

COUNCIL

MINUTES OF THE COUNCIL MEETING HELD ON 12 JULY 2016 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Pat Aves, Cllr Chuck Berry, Cllr Nick Blakemore, Cllr Richard Britton (Chairman), Cllr Rosemary Brown, Cllr Allison Bucknell (Vice-Chair), Cllr Trevor Carbin, Cllr Chris Caswill, Cllr Mary Champion, Cllr Terry Chivers, Cllr Ernie Clark, Cllr Richard Clewer, Cllr Mark Connolly, Cllr Christine Crisp, Cllr Anna Cuthbert, Cllr Andrew Davis, Cllr Tony Deane, Cllr Christopher Devine, Cllr Bill Douglas, Cllr Mary Douglas, Cllr Dennis Drewett, Cllr Peter Edge, Cllr Peter Evans, Cllr Sue Evans, Cllr Nick Fogg MBE, Cllr Richard Gamble, Cllr Howard Greenman, Cllr Mollie Groom, Cllr Russell Hawker, Cllr Mike Hewitt, Cllr Charles Howard, Cllr Jon Hubbard, Cllr Keith Humphries, Cllr Chris Hurst, Cllr Peter Hutton, Cllr Simon Jacobs, Cllr George Jeans, Cllr David Jenkins, Cllr Simon Killane, Cllr Gordon King, Cllr John Knight, Cllr Jerry Kunkler, Cllr Magnus Macdonald, Cllr Alan MacRae, Cllr Howard Marshall, Cllr Laura Mayes, Cllr Ian McLennan, Cllr Jemima Milton, Cllr Bill Moss, Cllr Christopher Newbury, Cllr Stephen Oldrieve, Cllr Sheila Parker, Cllr Graham Payne, Cllr Nina Phillips, Cllr David Pollitt, Cllr Horace Prickett, Cllr Leo Randall, Cllr Fleur de Rhé-Philippe, Cllr Pip Ridout, Cllr Ricky Rogers, Cllr Baroness Scott of Bybrook OBE, Cllr Jonathon Seed, Cllr John Smale, Cllr Toby Sturgis, Cllr Melody Thompson, Cllr John Thomson, Cllr Ian Thorn, Cllr Ian Tomes, Cllr Dick Tonge, Cllr Tony Trotman, Cllr John Walsh, Cllr Bridget Wayman, Cllr Fred Westmoreland, Cllr Philip Whalley, Cllr Stuart Wheeler, Cllr Roy While, Cllr Philip Whitehead, Cllr Jerry Wickham, Cllr Christopher Williams and Cllr Graham Wright

45 Apologies

Apologies for absence were received from Councillors Helen Osborn, Linda Packard, Mark Packard, Glenis Ansell, Ian West, Paul Oatway QPM, James Sheppard, Jacqui Lay, Bob Jones MBE, Stewart Dobson and Brian Dalton.

46 Minutes of Previous Meeting

The minutes of the Meeting held on 10 May 2016 were presented.

Resolved:

That the minutes of the last Council meeting held on 10 May 2016 be approved as a correct record and signed by the Chairman.

47 Declarations of Interest

In relation to the item on Community Governance Reviews (minute no's 53 & 54), the Chairman noted the advice given that membership of a parish, town or

city council was not regarded as a pecuniary interest., but went on to advise that in the interest of transparency, it would be prudent for members to declare such membership at the start of a scheme if Councillors intend to speak on it.

There were no declarations of interest made at this stage.

48 **Announcements by the Chairman**

The Chairman drew the meeting's attention to the arrangements for the day's meeting, specifically referencing fire safety and that the meeting was being recorded for live webcast.

The Chairman stated that details of his and the Vice-Chairman's activities since the last meeting would be available via his blog:

<http://wiltshirecouncilchair.blogspot.co.uk/>

These, in summary, included:

- Royal Visits
- Armed Forces Day Celebrations
- Mayor Making And Civic Services
- Wiltshire Scout AGM
- Royal International Air Tattoo
- Royal British Legion County Parade
- Wiltshire Public Health Awards
- Wearable Fashion Show

The Chairman led the Council in paying tribute to the services and characters of ex Wiltshire Councillors Brigadier Robert Hall, Mrs Doreen Darby and Mrs Joan Savage. Members paid particular tribute to Brigadier Robert Hall who had served as Chairman of this Council. As a mark of respect, the meeting stood for a minute silence.

The Chairman then led the Council in congratulating the following Wiltshire residents for their recent awards announced in HM Queen's Birthday Honours list.

A Knighthood awarded to:

Professor Roger Scruton from Brinkworth, for services to philosophy, teaching and public education.

CBES Awarded To:

Professor Derek Calam from Pewsey, for services to public health and the regulation of medicine; and

Mr. Adrian Leppard from Wedhampton, for services to policing and the prevention of economic crime

OBEs Awarded To:

Mr. Richard Arden from Salisbury, for services to education and international development, particularly in South Sudan

Mr. Desmond Evans from Manton, for services to the motor industry
Mr. Justin Fellows from Bishopdown, for services to defence
The Reverend John Proctor from Salisbury, for services to homeless and vulnerable people.
Mr. Stephen Segar from Ashton Keynes, for services to natural heritage and the community

MBEs Awarded To:

Mr. Mark Evans from Swindon, for services to disadvantaged young people and community relations in Wiltshire
Mr. John Rodell from Durrington, for services in support of army heavy equipment transportation
Ms Jacqueline Smith from Swindon, for services to education
Mr. Richard Warren from Hullavington, for voluntary service to the police
Dr. Rowan Whimster from Ramsbury, for services to heritage and conservation

A BEM Was Awarded To:

Mr. Christopher Pope from Swindon, for services to the scout movement and the community in Swindon

49 **Petitions**

50 **Petitions Received**

There had been no petitions received for this meeting.

51 **Petitions Update**

The Chairman noted that, excluding petitions received on regulatory matters ie planning and licensing, the council had not received any other petitions which met the threshold for reporting to Council since the last meeting.

52 **Public Participation**

The Chairman noted that, other than for the community governance review item, there were no statements or other formal questions from members of the public.

Community Governance Reviews

53 **Report on Pending Schemes**

The Chairman outlined how he intended to deal with the various Community Governance Review schemes under consideration. Members of the public with general comments not specific to individual schemes would be invited to make statements and receive answers to questions which had been submitted.

Councillor Stuart Wheeler, Chairman of the Working Group on the Community Governance Reviews, would then introduce the work of the working group. Each scheme would then be considered in turn, with introduction of the scheme

and working group recommendation from Councillor Wheeler, public statements and questions which had been submitted would then be received for each related set of schemes as detailed in Agenda Supplement 1. Members of the working group would have the opportunity to comment upon the recommendation prior to the item being open to debate.

Mr Lance Allan, Clerk to Trowbridge Town Council asked a series of questions as detailed in Agenda Supplement 1 regarding the conclusions of the working group and the considering and presentation of evidence which supported those conclusions.

Councillor Wheeler provided a verbal response on behalf of the working group, stating that the working group had spent considerable time considering each proposal that was put forward by town and parish councils and had taken into account the representations and comments that were presented to it. Each proposal was properly considered on its own merits in light of the relevant criteria and guidance. The council report summarised the conclusions of the working group upon those proposals and the reasons for its various recommendations. Contrary to what was stated in the questions, the working group did not ignore any evidence which had been presented to it. In reaching its conclusions the working group had to weigh up all relevant factors and it was inevitable that the weight given to those factors would vary between different proposals as each one had its own individual circumstances. It was for full council to make the final decision on the proposals and to consider all the relevant issues, including those raised in the questions regarding consistency. The full background detail for each scheme was included with the council agenda papers.

Mr Allan asked a supplementary question on the evidence available to full council. Councillor Wheeler replied that the evidence was clearly available and sufficient to allow full council to evaluate the recommendations and determine the schemes.

Mr Sharl Adabashi, a resident of Trowbridge, presented a statement in support of the proposals submitted by Trowbridge Town Council, as also detailed in Agenda Supplement 1.

Mrs Tracy Sullivan, Director of Trowbridge Arts, presented a statement in support of the proposals submitted by Trowbridge Town Council.

Councillor Wheeler then introduced the report of the Working Group on Community Governance Reviews.

Councillor Wheeler extended his thanks to the members of the working group who had attended a great many meetings over a considerable period to consider evidence and formulate their recommendations. He also thanked the officers supporting the working group, in particular John Watling, John Quinton, Ian Gibbons, Paul Taylor, Kieran Elliott and Jessica Croman.

Councillor Wheeler emphasised that any member of the working group representing an area directly affected by proposals took no part in any discussion relating to those proposals or any discussion on the final nature of

the proposals that were put forward. He clarified that as Chairman of the working group he would not be voting upon any of the schemes, unless there was an amendment or proposal that he considered might, if approved, open the council to legal challenge.

Councillor Wheeler drew council's attentions to the report and in particular the considerations they were required to take into account, as the working party had similarly considered them. Detailed consultations had taken place for all schemes, as detailed in the agenda papers.

It was noted that while full council was able to amend proposals, it could only approve such amended schemes if they fell within the scope of proposals which had been properly consulted upon. Any new proposal outside that scope would require a further consultation exercise, which would be difficult to achieve for most areas ahead of the elections for towns and parishes in May 2017.

In relation to the Wiltshire Core Strategy and its impact upon the Governance Review process, Councillor Wheeler clarified the working group had taken account of development expected to be completed in the near future when considering the governance review criteria.

He also confirmed that although proposals would need legal orders approved at the October meeting of council in order to be ready in time for the May 2017 elections, the council was required to consider proposals received from towns and parishes or the required number of the electorate, providing opportunity for other reviews.

Other members of the working group were then given the opportunity to make general comments ahead of consideration of the specific schemes. Councillors Ricky Rogers and Ernie Clark thanked Councillor Wheeler for his chairmanship of the working group and for the support of officers during the process.

Corsham and Box

Councillor Pauline Lyons presented a statement on behalf of Box Parish Council. She explained meetings had been held between Box Parish Council and Corsham Town Council to seek a compromise agreement on a proposal for the boundary between the two parishes following the previous decisions of council at its meeting in November 2015. Both councils had approved the new proposal.

Councillor Wheeler was then invited to present the recommendation of the working group, which was to support the amended proposal approved by Box and Corsham as reflecting the governance criteria. Councillor Wheeler moved the recommendation, seconded by Councillor Clark.

Members of the working group were given the opportunity to comment up on the recommendation and a debate followed on the proposal. Comments in support of the recommendation praised the local member and both councils for working together to reach a consensus solution for both communities and their governance. There were no comments in objection.

Resolved:

To approve the proposed further changes to the boundary between Corsham and Box, as shown on the plan marked Scheme 102 included in the Supplemental Agenda, for the following reasons:-

- 1. It would replace the outdated anomalous boundary that dissected crucially important sites with a clear linear boundary;**
- 2. It places nationally important industrial sites within one council area, Corsham Town, which would be better placed to support and develop the economic vibrancy and cohesion of the area.**

Trowbridge

Councillor Bob Brice, Leader of Trowbridge Town Council, presented a statement in support of the proposals submitted by his Council. He urged council to make a decision which would stand the test of time, establishing easily identifiable natural boundaries, focused on where residents look to for their services, which he felt the Trowbridge proposals delivered, and so would improve governance in those areas.

Councillor Kendrick Jackson of Hilperton Parish Council presented a statement in support of the recommendations of the working group in respect of schemes 18, 19, 20, 22, 25 and 103, considering them both in accordance with criteria and receiving overwhelming support of local residents. Scheme 23 was proposed by the working group as a possibility not by Hilperton Parish Council, but Hilperton Parish Council noted the residents of the affected area supported the proposal, though the working group had chosen not to recommend it.

Mr Francis Morland then spoke regarding schemes 25,26,27,28 and 29, stating he felt the advice on the governance review guidance in the report in respect of considering development to take place within 5 years was incorrect.

Trowbridge Group 1 (Schemes 18, 22 and 23)

Councillor Roger Andrews of Trowbridge Town Council presented a statement in which he strongly supported the proposals submitted by his council, stating the A361 formed the clearest natural boundary between the two parishes across the Paxcroft Mead estate.

Mr Lance Allan, Clerk to Trowbridge Town Council, presented further questions as detailed in Agenda Supplement 1 and received a response as detailed above as to his previous questions. He also presented a statement, claiming that the working group had not provided a clear analysis or assessment of the evidence and ensured their recommendations were justified by that evidence in a clear or consistent way. He requested council consider all the evidence before them, which he felt supported the Trowbridge proposals, which he felt were the only proposals which met the government guidance in providing a clearer, more effective boundary leading to improved governance in the area.

Councillor Wheeler was then invited to present the recommendations of the working group in respect of Schemes 18, 22 and 23, which were such that were 18 or 22 approved, the other would no longer be able to be approved as they directly opposed one another. The recommendation of the working group was to approve Scheme 18, for the reasons set out in the report and which were repeated to the meeting, and to take no further action in respect of Scheme 23. If Scheme 22 were approved, Scheme 23 could not be approved as they also directly opposed one another. Councillor Wheeler moved the recommendation, seconded by Councillor Ian McLennan.

Other members of the working group were then given the opportunity to comment upon the recommendation. In addition to the reasons as set out by Councillor Wheeler from the report, it was stated that while scheme 22 looked simpler, it had been felt that Scheme 18 better reflected community identity and cohesion, in particular regarding the retention within the parish of Hilperton of community facilities for Paxcroft Mead estate.

Council then debated the recommendation. Comments in support of the recommendation included that the consultations showed strong community support for recognising the area as remaining largely part of Hilperton Parish, the proposals did follow natural boundaries of streams and cycle paths, and the Trowbridge proposals were inconsistent in only partly following major roads. The working group had carefully considered the relevant factors in making their recommendation and had concluded the most suitable boundary was that of Scheme 18.

Comments in opposition to the recommendation included that the A361 formed a more logical and natural boundary than the present boundary, which currently divided streets and was anomalous, a situation not improved by scheme 18. Wide main roads formed coherent boundaries in many places where the built up area extended across parishes as was the case with the Paxcroft Mead estate, and the estate itself was a clear example of the urban growth of the town and governance would be improved recognising that on the ground reality. Scheme 22 by contrast would see the entire estate south of the A361 in a single, clear parish, and residents north of the road would not find their ability to access community facilities impacted by the change.

Following a vote the motion was rejected.

Councillor Steve Oldrieve then moved that Scheme 22 be approved, seconded by Councillor Peter Edge.

An amendment was then moved by Councillor Ernie Clark, seconded by Councillor Terry Chivers, that in order to be consistent with the reasoning espoused by supporters of Scheme 22 that main roads form clear natural boundaries, Scheme 22 should be altered such that the eastern boundary of the proposed new line be along the B3105, known as Leap Gate, running south toward West Ashton, rather than the small lane proposed under the scheme which ensured the scheme included community facilities.

Councillor Wheeler stated he felt that the proposal had not previously been consulted upon, and so requested the mover and seconder agree to alter it such that if approved the working group would be directed by council to consult upon that proposal ahead of any approval. If unaltered he would vote against the amendment as legally unsafe.

Councillor Clark replied that he felt the residents in those area had been consulted about potentially moving into Trowbridge parish, if not in this particular fashion, but following discussion the Chairman accepted the amendment altered such that if approved the proposed revision would be referred back to the working group.

Council then debated the amendment. Comments in support of the amendment included that the vote to reject Scheme 18 had been very close and the new proposal should be determined after similar levels of consideration in order to be consistent, particularly given the strong feelings of the local population in opposition to Scheme 22. It was also suggested further consultation could allow for a compromise agreement between the affected councils on what was a controversial area as had been achieved in Corsham and Box, or that an analysis of the existing consultation responses from the area could indicate their views on the proposal.

Comments in opposition to the amendment included that the amendment had been made at the last minute and was also inconsistent in seeking to retain areas which Hilperton parish in Scheme 18 had previously suggested should be transferred to Trowbridge, and would not be a more logical and natural boundary than that proposed by Scheme 22. It was stated that the working group had at one stage considered such an option but it had not been proposed by any parties and had never been directed by council to be consulted upon and so had been discounted as a possibility.

Following a vote the amendment was rejected.

The council therefore debated the motion to approve Scheme 22.

Following approval of a motion to move directly to the vote, it was

Resolved:

To approve Scheme 22 for the following reasons, as outlined during the debate:-

The A361 formed a clear, defined boundary between the two parishes. In addition, the transfer of this area would mean that the whole of the residential area to the south of the A361 would fall within Trowbridge parish. As this area represented the urban growth of the town, it would provide for more coherent governance

Following the vote it was announced that the working group had been informed that Trowbridge Town Council and Steeple Ashton Parish Council had consulted each other and were in agreement upon a further small amendment to the boundary. Councillor Wheeler stated that the proposal would be taken to

the working group for consultation and consideration in accordance with procedure.

Trowbridge Group 2 (Schemes 19, 20, 25 and 103)

Mr Lance Allan, Clerk to Trowbridge Town Council, presented further questions as detailed in Agenda Supplement 1 and received a response as detailed above as to his previous questions. He also presented a statement, claiming that the working group had as with schemes 18, 22 and 23 not provided a clear analysis or assessment of the evidence and ensured their recommendations were justified by that evidence in a clear or consistent way and requested Council reject the recommendation, particularly as previous guidance had been that roads should not be split between two parishes as currently existed and the recommendation to take no action maintained that position. Scheme 25 was a clear, logical boundary, whereas Scheme 103 resulted in over 100 houses with neighbours in another parish, exacerbating the current anomalous situation.

Councillor Wheeler was then invited to present the recommendations of the working group in respect of Schemes 19, 20, 25 and 103, which were all part of the same geographic area where the A361 met the top of Wyke Road. The recommendation of the working group was to take no action in respect of any of the schemes, for the reasons set out in the report and which were repeated to the meeting. Schemes 19 and 20 were direct opposites, and Schemes 25 and 103 were also such that if one were approved the other could not be. Councillor Wheeler moved the recommendation that Scheme 25 not be approved as set out in the report as it was felt there was no compelling case for changing the boundary, seconded by Councillor Ricky Rogers.

Members of the working group were given the opportunity to comment and a debate then followed.

Comments in support of the recommendation included that merely being a new road was not enough of a factor to amend the boundary, that council in its decision on Scheme 22 had not followed all main roads, and that the Hilperton Gap, as the space cut through by the road was called, was a definitive boundary that was not in need of amendment. It was also stated the main factor to be considered was existing communities as the primary factor not future development, and no residents lived in the area. The area was in any case not allocated for future development, and if development followed at some point, it was at that point the boundary should be reviewed. Others suggested the recommendations of the working group should not be set aside without clearer evidence.

Comments in opposition of the recommendation included that the approval of Scheme 22 had partly been justified as the A361 forming a clear natural boundary between the parishes, and Scheme 25 followed the line of that road and should be followed again in order to be consistent. It was also stated if housing were built south of the road, the result would again be a parish split by a main road as a barrier.

Resolved

To take no action in respect of Scheme 25 for reasons as set out in report.

A recess was then taken from 1:15pm to 2:10pm

Councillor Wheeler then presented and moved the recommendation to take no action in respect of Schemes 19 and 20, seconded by Councillor Steve Oldrieve, for the reasons as set out in the report and repeated at the meeting as it was felt there was no compelling case for changing the boundary.

Members of the working group were given the opportunity to comment. It was confirmed Scheme 19 had the support of Hilperton Parish Council though had not been proposed by them, but had been an option consulted upon at the suggestion of the working group.

A debate then followed. Clarity was sought and provided on the relationship between the schemes in group 2. No further comments were made in support of the proposal.

Comments in opposition to the proposal included that the current situation was anomalous by having half the houses on the road in one parish and half in the other.

Resolved

To take no action in respect of Schemes 19 and 20 for reasons as set out in report.

Councillor Wheeler then presented and moved the recommendation to take no action in respect of Scheme 103, seconded by Councillor Ricky Rogers, for the reasons as set out in the report and repeated at the meeting as it was felt there was no compelling case for changing the boundary. Councillor Wheeler moved the recommendation, seconded by Councillor Ricky Rogers.

There were no additional comments made in debate.

Resolved:

To take no action in respect of Scheme 103 for reasons as set out in report.

Trowbridge Group 3 (Schemes 26, 27, 28, 29)

Councillor Roger Evans, Chairman of North Bradley Parish Council, spoke in support of the working group's recommendations to take no action in respect of Scheme 29. The area's residents wished to remain a parish not an extension of the town, and the proposal from the town was for financial reasons given the allocation of housing land in the area.

Councillor Richard Covington, Chairman of West Ashton Parish Council, spoke in support of the recommendations of the working group to take no action in respect of Schemes 26-29. The Town Council's proposals were an attempt to gain more revenue, when the objective of the review was regarding governance, the case for which was not made. Residents were also strongly

opposed to proposals to change the boundary, and held affinity with the rural nature of the parish and its current effective governance arrangements.

Councillor Tim La Mere, West Ashton Parish Councillor and resident of Old Farm Estate, spoke in support of the recommendations of the working group, highlighting the consultation responses from residents opposing the proposed changes and the strong sense of community identity held by residents of the parish.

Mr Geoff Ligo, Director of Transforming Trowbridge, spoke in support of the Trowbridge Town Council proposals. He stated in order to make a stronger, more vibrant county town it was essential the land allocated for significant urban expansion housing be included within the town boundary. Strategic factors and future development should be given greater weight than financially motivated consultation responses.

Mr Lance Allan, Clerk to Trowbridge Town Council, presented further questions as detailed in Agenda Supplement 1 and received a response as detailed above as to his previous questions. He also presented a statement, claiming that the working group had as with schemes 26, 27, 28, 29 not provided a clear analysis or assessment of the evidence and ensured their recommendations were justified by that evidence in a clear or consistent way and requested Council reject the recommendation. The areas in question included significant existing urban expansion, and significant allocated urban expansion which would retain green space between the parishes. Representatives of the parish had talked about wanting to remain in rural settings, but the existence of incoming housing of thousands of homes meant if the parish wished to remain rural the land should be transferred to Trowbridge.

Councillor Wheeler was then invited to present the recommendations of the working group in respect of Schemes 26, 27, 28 and 29, and would take each in turn. If Scheme 26 were not approved, as was recommended, Schemes 27 and 28 could not be approved as that would create an exclave of West Ashton Parish rather than a contiguous boundary.

Councillor Wheeler moved the recommendation that no action be taken in respect of Scheme 26 for the reasons as set out in the report and repeated at the meeting, as it was felt there was no compelling case for changing the boundary to improve the governance of the areas in question at this time. Councillor Ricky Rogers seconded the motion.

Members of the working group were given the opportunity to comment and a debate then followed.

Comments in support of the recommendation included that the proposal was the fairest option made after careful consideration of the relevant factors, consultation responses had demonstrated they opposed Scheme 26 and wished to remain part of West Ashton Parish, and the Core Strategy supported the distinct nature of the villages and their right to become larger villages. It was also suggested the town council consider why residents of the area would be so reluctant to become part of the town.

Comments in opposition to the recommendation included that the Old Farm estate was a clear urban extension of the town, with its access to services and facilities focused toward Trowbridge due to its considerable isolation from the remainder of the parish housing several miles away up a hill. The parish would retain its rural character as it wished if the scheme were approved, but would become an increasingly urbanised parish if it were not approved particularly with the Ashton Park urban expansion building up the area around it, leading to a confused sense of community identity and governance due to lack of clarity on the ground where the boundary was located. The estate shared no characteristics with the rest of the parish, and while the consultation responses had opposed the proposal, they had only been a very small proportion of the total residents. The B3105 linking the West Ashton road to Paxcroft Mead estate to the north was to the south of Old Farm estate, forming a natural logical boundary linking the built up area of the town.

Following a vote the motion was lost.

A motion to approve Scheme 26 for reasons as set out in the debate () was moved by Councillor Steve Oldrieve, seconded by Councillor Gordon King.

Comments in opposition to the motion included that the views of residents should be respected, and that just because facilities of an area were used by residents of another parish did not mean they were part of the parish where those facilities were based.

Resolved:

To approve Scheme 26 for the following reasons:

- 1) The Old Farm estate represented a defined urban extension of Trowbridge, which looked to the town rather than to the rest of West Ashton Parish for services and facilities. There was therefore greater community of interest with Trowbridge than with the rest of the parish of West Ashton.**
- 2) The remainder of West Ashton parish would retain its identity as an essentially rural parish.**
- 3) If this area remained within West Ashton it would become an increasingly anomalous urbanised area, within an otherwise generally rural parish, which would not reflect the community identity of the area.**
- 4) The B3105 linking the West Ashton road to Paxcroft Mead estate to the north formed a logical boundary linking the built up area of the town.**

Councillor Wheeler moved the recommendation that no action be taken in respect of Scheme 27 for the reasons as set out in the report and repeated at the meeting, as it was felt there was no compelling case for changing the boundary to improve the governance of the areas in question at this time. Unlike Scheme 26 no housing was currently present on the site, which was designated in part for employment land. Councillor Ricky Rogers seconded the motion.

Comments in support of the recommendation included that there was no communities at present and no compelling reason to change the boundary, and that those residents nearby in what was West Ashton parish were strongly opposed to changing the boundary.

Comments in opposition to the recommendation included that the area in question adjoined the Castle Mead estate which was always planned to expand down into the area, forming a natural whole. The B3105 road from Paxcroft Mead formed the edge of the proposed area and formed a natural clear boundary to the urban expansion, future residents would naturally look toward the town and its services.

Following a vote the motion was lost.

A motion to approve Scheme 27 for reasons as set out in the debate for Schemes 26 and 27 was moved by Councillor Steve Oldrieve, seconded by Councillor Nick Blakemore.

No additional comments in support of the motion were made.

Comments in opposition to the motion included that the recommendations and reasoning of the working group should not be set aside without firmer evidence.

Resolved:

To approve Scheme 27 for the following reasons:-

- 1) That there were clear proposals for the expansion of Trowbridge to extend into this area, adjoining the Castle Mead estate, so that it would form part of the urban area of the town. The community interests and identity of this area would, therefore, be more closely linked with Trowbridge than with West Ashton and future residents would naturally look toward the town and its services.**
- 2) The B3105 road from Paxcroft Mead formed the edge of the proposed area and formed a logical defined boundary to the urban expansion of Trowbridge,**

Councillor Wheeler moved the recommendation that no action be taken in respect of Schemes 28 for the reasons as set out in the report and repeated at the meeting, as it was felt there was no compelling case for changing the boundary to improve the governance of the areas in question at this time.

Comments in support of the recommendation included that, as with Scheme 27, there were no communities at present for the area Scheme 28 and no compelling reason to change the boundary at the present time as there were no communities to govern, and that those residents nearby in what was West Ashton parish were strongly opposed to changing the boundary. Scheme 29 contained some residents who were strongly opposed to being moved from North Bradley parish. There were no clear improvements to the boundary proposed, no roads or physical barriers, and it would be consistent with previous decisions to uphold the recommendation, even though the land would be built upon at some future stage.

Comments in opposition to the recommendation included that significant urban development was planned for the areas in question which would fundamentally change the nature of the areas with thousands of homes. Moving the areas would retain the nature of the parish and recognise the nature of urban expansion.

Resolved:

To take no further action on Scheme 28 for the reasons set out in the report.

Councillor Wheeler moved the recommendation that no action be taken in respect of Schemes 29 for the reasons as set out in the report and repeated at the meeting.

As the issues relating to Scheme 29 had been debated thoroughly while discussing Scheme 28, following a motion to move directly to the vote it was,

Resolved:

To take no further action on Scheme 29 for the reasons as set out in the report.

Trowbridge Group 4 (Scheme 21)

Councillor Wheeler moved the recommendation that Scheme 21 be approved for the reasons as set out in the report. Although the public responses had been opposed to the scheme, the current boundary was seen as anomalous. Councillor Wheeler's recommendation was seconded by Councillor Ricky Rogers.

Members of the working group were given the opportunity to comment and a debate then followed.

Comments in support of the proposal included that existing boundary was clearly anomalous, running between properties and cutting off a small number of houses from an existing estate, and community identity would be improved by correcting the anomaly.

There were no comments in opposition to the proposal.

Resolved:

To approve Scheme 21 for the following reasons, as set out in more detail in the report:

- 1) The current boundary was anomalous and out-of-date, following earlier residential development in the area.**
- 2) The houses within the area concerned were clearly part of a larger residential estate which was within Trowbridge and were themselves to all intents and purposes part of Trowbridge. Therefore community identity could be enhanced by including this area within Trowbridge parish.**

Trowbridge Group 5 (Scheme 24)

Councillor Andrew Pearce of Holt Parish Council made a presentation in support of the working group recommendation that no action be taken in respect of Scheme 24. There would be no improvement to effective governance or community identity, and the residents of the few properties in the area were opposed to the proposed change.

Mr Lance Allan, Clerk to Trowbridge Town Council, presented a statement in opposition to the working group recommendation. The response to consultation was mixed, and the only access to the properties was through Trowbridge parish, and to get to Holt parish further required moving through Staverton and Hilperton parishes over several bridges, and the report acknowledged the change to the boundary would be improved.

Councillor Wheeler moved the recommendation that no action be taken in respect of Scheme 24 for the reasons as set out in the report and repeated at the meeting. Although using the canal as the boundary would be an improvement, there were no compelling governance reasons to amend the boundary. The motion was seconded by Councillor Ian McLennan.

Comments in support of the proposal included that the site was facing no future development as it was Green Belt land and so belonged in a rural parish, and there would be no improvements in moving the boundary.

There were no comments in opposition to the proposal.

Resolved:

To take no action in respect of Scheme 24 for the reasons set out in the report.

Salisbury and Laverstock Group 1(Scheme 100)

Councillor David Burton, Chairman of Laverstock and Ford Parish Council spoke in support of the working group recommendation not to support the proposal to merge the parish with Salisbury City Council. The parish council was active, effective and viable, and residents were overwhelmingly opposed to being merged within Salisbury City Council. The governance criteria therefore supported the retention of the existing arrangements.

Julie Ward, resident of Laverstock and Ford, spoke in support of the working group recommendation. Residents had clearly and repeatedly demonstrated they wished to retain their own parish council and distinct identity.

Leslie Waller, resident of Laverstock and Ford, spoke in support of the working group recommendation, endorsing the comments made by the previous speakers, and pointed to the high volume of responses to the consultation and high attendance at public events that had been arranged. The people wished to retain their non-political parish council and not be absorbed by the City Council.

Councillor Margaret Wilmot, Salisbury City Councillor, presented a question as detailed in Agenda Supplement 1. Councillor Wheeler responded that the working group were aware of the development of Old Sarum which is to be

extended under the Core Strategy and which is separate to the urban area. The review had taken appropriate account of developments to be completed in the near future. Councillor Wilmot also presented a statement in support of the proposal from Salisbury City Council to merge with Laverstock and Ford Parish Council. Salisbury had grown over time and had several communities with distinct identities within it, and new houses on the edges of the parish were an addition to that process, not a replacement of identity, which would lead to multiple governance improvements as the communities were better able to work together.

Councillor Matthew Dean, Salisbury City Councillor, presented a statement supporting the proposals of the city council, stating there was a tremendous opportunity for the whole of the area to achieve things for their communities together if they were to join. Laverstock was an urban area which shared characteristics with the city, and would be able to retain distinctiveness within the city while also contributing to the services and facilities they were currently enjoying from the city.

Councillor Andrew Roberts, Leader of Salisbury City Council presented a statement in support of the merger of the parishes. He stated the purpose of the reviews was to find improvements to parish boundaries to create more efficient and effective governance, and he urged council to take the opportunity to achieve that by creating a larger, more vibrant city council. He commented upon the consultations that had been undertaken and suggested that the results were not overwhelming when considering how many had not responded.

Councillor Wheeler moved the recommendation that no action be taken in respect of Scheme 100 for the reasons as set out in the report and repeated at the meeting. Councillor Ricky Rogers seconded the motion. The merger was the most significant proposal considered by the working group, involving the dissolution of an existing parish council. Extensive consultation had been undertaken and the detailed submissions of both views had been assessed.

Members of the working group were given the opportunity to comment and a debate then followed. The very passionate views expressed on both sides of the merger question were noted, and the strict criteria permitting dissolution of a parish council was highlighted.

Comments in support of the proposal included that Laverstock and Ford was served by a very effective and undeniably viable council and the residents were overwhelmingly opposed to being absorbed by Salisbury City Council, which some members felt was a less effective parish council, and the reason for the proposed merger being financial only. Most services in Salisbury needed to be paid for when used, therefore those from outside parishes were already contributing to the city, and it was not a reason to abolish Laverstock and Ford parish. Communities should not be absorbed against their will and risk losing their identity, and in Laverstock there was a strong sense of identity, as once absorbed it would be very difficult to separate again. While there might be a case for elements of the parish or other parishes to be moved into Salisbury, dissolution of the parish was not justified on the evidence, and there was

nothing to prevent the parishes working together on many issues without merging. The lack of communication in particular from the proposing council to seek agreement between the parishes was criticised.

Comments in opposition to the proposal included that the key factor to consider was effective and convenient local governance, and that it was felt that the boundaries set decades ago were no longer appropriate, particularly with residents of the parishes who used services in Salisbury having no say in the delivery of those services. The comments of residents carried considerable weight, but the decision was not a referendum, and the response level to consultation was in fact a minority percentage, nor had most of Salisbury residents been consulted by the working group directly. Many in opposition to the merger did not wish to pay more council tax, which was not a relevant consideration, and others may have feared a loss of identity, but there already existed village areas within the city boundary which retained unique identity and character, so the fear was not justified. Large developments were taking place which were more properly urban extension of the city rather than part of the parish, and many people already thought outlying settlements were part of the city, and Laverstock in particular was no longer a distinct rural community .

Resolved:

To take no action in respect of Scheme 100 for the reasons set out in the report.

Salisbury and Laverstock Group 2(Schemes 2 and 3)

Councillor David Burton, Chairman of Laverstock and Ford Parish Council spoke in support of the working group recommendation to approve Scheme 2, noting in particular the work of the parish council on the area of the country park, and logic of combing the estate currently split between two parishes into one, and which the parish council already communicated to. This was also supported by the residents as detailed in the consultation responses.

Julie Ward, resident of Laverstock and Ford parish, spoke in support of the recommendation of the working group. She stated it was felt Bishopdown farm was an integral part of the Hampdon park estate, whose residents felt they belonged in Laverstock and Ford parish.

Leslie Waller, resident of Laverstock and Ford, spoke in support of the working group recommendation, endorsing the comments made by the previous speakers, and stated it was an historic anomaly that the area was split between the two parishes, and it was considered a part of the Laverstock and Ford area.

Councillor Margaret Wilmot, Salisbury City Councillor, presented a statement in support of the proposal from Salisbury City Council that Scheme 3 be approved. The housing was separated by river and railway from Laverstock, and residents looked toward Salisbury for services and employment, and was an urban extension of the city.

Mr Reg Williams, Clerk to Salisbury City Council, presented a statement in support of the proposal from Salisbury City Council that Scheme 3 be approved.

The area was clearly an urban extension of the city, isolated from the rest of the parish, and if as was right the area should be contained in a single parish, Salisbury City was the most appropriate under the criteria of the governance reviews.

Councillor Andrew Roberts, Leader of Salisbury City Council presented a statement in support of the proposal from Salisbury City Council that Scheme 3 be approved. He stated the development was a clear urban entity and where the existing boundary was anomalous, and that if it were moved into Laverstock and Ford entirely the anomalous nature of the boundary remained due to isolation from the rest of the parish.

Councillor Wheeler moved the recommendation that Scheme 2 be approved for the reasons as set out in the report and repeated at the meeting. As a result, Scheme 3 would not be approved as it was a direct opposite of Scheme 2. Councillor Ricky Rogers seconded the motion. The working group had accepted the estate should be in a single parish, and concluded on balance that realignment as proposed in Scheme 2 would improve community identity and cohesion.

Members of the working group were given the opportunity to comment and a debate then followed. It was stated a great many meetings had taken place assessing evidence and considering factors, and it was felt Scheme 2 was the most appropriate proposal under the criteria.

Comments in support of the proposal included that historically the area had been within Laverstock and Ford, and those homes still within the parish represented a significant portion of the parish. The nature of the area was more rural than urban, which was why it made more sense for all the homes to form part of Laverstock and Ford. It was acknowledged the consultation responses might have been a little skewed due to all of Laverstock and Ford parish having been consulted, but it was still notable the support for Scheme 2 over Scheme 3.

Comments in opposition to the proposal included that Scheme 3 was a simpler and more appropriate natural and logical boundary, recognising the area has a greater connection to Salisbury City than the rest of the Laverstock and Ford parish as a result of being an urban expansion of the city, and it would be more consistent with previous decisions, and more practical, to realign the boundary to include the whole area within Salisbury.

Resolved:

That Scheme 2 be approved and Scheme 3 not approved for the following reasons, as set out in more detail in the report.

- 1) That the areas in Schemes 2 and 3 were clearly one housing development and the community identity for the area would be improved by the inclusion of all properties within one parish.**

- 2) **That the inclusion of the areas concerned within one parish would provide a more logical and appropriate boundary between the two parishes.**
- 3) **That there was a stronger community identity in the area with Laverstock and Ford parish than with Salisbury**

54 **Update on Approved Schemes**

The Chairman invited Councillor Stuart Wheeler to present the report which provided an update to Council on schemes previously approved.

In response to a question from Councillor Jon Hubbard, Councillor Wheeler stated that if a new recommendation, with regard to new housing development in Melksham, was jointly put forward by both Parish Councils affected, then it could be considered by the Working Group.

Having being proposed by Councillor Wheeler, and duly seconded by Councillor Ricky Rogers, the meeting;

Resolved

- 1) **To note the position on the previously-approved changes to Community Governance Arrangements;**
- 2) **To take no further action in respect of further proposals in the Devizes/Bishops Cannings, Melksham and Tidworth Areas; and**
- 3) **To approve the making of Community Governance Orders effecting the changes to the parishes of Calne & Calne Without and the Parishes of Bishopstrow, Warminster and Sutton Veny.**

55 **Notices of Motion**

There were no notices of motion.

56 **Recommendations of the Standards Committee on Changes to the Constitution**

The Chairman invited Councillor Stuart Wheeler, Cabinet Member, to present the report which requested Council to consider proposed changes to the constitution as recommended by the Standards Committee in relation to the Council's Code of Conduct, Financial Regulations and Procurement Regulations.

The Chairman stated that he would allow each recommendation to be considered and voted upon separately.

Councillor Stuart Wheeler stated, in response to a question submitted by Councillor Christopher Newbury, that: each complaint into alleged breaches of

the Code of Conduct would be dealt with on its own facts; that Councillors would be given an opportunity to give an initial response to complaints; and that the change in the guidance should result in fewer complaints being referred for investigation.

Having been put to the vote, it was;

Resolved

That Council makes no changes to the Code of Conduct but adopts the proposed guidance as shown at Appendix 2c of the report presented to assist Members in meeting their obligations under the Code and agrees that any review of the guidance is overseen by the Standards Committee.

Recorded Vote:

Councillor Russell Hawker requested that his vote against the above decision be recorded.

Councillor Wheeler then presented the recommendations regarding the Financial Regulations.

There being no questions, the meeting;

Resolved

That Council approve adoption of a revised Part 9 of the Constitution, as shown at Appendix 3a of the report of the report presented.

Councillor Wheeler then presented the recommendations regarding the Procurement Regulations.

There being no questions, the meeting;

Resolved

That Council approve adoption of a revised Part 10 of the Constitution (with subsequent parts renumbered), as shown at Appendix 4 of the report presented.

57 Annual Treasury Management report 2015-16

The Chairman invited Councillor Dick Tonge, Cabinet member for Finance, to present a report which would enable Council to consider the performance against the parameters set out in the approved Treasury Management Strategy for 2015-16; noting that the report was required by the Prudential Code for Capital Finance in Local Authorities and the CIPFA Code of Practice for Treasury Management in the Public Services. It was also noted that the report had been considered by Cabinet at its meeting on 14 June 2016

There being no further debate, the meeting;

Resolved

To note:

- a) **The Prudential Indicators, Treasury Indicators and other treasury management strategies set for 2015-16 against actual positions resulting from actions within the year as detailed in Appendix A of the report presented;**
- b) **The investments during the year in the context of the Annual Investment Strategy as detailed in Appendix B of the report presented.**

58 Urgent Executive Decisions taken by Cabinet - Exemption from Call-in

In accordance with paragraph 41 of Part 8 of the Constitution (Overview and Scrutiny Procedure Rules), Council received a report which detailed the decision to exempt decisions by Cabinet at its meeting on 14 June 2016 regarding the 'Help to Live at Home Service Commissioning' from the Scrutiny call-in process due to the need to complete the decision making process urgently, with the full reasons for urgency being detailed in the report presented.

It was noted that such an exemption from the call-in process was exercised only in very exceptional circumstances and this was in fact the first time it had been used since at least the Council became a unitary authority in 2009.

In response to an issue raised by Councillor Chris Caswill, Councillor Jerry Wickham stated that he would give a response under the Councillor Questions item later on the agenda.

Resolved:

That Council notes that the Cabinet decisions, namely in relation to 'Help to Live at Home Service Commissioning' dated 14 June 2016, were determined as matters of urgency thereby exempting them from the Scrutiny call-in process, in the interests of the Council and the public and for the reasons outlined in the report presented.

59 Cabinet Scheme of Delegation

At the Chairman's invitation, the Leader, Baroness Scott of Bybrook, OBE, presented a report which informed Council of a change to her Cabinet namely that following the resignation of Councillor Keith Humphries from the Cabinet, his responsibilities for Health (including Public Health) and Adult Social Care had been transferred to the new Cabinet Member, Councillor Jerry Wickham. The report noted that the change had taken effect from the 27 June 2016.

There being no further debate, the meeting;

Resolved

To note the change to the Cabinet Scheme of Delegation for Individual members of the Cabinet as detailed in the report and Appendix presented.

60 Membership of Committees

The Chairman invited Group Leaders to present any requests for changes to committee membership in accordance with the allocation of seats to political groups previously approved by Council.

Following requests made by Councillor Glenis Ansell, Leader of the Liberal Democrat Group, and The Baroness Scott of Bybrook, OBE, Leader of the Conservative Group, it was,

Resolved

1) Environment Select Committee

- **Remove Councillor Alan Macrae as a Full Member.**
- **Add Councillor Mike Hewitt as a Full Member.**

2) Standards Committee

- **Remove Councillor Jerry Wickham as a Full Member.**
- **Add Councillor John Smale as a Full Member.**

3) Pensions Committee

- **Remove Councillor Mark Packard as a Full Member.**
- **Add Councillor Gordon King a Full Member.**

4) Northern Area Planning Committee

- **Remove Councillor Mark Packard as a Full Member.**
- **Add Councillor Glenis Ansell as a Full Member.**
- **Add Councillor Bill Douglas as a Substitute Member.**

61 Minutes of Cabinet and Committees

The Chairman moved that Council receive and note the following minutes as listed in the separate Minutes Book.

The Chairman then invited questions from members on points of information or clarification on the above minutes and gave the Chairmen of those meetings the opportunity to make any important announcements on the work of their respective Committees.

There being no further questions, the meeting;

Resolved:

That the minutes of the circulated Minutes Book be received and noted.

Cabinet – 19 April, 17 May, 14 June
Cabinet Capital Assets – 17 May
ONS Management – 24 May, 21 June
Health Select – 19 April
Strategic Planning – 13 April, 11 May, 2 June, 15 June
Northern Area Planning – 4 May, 1 June, 22 June
Eastern Area Planning – 12 May
Southern Area Planning – 28 April
Western Area Planning – 27 April, 18 May
Standards Committee – 29 June
Joint Strategic Economic Committee – 11 Feb, 28 April
Health and Wellbeing Board – 14 April
Dorset and Wiltshire Fire Authority – 1 April

62 Councillors' Questions

The Chairman reported receipt of questions from Councillors Ernie Clark, Bill Douglas, Chris Caswill, Christopher Newbury and Chris Hurst details of which were circulated in Agenda Supplement No. 1 together with responses from the relevant Cabinet member or Committee Chairman, details of which are attached as Appendix C. Where questions had related to a specific item on the agenda, they had been dealt with under that item.

Questioners were permitted to each ask one relevant supplementary question per question submitted and where they did so, the relevant Cabinet member responded as summarised below:

1. Councillor Chris Caswill to Councillor Stuart Wheeler (16/23)

Councillor Caswill thanked Councillor Wheeler for the detailed response given.

2. Councillor Chris Hurst to Councillor Jerry Wickham (16/32)

Councillor Jerry Wickham, in a verbal response to the question, provided a definition of what constituted a hate crime; what action the Council would be taking to increase the public's awareness of the issues, and how they could report incidents. In taking action, the Council aimed to reduce harm, support victims and prosecute where necessary.

Councillor Hurst thanked Councillor Wickham for the response and asked that when the communication material was released, it could be prominently displayed on the Council's website so that Councillors could easily refer people to it.

3. Councillor Chris Caswill to Councillor Baroness Scott (16/24)

In response to a supplementary question, Councillor Baroness Scott stated that the Sustainable Transport Plan was not led by Wiltshire Council nor by the Health & Wellbeing Board, so she was not able to state when the plans would be made public. The Health & Wellbeing Board would receive an update in due course.

4. Councillor Chris Caswill to Councillor Jerry Wickham (16/29)

In response to a supplementary question, Councillor Wickham stated that Mears had improved the service they delivered, and that Wiltshire Council would be working closely with Mears and monitoring their performance as appropriate.

(Duration of meeting: 10.30 am - 7.01 pm)

The Officer who has produced these minutes is Yamina Rhouati of Democratic Services, direct line 01225 718024, e-mail Yamina.Rhouati@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

APPENDIX 2

Wiltshire Council

Council

12 July 2016

Councillor Ernie Clark, Hilperton Division

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

Question (Ref16-21)

At a cabinet meeting earlier this year, you replied to my question by stating that the five year housing land supply figures for the North And West Housing Market Area were in the process of being prepared.

- a) What progress has been made and when will the 2016 figure be announced?
- b) Do you agree that this delay is placing many area of the county at risk from speculative planning applications?

Response

- a) The process to update the Council's annual housing land supply statement starts in April each year. The review is ongoing and will be published when complete. Last year this was achieved towards end September 2016 and it is expected that we will be able to achieve a similar timeline this year.
- b) There is always a risk of speculative planning applications regardless of the five year land supply position.

(Ref16-21)

Wiltshire Council

Council

12 July 2016

Councillor Bill Douglas, Chippenham Hardens and England Division

To Councillor Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste and Cllr Richard Tonge, Cabinet Member for Finance

Question (Ref16-22)

At the Area Board presentation on Affordable House building on Monday 27th of June we were advised that only 84 affordable houses had been built in the last five years in the Chippenham Area. Developers build most of the affordable houses under our 25% allocation scheme. However the Developers have built very few houses in the past few turbulent years. With the unpredictable state of the market after our exit from the EU that situation is set to continue into the foreseeable future. Developers only build when they can sell at the right price and the Inspector has supported their right to do this.

Therefore can the Cabinet Member supply the figures showing how much money is available to Wiltshire Council and, as the land cost is the main deterrent when building, how much Wiltshire Council land is available within the Chippenham Core Strategy Development Areas that can be made available for building.

With this information available we would hope that, working with Developers, we can find a way to increase the numbers.

Response

Within the broad 'strategic areas' for growth at Chippenham (Areas A to E) as identified within the Wiltshire Core Strategy at paragraph 5.56 there is 273.8 hectares of land owned by Wiltshire Council.

In terms of the allocations within the Chippenham Site Allocations Plan as proposed to be modified (May 2016) there is no land of significance in the Council's ownership.

The majority of funding is already committed to the Council House Build Programme as detailed below. The only funding not yet committed would be the balance on commuted sums which as at 30th June 16 would be £1.959m however there are conditions on the funding that have to be adhered to.

(Ref16-22)

The following funding has already been committed to the Council House Build Programme for period 2014/20/15 to 2018/2019

HRA £34m

1-4-1 £0.632m

DOH Grant £0.800m

Adult Social Care Grant £2.075m

Commutated Sums £2.251m

The following funding has been committed to RP Schemes:

1-4-1 £2.234m

Councillor Chris Caswill, Chippenham Monkton Division

To Councillor Stuart Wheeler, To Councillor Stuart Wheeler, Cabinet Member for Hubs, Governance, Support Services, Heritage, Arts and Customer Care

Question (Ref16-23)

How many Freedom of Information requests were received for each of the Council years 2014-15 and 15-16? How many in each year received answers and how many were refused answers? How many appeals have been made in each year to the Information Commissioner, with what outcomes?

Response

The Council received a total of 1,513 Freedom of Information/Environmental Information Regulation (FOI/EIR) requests in 2014/2015 and 1,458 in 2015/2016

The number of requests decreased by 4% in 2015/2016.

There have been no financial penalties placed on the Council by the ICO in respect of FOIs or EIRs. Any associated costs have been in relation to the resource time of officers in responding to requests and appeals.

There is also a reputational impact for the Council as decision notices are published on the ICO website.

Year	Total FOI Requests	Total responses	Total refusals	Total appeals to ICO	Outcome of Appeals	Reasons
2014/2015	1,513	1,419	94	4	1 upheld	Section 43 not able to be applied – information was not considered commercially sensitive
					1 part upheld	Information provided outside of timeframe, not considered to be a vexatious request but some considered information considered commercially sensitive
					1 not upheld	Discrepancy over the response provided
					1 withdrawn	Settlement of claim
2015/2016	1,458	1,418	40	8	5 upheld	2 x information not received within allowed timeframe 2 x responses not provided 1 x review not conducted
					1 not upheld	Complainant believes information was held
					1 withdrawn	Handling of request
					1 pending	Awaiting outcome

Wiltshire Council

Council

12 July 2016

Councillor Christopher Newbury, Warminster Copheap and Wylve Division

To Councillor Stuart Wheeler, Cabinet Member for Hubs, Governance, Support Services, Heritage, Arts and Customer Care

Question (Ref16-30)

Attached below is an appendix to a report which went to the Wiltshire Council Standards Committee on 21 January 2015. All the complaints made to the Monitoring Officer between no. 16/12 of 2012 and no. 80/14 of 2014 are listed, and the list shows whether they were referred for investigation or not, although some were still pending.

Could the Council please provide an updated version of this appendix, showing which of the complaints listed in it would have been referred for investigation if the new guidance document proposed by the Standards Committee on 29 June 2016 had been in force in each of the relevant councils then?

Response

In accordance with the provisions set out in Part 4 of the Constitution, a verbal response will be provided at the meeting.

Wiltshire Council

Council

12 July 2016

Councillor Chris Hurst, Royal Wootton Bassett South Division

To Councillor Jerry Wickham, Cabinet Member for Public Health

Question (Ref16-32)

In light of the appalling increase in hate crimes following the European Union Referendum, it is extremely important that this Council sends a clear message condemning such appalling actions. Diversity has strengthened our communities and the people of Wiltshire need to know that this Council stands for tolerance and respect for all regardless of your background.

- 1) Will the Council follow other Local Authorities in issuing a statement condemning hate crimes?
- 2) Have any Council staff been victims of these appalling attacks, and if so, how are they being supported?
- 3) What strategies are in place for tackling racial abuse and xenophobia in Wiltshire?

Response

In accordance with the provisions set out in Part 4 of the Constitution, a verbal response will be provided at the meeting.

Wiltshire Council

Council

12 July 2016

Councillor Chris Caswill, Chippenham Monkton Division

**To Councillor Baroness Scott of Bybrook OBE, Leader of the Council and
Councillor Jonathon Seed, Cabinet Member for Housing, Leisure, Libraries and
Flooding**

Question (Ref16-24)

How long, and since when, have the Council retained Wheelscape Ltd for the preparation of the planning application for a skate park in Monkton Park in Chippenham? How much have Wheelscape been paid to date and what is the outstanding financial commitment to them?

Response

The council's main contractor for the Chippenham skate park project was appointed via a procurement exercise in February 2015. Wheelscape are contracted to design and build the skate park. The contract price for Wheelscape is £275,000. This is split between the work required to secure planning permission for the skate park and main construction works. To date Wheelscape have been paid £5,000 for their work to design the Skate park and submit the planning application.

Question (Ref16-24)

Wiltshire Council

Council

12 July 2016

Councillor Christopher Newbury, Warminster Copheap and Wylde Division

To Councillor Stuart Wheeler, Cabinet Member for Hubs, Governance, Support Services, Heritage, Arts and Customer Care

Question (Ref16-31)

On the proposed guidance document on the meaning of the Wiltshire Council code of conduct, will the council be recommending town and parish councils, and Salisbury City Council, to adopt it too? If so, will it be consulting them on the draft document in advance and also explaining the effects of adopting it?

Response

In accordance with the provisions set out in Part 4 of the Constitution, a verbal response will be provided at the meeting.

Wiltshire Council

Council

12 July 2016

Councillor Ernie Clark, Hilperton Division

To Councillor Stuart Wheeler, To Councillor Stuart Wheeler, Cabinet Member for Hubs, Governance, Support Services, Heritage, Arts and Customer Care

Question (Ref16-33)

The Wiltshire Times states that this council has spent £530,304 to 'gag' thirty three former staff members. In 2011 alone it apparently paid £233,173 to just seven members of staff.

Who authorised these thirty three payments and why were they required? Is this not a mis-use of public money if this council has nothing to hide?

http://www.gazetteandherald.co.uk/news/14567483.Wiltshire_Council_spends_500k_on_gagging_former_employees/

Response

In accordance with the provisions set out in Part 4 of the Constitution, a verbal response will be provided at the meeting.

(Ref16-33)

Wiltshire Council

Council

12 July 2016

Councillor Chris Caswill, Chippenham Monkton Division

**To Councillor Baroness Scott of Bybrook OBE, Leader of the Council and
Councillor Jonathon Seed, Cabinet Member for Housing, Leisure, Libraries and
Flooding**

Question (Ref16-25)

Including staff time, what has been the cost of preparing the planning application for a skate park in Monkton Park in Chippenham? What is the estimated cost of construction of the facility, should it be approved?

Response

The first part of this question was asked in February 2016 and the answer is available online as part of the paper for this meeting. For convenience the answer has been replicated below..

Officer time has not been quantified in respect of this as the onus, through contract, has been on the contractor to prepare the application. Officer time has been spent facilitating meetings e.g. with Skate Park users via the Local youth Network.

The contract price for the design and build of the Skate Park is £275,000. This is split between the work required to secure planning permission for the skate park and main construction works. The budget for the construction stage is £263,000.

Question (Ref16-25)

Wiltshire Council

Council

12 July 2016

Councillor Chris Caswill, Chippenham Monkton Division

**To Councillor Baroness Scott of Bybrook OBE, Leader of the Council and
Councillor Jerry Wickham, Cabinet Member for Public Health**

Question (Ref16-26)

A Sustainability and Transformation Plan (STP) for health and social care services in the whole area of Wiltshire, Swindon and Bath and North East Somerset has to be submitted to Government by 16 September. A draft STP was due to have been submitted by the end of June. These are plans which will determine the delivery of services in Wiltshire, and also reductions in costs and service delivery. Where have or will be any of these plans be publicly available and available for discussion and scrutiny by elected members other than yourself? Are you in a position to share the information with Councillors and the wider public?

Response

The timescales set by NHS England for the STP require that a draft plan is submitted by 30th June, this is a checkpoint submission to identify baseline finances across the footprint and direction of travel over the next five years to close the health and wellbeing gap, the quality gap and the finance gap and form the basis of a conversations between footprint areas and National Leadership within the NHS. The guidance for the June submission highlights that the plans are a 'work in progress'. It is anticipated that once this draft checkpoint plan has been reviewed by NHSE and categorised then work will begin to flesh out the priority areas across the footprint with further data and more detailed plans ahead of the final submission in September.

It is during this time, between end of June and September that a full engagement plan with partners will be developed. The Senior Responsible Officer for the STP presented the draft outline plan to Wiltshire Health Select Committee recently, and whilst the plan has gone to various NHS meetings the draft plan has not been formally approved by any NHS boards or governing bodies within the footprint as this is not a requirement of the checkpoint submission. Healthwatch Wiltshire sit on the STP board and will be fully engaged with public engagement once this draft plan has been agreed/approved by the regulators, HWW have written a letter to the senior officer that highlights their understanding of the limited patient engagement up until this point is due to the tight timescales and have requested sight of the communications plan in order that this engagement can be done effectively before the final submission of the plan in September.

Question (Ref16-26)

Wiltshire Council

Council

12 July 2016

Councillor Chris Caswill, Chippenham Monkton Division

**To Councillor Baroness Scott of Bybrook OBE, Leader of the Council and
Councillor Jerry Wickham, Cabinet Member for Public Health**

Question (Ref16-27)

The leader of the STP team is on record as having concerns about the governance of the STP process. As Chair of the Wiltshire Health and Wellbeing Board do you share those concerns? What steps are being taken by you and /or the Board to improve the governance arrangements?

Response

The governance arrangements of the STP process were discussed at the last Wiltshire Health and Wellbeing Board on the 9 June and at the subsequent STP board on 23rd June; and it was agreed that a working group would be set up to review the arrangements to ensure that an agreement was reached across the footprint as to most appropriate governance arrangements. Effective engagement, clear governance and local accountability should be the cornerstone of any plan and its implementation.

Wiltshire Council

Council

12 July 2016

Councillor Chris Caswill, Chippenham Monkton Division

**To Councillor Baroness Scott of Bybrook OBE, Leader of the Council and
Councillor Jerry Wickham, Cabinet Member for Public Health**

Question (Ref16-28)

I see from Marlborough News Online that the STP team have employed management consultants for the preparation of these plans, and the cost has been shared with the 'STP's main members'. Are Wiltshire Council contributing to those costs and, if so, how much?

Response

The development of the STP is a requirement of NHS planning guidance. As such, Wiltshire Council is not contributing to the cost of consultants used in the preparation of these plans.

Councillor Chris Caswill, Chippenham Monkton Division

To Councillor Jerry Wickham, Cabinet Member for Public Health

Question (Ref16-29)

Congratulations on your Cabinet appointment. I appreciate its early days for you as yet, but there are nevertheless continuing and serious questions about the Council's Help to Live at Home Service that need urgent public attention. (a) What steps will you be taking to assure yourself that the Help to Live at Home Service is fit for purpose? (b) Which of the current and previous HTLAH providers have been found to be 'requiring improvement' or similar since the HTLAH scheme was launched? And in each case, how many times? (c) What account has been taken of the reasons given by Leonard Cheshire for not accepting the terms offered by the Council for extending their contract? (d) Will you make public, and discuss with the Health Select Committee, the refreshed service specification and new evaluation criteria for HTLAH? (e) Are you yet in a position to name the new providers, and if not when will you do so?

Response

- a) There are a number of measures that we employ to ensure that HTLAH meets the standards set by the Council:
- I. Strategic meetings to ensure that a common direction is maintained by all organisations involved with HTLAH
 - II. Contract review meetings with individual providers to ensure local compliance
 - III. Regular informal meetings to deal with local issues
 - IV. Quality Assurance spot checks to ensure processes and policies of the providers are being followed
 - V. Customer Reference Group spot checks to ensure Customers are satisfied with the service
 - VI. Regular contact is maintained with CQC and NHS colleagues to pick up any issues that may arise on a daily basis.
 - VII. Weekly data collection from providers which includes hours, visits, staff and customer numbers, missed visits, compliments and complaints
- b) CQC have recently changed their inspection regime, the current results are:
- I. Somerset Care: currently 'good' overall, previously 'requires improvement'
 - II. Mears: currently 'good' overall, previously 'action required'

Question (Ref16-29)

- III. Leonard Cheshire: currently 'requires improvement', previously 'good'
 - IV. MiHomecare: currently 'requires improvement', however, a new inspection report is due to be published within the next couple of weeks and this will show a decline in standards to 'inadequate'
 - V. Aster Living: at the time of leaving the service they were deemed 'good'.
- c) The terms offered to Leonard Cheshire were based on their original bid price with inflationary uplifts applied; this did not meet their financial requirements. We have since held an open tender process resulting in a new provider for their contract areas with a price that reflects the current costs of providing this innovative service. The new price for the re-tendered service was significantly less than the increased rate which Leonard Cheshire requested.
- d) The refreshed service specification and evaluation criteria are freely available upon request and are in the public domain . I very much welcome working with the Health Select Committee on this and a number of other issues.
- e) The new service provider for the three tendered contract areas is 'Mears Care Ltd'

This page is intentionally left blank