some reports have implied that this will be a merger in all but name.

Can Council please be informed as to the repercussions of this for the agreed back office integration of Wiltshire Council and Wiltshire Police?

Response

At the last meeting of the Police and Crime Panel on 5th February the Police and Crime Commissioner explained that the proposed strategic alliance between the Wiltshire and Avon & Somerset police forces was not a merger and would be looking at how specialist police resources and some office functions could be shared.

Whilst it is far too early in the process to speculate on how the strategic alliance might develop he emphasised that local police emergency response and neighbourhood policing, which is so valued by our communities, will continue to be delivered and managed locally and the co-location arrangements and associated back office collaborations between the force and Wiltshire Council will therefore be unchanged.

It is possible that in the future some collaboration (such as some IT, HR and training) which might have taken place between Wiltshire Police and Wiltshire Council might instead now take place between the two police forces. Equally, Wiltshire Council could provide some back office services to both forces.

The Police and Crime Panel will monitor progress very closely. I am also aware that senior council officers meet regularly with both the Police and Crime Commissioner and Chief Constable and will keep the Council apprised of how this proposed alliance might affect the strategic alliance between the Council and Wiltshire Police.

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From Councillor Terry Chivers, Melksham Without North Division

To Councillor Jane Scott OBE, Leader of the Council

Question 6

On the 15th October 2014 the Council issued a press release 'Wilts Council named fifth best Council'. It has been alleged by the local press that this article in the national press was in fact written by Rupert Sturgis the son of Cllr Toby Sturgis.

Can you confirm this and did you know this had been alleged when issuing the press release

Response

A verbal response will be provided at the meeting.

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Item 22 - Councillors' Questions

From Councillor Terry Chivers, Melksham Without North Division

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

Question 7

How many traffic wardens did the Council have on duty at the Lacock Boxing Day hunt? What was the cost to the Council and how many tickets were issued?

Response

As requested by the Parish Council, we deployed 6 officers in anticipation of demand similar to the previous year (2013) where 4 officers were deployed and could not cope with demand.

Officers made 13 observations with 12 PCN's issued.

Costs are part of regular officer deployment and was not additional to forecasted budget: Bank Holidays are part of the working role and is paid at normal working day rates.

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From Councillor Terry Chivers, Melksham Without North 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 8

When a resident calls the main Councils main number what is the average time before they are contacted to an operator? And how many calls go unanswered?

Response

In order to provide a recent picture of call performance, these call figures have been taken from the last 4 months, to calculate an average:

On the council's main number, the average time for a customer to wait before they are answered is **32 seconds**

On the council's main number, the average connection rate is **90.7%**. This equates to an average of **1,729** calls per month in which customers have been unable to get through first time.

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From Councillor Terry Chivers, Melksham Without North Division

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

Question 9

Who carried out the consultation on the future of the green waste service and what was the total cost?

Response

The consultation was carried out by the Waste Management service supported by the Communications team and the results were analysed by the council's Knowledge Management team. The total cost was £1512.62 excluding the freepost facility.

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From Councillor Terry Chivers, Melksham Without North Division

To Councillor Jane Scott OBE, Leader of the Council

Question 10

Over the past six months we have seen the price of fuel fall from nearly £1.50 per litre to under £1.00 in some places today. As we are looking to cut public transport which may include the RUH Hopper would you agree that we could afford to cut the amount members claim in mileage claims?

Response

Under the Members' Allowance Scheme – Part 14 of the Constitution, “the rates for travel by a member in a private car are linked to the inland revenue rate (currently 45p per mile) and any movement in that rate to trigger an automatic rise in the councillors' rate”.

Therefore, should there be an adjustment to the inland revenue rate to reflect the decrease in fuel costs or for any other reason, this will automatically be applied to the rates for travel for Councillors.

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From Councillor Jeff Osborn, Trowbridge Grove Division

To Councillor Richard Tonge, Cabinet Member for Finance, Performance and Risk

Question 11

In a Cabinet Assets Committee report dated 24 July 2012 it is stated that there is a target for capital receipts of £50 million over four years.

Whereas in the recently published Budget papers reference is made to the Disposal of Assets bringing in a total of £34.739 million up until 2017/18.

Could the relationship between these figures please be explained?

Response

The two references are related to different information. The £50m was a target at that date. Both the programme and management of receipts is fluid due to the nature of developments and strategic decision making. The actual receipts received during this period were £52m.

Looking at the capital programme today the forecast is £34.739m going to Council today (24th February) but again that is indicative at the moment and will change as circumstances change. The movements are monitored through quarterly reporting to the Cabinet Capital Assets Committee.

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From Councillor Simon Killane, Malmesbury Division

To Councillor Jane Scott OBE, Leader of the Council

Question 12

I would like to gain full details about when Wiltshire Council intends to start web-casting other Committee meetings and ask for the following list of committee meetings to be included in future broadcasts:

- . Cabinet
- . Scrutiny Management
- . Health Select Scrutiny
- . Children's Select Scrutiny
- . Environmental Select
- . Health and Well-being Board
- . Police and Crime Panel
- . Area Planning committees with important planning decisions for large housing estates, retail or business units.

Response

The technology for webcasting is only available in the Council Chamber and the Kennet committee room, so in order to broadcast, it would be necessary for the relevant public meetings to be held in one of those two venues.

We are testing the equipment in Kennet and also addressing some of the minor technical issues identified within the Council Chamber. Full Council will continue to be broadcast, with other meetings being webcast as appropriate, once the issues have been resolved.

Question 13

We now have the technology in the council chamber to make every vote a recorded vote and to provide a voting record for every councillor to the public. Why don't we just agree to do this for the meetings of full Council?

Response

This would require a change to the Constitution. It will be discussed at the Constitutional Focus Group.

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Item 22 - Councillors' Questions

From Councillor Chris Caswill, Chippenham Monkton Division

To Councillor Laura Mayes, Cabinet Member for Children's Services

Question 14

- a) How many Early Years Advisory Teacher posts were on the Council complement on each of May 1 2012, May 1 2013 and May 1 2014?
- b) Would you agree that Early Years Advisory Teachers are in the front line of early years' provision and support, recently prioritised in the Early Years Strategy?
- c) Recognising that Childrens Services is facing an overall budget cut, why have Early Years Advisory Teacher posts not been protected in 2015/16?

Response

- a) In May 2012 there were 14.4 FTE Early Years Advisory Teacher posts. In May 2013 there were 13.4 FTE Early Years Advisory Teacher posts. In May 2014 there were 7.8 FTE Early Years Advisory Teacher posts.
- b) Early Years Advisory Teachers play an important role alongside other staff that work within early years, including the Child Care Officers, Children's Centre staff and staff that support the delivery of free entitlement (15 hours per week child care) to disadvantaged two year olds and three and four year olds.
- c) A further reduction in the number of Early Years Advisory Teachers posts (1 post) is being made in 2015/16 due to changes in our statutory responsibilities with regards to early years provision. The local authority is now only required to work intensively with early years settings that are graded 'inadequate' or 'requires improvement' by Ofsted (previously satisfactory). Central Government do not expect the local authority to provide support to early years settings that are graded 'good' or 'outstanding' and this is clearly set out in revised statutory guidance. However, we continue to run locality cluster meetings for early years settings and provision of advice and training opportunities. This includes safeguarding advice.

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Item 22 - Councillors' Questions

From Councillor Chris Caswill, Chippenham Monkton Division

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

Question 15

- a) The Council officers who prepared the Core Strategy and the draft Chippenham Site Allocation DPD have publicly asserted that they did not know that the Council was the principal landowner within the 91 hectares that is now proposed for development on the east of Chippenham, across the River Avon. Given that you are the Cabinet member for both Property and Strategic Planning, how did you operationalise that 'Chinese Wall' in your own decision making?
- b) When were you first consulted about the intention to include the East Chippenham site in the draft Chippenham DPD?
- c) Will you confirm that the 'at least 4510' number for additional houses in Chippenham was proposed by this Council's officers and that the Enquiry Inspector did not make any specific recommendations for the Chippenham numbers, only for the revision upwards of the overall Wiltshire total?
- d) The second Atkins report on the traffic implications for Chippenham was only submitted to the Council in its final form on February 4 and published on 9 February, the day before the Cabinet met to decide on the draft Site Allocation plan for Chippenham. Why were four versions required and why was the final one only submitted to the Council two days *after* that Site Allocation plan was published?
- e) At what precise time on 9 February was this report made available on the Council web site?
- f) Will you publish all the advice received from Council flooding experts on the proposals to develop farm land on both sides of the River Avon in and around Chippenham, and if not, why not?
- g) In earlier discussions, equal consideration was given to both a southern and an eastern link road. Given that a southern link road would make a direct

connection to the Council's priority A350, why was almost no attention given to it in the draft Site Allocation plan for Chippenham?

- h) Though you may believe it will 'mitigate the impacts of growth' (in and around Chippenham) (to quote your response to my question at Cabinet) will you confirm that an eastern link road around Chippenham is not an established and approved Wiltshire Council priority, and that responses to the public consultation which do not promote that link road will not be penalised for that and will be treated on their intrinsic merits?

Response

- a) Who owns land is not a consideration in the allocation of land in development plans. Site selection is based on evidence and a transparent methodology. Evidence includes Strategic Housing Land Availability Assessment which is a public record kept by all Local Planning Authorities of those land owners and developers promoting land for development and for consideration through a plan preparation process. It will include land held by the Council.
- b) The emerging evidence and methodology that has informed the identification of potential sites within the Draft Chippenham DPD was shared at the informal Councillor/Officer Group, which has met during the preparation of the draft Plan. The proposal to include the site at East Chippenham was first considered at the informal Councillor/Officer Group meeting on 17 November 2014, as part of the draft proposals to be included in the Plan.
- c) In response to the 10th Procedural Letter issued by the Inspector examining the Wiltshire Core Strategy, the Council proposed modifications to the Core Strategy including the 'at least 4,510 new homes' for Chippenham over the period 2006 to 2026. These proposals were then consulted on. The Inspector considered these proposals and the outcome of the consultation and considered that this change was necessary to make the Plan sound.
- d) It is not unusual for more than one version of a draft report to be created during the course of a report's preparation.

As with any report commissioned from consultants, there are reporting stages in order to ensure the project fulfils its brief and the outcomes are understood. In this case, given the relatively short period of time within which the draft Plan was being prepared Officers met with Atkins at points during its preparation in order to have an early understanding of the emerging findings.

Late publication of the final report related to undertaking final checks in the interests of clarity and accuracy in order to ensure that the report could be signed off.

- e) It is understood that the report went live on the Council's website around 4pm.

- f) Council land drainage engineers input into the preparation of Evidence Paper 6: Flood Risk and Surface Water Management, including comments on draft versions, and is available on the Council's website.
- g) Both possible link roads would connect to the A350 and the benefits of each are considered in the site selection report as a part of determining the preferred areas for development. That consideration also takes account of findings published in Evidence Paper 3 : Transport and Accessibility (Part One) that a growth scenario based around a southern link road performed significantly worse in traffic terms than a scenario based around an eastern link.
- h) The Plan aims to ensure that necessary supporting road infrastructure is provided in step with Chippenham's growth. Specific requirements in the Plan's proposals set out these requirements. Responses to the public consultation are considered on the basis of whether individual proposals and the Plan as a whole are 'sound' and will be examined by an independent inspector appointed by the Secretary of State.

If the Plan is found sound by the Inspector then it will become a priority for the Council.

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From Councillor Chris Caswill, Chippenham Monkton Division

To Councillor Keith Humphries, Cabinet Member for Public Health, Protection Services, Adult Care and Housing (exc strategic housing)

Question 16

As of 17 February, when this question was drafted, the provision of Help to Live at Home Services in the South of the County was still being listed on the Care Quality Commission (CQC) as **requiring improvements** in four of the five areas in which the CQC has carried out two inspections – *providing care that meets people's needs, caring for people safely and protecting them from harm, staffing and quality of management*. This service has been publicly identified as needing serious improvement since the CQC carried out its first inspection in June 2014.

Isn't it time to stop coming up with hopeful phrases and excuses and admit that the Council has commissioned a Help to Live at Home service for residents which has regrettably proved not be adequate, and in some cases not safe? And to ask for a Wiltshire Council officer's endorsement of Mears to be taken off their web site? And to provide a clear public statement of what lessons have been learnt, and what has been done to guarantee that the Council's contractor delivers what we all believe to be needed – a safe, caring and effective service to elderly people who choose to stay in their own homes?

Response

A verbal response will be provided at the meeting.

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From Councillor Jon Hubbard, Melksham South Division

To Councillor Laura Mayes, Cabinet Member for Children's Services

Question 17

Could the Cabinet Member please inform me of the total cost of keeping the Canberra Youth Development Centre in Melksham empty is? Please supply the costs as a breakdown including details of security arrangements, business rates, utilities and any other costs.

Response

FM Void Costs:

- . NNDR - £8,500
- . Keyholding - £234
- . Security - £2,500

Note – building is not fully void as yet; still has residual storage use; full decommissioning imminent.

Question 18

Could the Cabinet Member please confirm the existence of a Covenant that restricts the options for disposal of the Canberra Youth Development and clarify if they were aware of the existence of this covenant when they decided to closed the building, with the stated intention of disposing of it to help subsidise the Campus development?

Response

Officers have been aware of the covenant in the deeds for the property for many years. The building closed as it was no longer required for Youth services. The sale of the property was linked to the original business case for Melksham Campus.

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From Councillor Graham Payne, Trowbridge Drynham Division

To Councillor Jane Scott OBE, Leader of the Council

Question 19

Is this Council still operating the Protocol whereby a Council Member must be advised of a Council Decision made that directly applies to and affects the Electoral Division that the member represents?

Response

The constitution includes Protocol 1 - Briefing and Information for Local Councillors. The main purposes of the Protocol is to ensure that councillors are provided with information on matters affecting their electoral division.

The Protocol is in fact currently under review, the outcome of which will be considered by the Constitution Focus Group. Recommended changes will be presented to the Standards Committee for onward recommendation to Council. The Review will focus on making the Protocol more effective and measures will be taken to raise awareness of the Protocol among staff.

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From Councillor Graham Payne, Trowbridge Drynham Division

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

Question 20

Can you confirm that this Council no longer uses SMA (stone mastic asphalt) for highway surfacing? If not, why not? If so, why?

Response

Wiltshire Council does not generally use SMA (Stone Mastic Asphalt). The material does have advantages in providing a quieter running surfaces than most surfacing materials, and because it can be laid in thinner layers, it can be cheaper.

However, previous experience with SMA has raised concerns about its long term durability, with failure of the material usually occurring much sooner than would be the case with more traditional materials. The thin layers and comparative stiffness of the material generally make it less suitable for surfacing roads which have evolved rather than been purpose built.

There is also an issue with SMA and equestrians as the smoother surface provides less grip for horses, with consequent safety implications.

There are places where SMA is suitable, especially on some new construction, but in most cases it is currently avoided. The road surfacing technologies continue to evolve and it is monitored so that improved materials can be considered for use.

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Item 22 - Councillors' Questions

From Councillor Graham Payne, Trowbridge Drynham Division

To Councillor Jane Scott OBE, Leader of the Council

Question 21

Do you still believe that this Council should be an unflinching supporter of the Armed Forces Covenant and all that entails in regard to our serving men and women and those who now form the large community of Ex service men and women who live in Wiltshire?

Response

Wiltshire Council is committed to the Armed Forces Community Covenant, which is a voluntary statement of mutual support between a civilian community and its local Armed Forces Community. It is intended to complement the Armed Forces Covenant, which outlines the moral obligation between the Nation, the Government and the Armed Forces, at the local level. Its purpose is to encourage support for the Armed Forces Community working and residing in Wiltshire and to recognise and remember the sacrifices made by members of this Armed Forces Community. This includes in-Service and ex-Service personnel their families in Wiltshire. For the Armed Forces community, it encourages the integration of Service life into civilian life and encourages members of the Armed Forces community to help their local community.

It also seeks to encourage all parties within a community to offer support to the local Armed Forces community and make it easier for Service personnel, families and veterans to access the help and support available from the MOD, from statutory providers and from the Charitable and Voluntary Sector.

Accordingly, Wiltshire Council along with the numerous organisations that have signed and reaffirmed the covenant (last done at the Wiltshire Assembly in December 2013) remain fully committed to upholding its aims and principles. Although the council has made this covenant with the Armed Forces community, this is in line with the way in which we would hope to support any other part of the community in Wiltshire.